



I do hereby certify this to be a complete, accurate, and true copy of the document which is on file or is of record in the offices of the Texas Board of Nursing.  
*Katherine A. Thomas*  
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Vocational Nurse           §     AGREED  
License Number 103100                       §  
issued to CAROL ANNA BRAZELL           §     ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of CAROL ANNA BRAZELL, Vocational Nurse License Number 103100, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated violation of 301.452(b)(2),(3)&(10), Texas Occupations Code (effective 9/01/03); and Section 301.452(b)(2)&(10), Texas Occupations Code (effective 9/1/2005). Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on May 2, 2012, by Katherine A. Thomas, MN, RN, FAAN, Executive Director.

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was served on Respondent and Respondent was given an opportunity to show compliance with all requirements of the law for retention of the license(s).
2. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice vocational nursing in the State of Texas.
4. Respondent received a Certificate in Vocational Nursing from Gainesville Memorial, Gainesville, Texas, on August 12, 1983. Respondent was licensed to practice vocational nursing in the State of Texas on November 30, 1983.
5. Respondent's nursing employment history is unknown.

6. On or about January 31, 2004, Respondent was arrested in Cook County, Texas, for THEFT PROP>=\$20<\$500 BY CHECK, a Class B misdemeanor offense.

On or about March 12, 2004, Respondent pled Guilty and was convicted of THEFT PROP>=\$20<\$500 BY CHECK, a Class B misdemeanor offense committed on July 13, 2003, in the County Court at Law of Cook County, Texas, under Cause No. 48498. As a result of the conviction, Respondent was sentenced to confinement in the Cook County Jail for a period of one hundred and eighty (180) days; however, imposition of the sentence of confinement was suspended, and Respondent was placed on probation for a period of eighteen (18) months, and ordered to pay a fine and court costs. On or about August 31, 2005, Respondent's probation was extended for a period of twelve (12) months.

7. On or about July 8, 2004, Respondent submitted an LVN License Renewal Form to the Board of Nurse Examiners for the State of Texas, in which she provided false, deceptive, and/or misleading information, in that she answered "No" to the question: "Were you convicted of a misdemeanor other than a minor traffic violation since your last renewal?"

Respondent failed to disclose that on or about March 12, 2004, Respondent pled Guilty and was convicted of THEFT PROP>=\$20<\$500 BY CHECK, a Class B misdemeanor offense committed on July 13, 2003, in the County Court at Law of Cook County, Texas, under Cause No. 48498.

8. On or about January 21, 2005, Respondent was arrested by the Grayson County Sheriff's Office, Grayson, Texas, for THEFT PROP>=\$20<\$500 BY CHECK, a Class B misdemeanor offense.

On or about April 11, 2005, Respondent pled Guilty and was convicted of THEFT PROP>=\$20<\$500 BY CHECK, a Class B misdemeanor offense committed on July 24, 2003, in the County Court at Law No. 1 of Grayson County, Texas, under Cause No. 2005-1-44 CR. As a result of the conviction, Respondent was sentenced to confinement in the Grayson County Jail for a period of ninety (90) days; however, imposition of the sentence of confinement was suspended, and Respondent was placed on probation for a period of one (1) year, and ordered to pay restitution in the amount of four hundred three dollars and eighty-five cents (\$403.85), and along with a fine and court costs.

9. On or about June 4, 2006, Respondent submitted a Texas Online Renewal Document Licensed Vocational Nurse to the Board of Nurse Examiners for the State of Texas, in which she provided false, deceptive, and/or misleading information, in that she answered "No" to the question: "Have you been convicted, placed on community supervision whether or not adjudicated guilty, sentenced to serve jail or prison time or granted pre-trial diversion, or plead guilty, no contest or nolo contendere to any crime in any state, territory or country, or received a court order whether or not a sentence was imposed, including any pending criminal charges or unresolved arrests whether or not on appeal (excluding minor Class C

traffic violations)? This includes expunged offenses and deferred adjudications with or without a finding of guilt. Please note that DUIs, DWIs, and PIs must be reported and are not considered minor traffic violations. One time minor in possession {MIP} or minor in consumption {MIC} does not need to be disclosed; therefore, you may answer "No" if you have previously disclosed a criminal matter otherwise responsive to this question in a renewal ad/or licensure form."

Respondent failed to disclose that on or about April 11, 2005, Respondent pled Guilty and was convicted of THEFT PROP>=\$20<\$500 BY CHECK, a Class B misdemeanor offense committed on July 24, 2003, in the County Court at Law No. 1 of Grayson County, Texas, under Cause No. 2005-1-44 CR.

10. In response to Findings of Fact Numbers Six (6) through Nine (9), Respondent states: Her non-disclosure was due to embarrassment. She wrote bad checks, because she was not working. She had a back injury. Respondent had two sons to feed.
11. Formal Charges were filed on March 22, 2012.
12. Formal Charges were mailed to Respondent on March 23, 2012.

#### CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.
2. Notice was served in accordance with law.
3. The evidence received is sufficient to prove violation of 301.452(b)(2),(3)&(10), Texas Occupations Code (effective 9/01/03); Section 301.452(b)(2)&(10), Texas Occupations Code (effective 9/1/2005); violation of 22 TEX. ADMIN. CODE §239.11(8)&(29)(A)(effective 2/1/04); violation of 22 TEX. ADMIN. CODE §217.12(6)(I)&(13) (effective 9/28/04).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 103100, heretofore issued to CAROL ANNA BRAZELL, including revocation of Respondent's license(s) to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL receive the sanction of REMEDIAL EDUCATION AND A FINE, and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Texas Occupations Code §§301.001 *et seq.*, the Rules and Regulations Relating to Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.1 *et seq.* and this Order.

IT IS FURTHER AGREED and ORDERED that, while under the terms of this Order, this Order SHALL apply to any and all future licenses issued to Respondent to practice nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that while Respondent's license(s) is/are encumbered by this Order, Respondent may not work outside the State of Texas pursuant to a nurse licensure compact privilege without the written permission of the State of Texas and the Board of Nursing in the party state where Respondent wishes to work.

IT IS FURTHER AGREED that:

(1) RESPONDENT SHALL pay a monetary fine in the amount of five hundred dollars (\$500.00). RESPONDENT SHALL pay this fine within forty-five (45) days of entry of this Order. Payment is to be made directly to the Texas Board of Nursing in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in Texas nursing jurisprudence and ethics. RESPONDENT SHALL obtain Board

approval of the course prior to enrollment only if the course is not being offered by a pre-approved provider. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include nurses. It shall be a minimum of six (6) hours in length. The course's content shall include the Nursing Practice Act, standards of practice, documentation of care, principles of nursing ethics, confidentiality, professional boundaries, and the Board's Disciplinary Sanction Policies regarding: Sexual Misconduct; Fraud, Theft and Deception; Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder; and Lying and Falsification. Courses focusing on malpractice issues will not be accepted. RESPONDENT SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to the Office of the Board to verify RESPONDENT'S successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure. Board-approved courses may be found at the following Board website address: <http://www.bon.texas.gov/disciplinaryaction/stipscourses.html>.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT'S license(s) to practice nursing in the State of Texas and RESPONDENT shall be eligible for nurse licensure compact privileges, if any.

RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that when this Order becomes final and the terms of this Order become effective, a copy will be mailed to me. I understand that if I fail to comply with all terms and conditions of this Order, I will be subject to investigation and disciplinary sanction, including revocation of my license(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

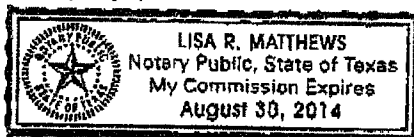
Signed this 27 day of June, 2012.  
Carol Anna Brazell  
CAROL ANNA BRAZELL, Respondent

Sworn to and subscribed before me this 27<sup>th</sup> day of June, 2012.

SEAL

Lisa R. Matthews

Notary Public in and for the State of Texas



WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby ratify and adopt the Agreed Order that was signed on the 27th day of June, 2012, by CAROL ANNA BRAZELL, Vocational Nurse License Number 103100, and said Order is final.



Effective this 29th day of June, 2012

A handwritten signature in cursive script, reading 'Katherine A. Thomas'.

Katherine A. Thomas, MN, RN, FAAN  
Executive Director on behalf  
of said Board