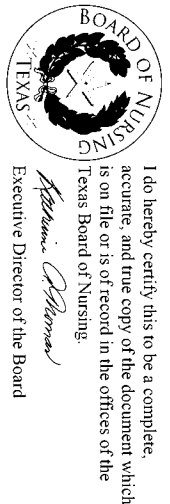


IN THE MATTER OF
PERMANENT CERTIFICATE
NUMBER 70085
ISSUED TO
LINDA F. STANLEY

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BEFORE THE ELIGIBILITY
AND DISCIPLINARY
COMMITTEE
OF THE TEXAS
BOARD OF NURSING



ORDER OF THE BOARD

TO: Linda F. Stanley
203 Heather Lane
Conroe, TX 77385

During open meeting held in Austin, Texas, on Tuesday, February 14, 2012, the Eligibility and Disciplinary Committee (hereinafter "Committee") heard the above-styled case, based on the failure of the Respondent to appear as required by 22 TEX. ADMIN. CODE Ch. 213.

The Committee of the Texas Board of Nursing finds that notice of the facts or conduct alleged to warrant disciplinary action has been provided to Respondent in accordance with Texas Government Code § 2001.054(c) and Respondent has been given an opportunity to show compliance with all the requirements of the Nursing Practice Act, Chapter 301 of the Texas Occupations Code, for retention of Respondent's license to practice vocational nursing in the State of Texas.

The Committee finds that the Formal Charges were properly initiated and filed in accordance with section 301.458, Texas Occupations Code.

The Committee finds that after proper and timely Notice regarding the violations alleged in the Formal Charges was given to Respondent in this matter, Respondent has failed to appear in accordance with 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that the Board is authorized to enter a default order pursuant to Texas Government Code § 2001.056.

The Eligibility and Disciplinary Committee, after review and due consideration, adopts the proposed findings of fact and conclusions of law as stated in the Formal Charges which are attached hereto and incorporated by reference for all purposes and the Staff's recommended sanction of revocation by default. This Order will be properly served on all parties and all parties will be given an opportunity to file a motion for rehearing [22 TEX. ADMIN.CODE § 213.16(j)]. All parties have a right to judicial review of this Order.

All proposed findings of fact and conclusions of law filed by any party not specifically adopted herein are hereby denied.

NOW, THEREFORE, IT IS ORDERED that Permanent Certificate Number 70085, previously issued to LINDA F. STANLEY, to practice vocational nursing in the State of Texas be, and the same is hereby, REVOKED.

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

Entered this 14th day of February, 2012.

TEXAS BOARD OF NURSING

BY:



KATHERINE A. THOMAS, MN, RN, FAAN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

Attachment: Formal Charge filed December 19, 2011.

Re: Permanent Certificate Number 70085
Issued to LINDA F. STANLEY
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 16th day of February, 20 12, a true and correct copy of the foregoing DEFAULT ORDER was served by placement in the U.S. Mail via certified mail, and addressed to the following person(s):

Linda F. Stanley
203 Heather Lane
Conroe, TX 77385

BY:



KATHERINE A. THOMAS, MN, RN, FAAN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

In the Matter of Permanent License
Number 70085, Issued to
LINDA F. STANLEY, Respondent

§
§
§

BEFORE THE TEXAS
BOARD OF NURSING

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, LINDA F. STANLEY, is a Vocational Nurse holding license number 70085, which is in Current status at the time of this pleading.

Written notice of the facts and conduct alleged to warrant adverse licensure action was sent to Respondent at Respondent's address of record and Respondent was given opportunity to show compliance with all requirements of the law for retention of the license prior to commencement of this proceeding.

CHARGE I.

On or about March 2, 2011, Respondent was arrested by the Montgomery County Sheriff's Office, Conroe, Texas, for FRAUDULENT POSSESSION OF A CONTROLLED SUBSTANCE/ PRESCRIPTION SCHEDULE III/IV (a 3rd Degree Felony offense committed on November 16, 2010).

On or about June 30, 2011, Respondent entered a plea of Guilty to FRAUDULENT POSSESSION CONTROLLED SUBSTANCE - PRESCRIPTION (a 3rd Degree Felony offense committed on November 16, 2010), filed in the 221st Judicial District Court of Montgomery County, Conroe, Texas, under Cause No. 10-12-14084-CR. As a result of the guilty plea, the proceedings were deferred without entering an adjudication of guilt and Respondent was placed on community supervision for a period of two (2) years. Additionally, Respondent was ordered to pay a fine and court costs.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(3)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(13).

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CHARGE II.

On or about May 1, 2011, Respondent submitted an Online Renewal Document for Licensed Vocational Nurses to the Texas Board of Nursing, in which she provided false, deceptive, and/or misleading information in that she answered "No" to the question:

Have you, within the past 24 months or since your last renewal, for any criminal offense, including those pending appeal:

- H. been arrested or have any pending criminal charges?
- I. been cited or charged with any violation of the law?

On or about March 2, 2011, Respondent was arrested by the Montgomery County Sheriff's Office, Conroe, Texas, for FRAUDULENT POSSESSION OF A CONTROLLED SUBSTANCE/ PRESCRIPTION SCHEDULE III/IV (a 3rd Degree Felony offense committed on November 16, 2010). Respondent's conduct was deceiving and may have affected the Board decision to renew her license.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(2)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(6)(H)&(I).

NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of up to, and including, revocation of Respondent's license to practice nursing in the State of Texas pursuant to the Nursing Practice Act, Chapter 301, Texas Occupations Code and the Board's rules, 22 Tex. Admin. Code §§ 213.27 - 213.33. Additionally, staff will seek to impose on Respondent the administrative costs of the proceeding pursuant to Section 301.461, Texas Occupations Code. The cost of proceedings shall include, but is not limited to, the cost paid by the Board to the State Office of Administrative Hearings and the Office of the Attorney General or other Board counsel for legal and investigative services, the cost of a court reporter and witnesses, reproduction of records, Board staff time, travel, and expenses. These shall be in an amount of at least one thousand two hundred dollars (\$1,200.00).

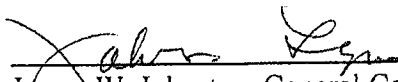
NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, www.bon.texas.gov.

NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Guidelines for Criminal Conduct and on Adopted Disciplinary Sanction Policies for Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder, for Lying and Falsification, and for Fraud, Theft and Deception, which can be found at the Board's website, www.bon.texas.gov.

NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, which can be found at www.bon.texas.gov/disciplinaryaction/discp-matrix.html.

Filed this 17th day of December, 2011.

TEXAS BOARD OF NURSING


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