



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

In the Matter of Registered Nurse § AGREED
License Number 674456 §
issued to MONICA COLSON § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of MONICA COLSON, Registered Nurse License Number 674456, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(2),(3)&(10), Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on January 25, 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 professional nursing in the State of Texas.
4. Respondent received a Baccalaureate Degree in Nursing from the University of Texas at Arlington, Arlington, Texas, on December 1, 1999. Respondent was licensed to practice professional nursing in the State of Texas on January 9, 2001.
5. Respondent's professional nursing employment history is unknown.

6. On or about April 22, 2010, Respondent entered a plea of "Guilty" to THEFT PROP>=\$500<\$1500 (a State Jail Felony offense reduced to a Class A misdemeanor offense, committed on December 10, 2008), in the 27th District Court, Bell County, Texas, under Cause No. 64480. As a result of the plea, the proceedings against Respondent were deferred without entering an adjudication of guilt, and Respondent was placed on probation for a period of one (1) year. Additionally, Respondent was ordered to pay a fine and court costs.
7. In response to Finding of Fact Number Six (6), Respondent states that in October 2008, she visited the Mac Haik dealership because of interest in purchasing a Volkswagen Jetta. During that visit, the dealership had her fill out an application for financing and other paperwork. Ultimately, she decided not to proceed with the purchase of the Jetta.

On December 11, 2008, she returned to the Mac Haik dealership and decided to purchase a used 2004 Nissan Murano. The dealership submitted the paperwork previously completed on her initial visit. They neither asked for nor checked if any changes had occurred in the information provided in October 2008. Americredit conditionally approved her applications and the dealership permitted Respondent to leave with the vehicle instructing her to obtain auto insurance.

In March, 2009, she contacted the dealership to request her hard plates since the temporary plates had expired. She was transferred to the comptroller's office and informed that her application for credit had been denied. She made immediate arrangements for the return of the Nissan Murano to the dealership.

At that time, the dealership recognized that the situation stemmed from the miscommunication of the dealership. With the immediate return of the vehicle, the General Manager of the dealership agreed to not pursue any charges regarding the vehicle, which had incorrectly been reported as stolen.

Despite the return of the vehicle, Respondent was indicted for making false statements and theft of the Nissan Murano. Recognizing that the incident arose out of mis-communication between the dealership and Respondent, the Assistant District Attorney dismissed the charge of False Statement to Obtain Credit, a State Jail Felony. Instead, she was charged with misdemeanor theft by check. Respondent received a one year deferred adjudication, which was successfully completed and the case was dismissed after only 6 months of court supervision.

8. On or about September 19, 2011, Respondent submitted a License Renewal Form for Registered 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:

- A. been convicted of a misdemeanor?
- B. been convicted of a felony?
- C. pled nolo contendere, no contest, or guilty?
- D. received deferred adjudication?
- E. been placed on community supervision or court-ordered probation, whether or not adjudicated guilty?
- F. been sentenced to serve jail or prison time? court-ordered confinement?
- G. been granted pre-trial diversion?
- H. been arrested or have any pending criminal charges?
- I. been cited or charged with any violation of the law?
- J. been subject of a court-martial; Article 15 violation; or received any form of military judgment/punishment/action?"

Respondent failed to disclose that on or about April 22, 2010, she entered a plea of "Guilty" to THEFT PROP >=\$500<\$1500 (a State Jail Felony offense reduced to a Class A misdemeanor offense, committed on December 10, 2008), in the 27th District Court, Bell County, Texas, under Cause No. 64480. As a result of the plea, the proceedings against Respondent were deferred without entering an adjudication of guilt and Respondent was placed on probation for a period of one (1) year. Additionally, Respondent was ordered to pay a fine and court costs.

- 9. Formal Charges were filed on October 12, 2011.
- 10. Formal Charges were mailed to Respondent on October 14, 2011.

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 Section 301.452(b)(2),(3)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(6)(I)&(13).
- 4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 674456, heretofore issued to MONICA COLSON, 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, 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>.*

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete the course "Sharpening Critical Thinking Skills," a 3.6 contact hour online program provided by the National Council of State Boards of Nursing (NCSBN) Learning Extension. In order to receive credit for completion of this program, RESPONDENT SHALL SUBMIT the continuing education certificate of completion for this program to the Board's office, to the attention of Monitoring. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure. *Board-approved courses may be found at the following Board website address: <http://www.bon.texas.gov/disciplinaryaction/stipscourses.html>.*

(3) RESPONDENT SHALL pay a monetary fine in the amount of two hundred fifty dollars (\$250.00). RESPONDENT SHALL pay this fine within 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.

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.

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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 4 day of April, 2012.

Monica Colson
MONICA COLSON, Respondent

Sworn to and subscribed before me this 4 day of April, 2012.

SEAL

Michael J. Phillips
LSBA #10506
Notary Public in and for the State of LOUISIANA
My Commission is for life

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 4th day of April, 2012, by MONICA COLSON, Registered Nurse License Number 674456, and said Order is final.



Effective this 17th day of April, 2012.

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