



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.
Patricia A. Roman
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Vocational Nurse § AGREED
License Number 195694 §
issued to CLARISSA ANN RODRIGUEZ § ORDER

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Vocational Nurse License Number 195694, issued to CLARISSA ANN RODRIGUEZ, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order.

The Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was provided to 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 Nursing from Victoria College, Gonzales, Texas, on August 13, 2004 . Respondent was licensed to practice vocational nursing in the State of Texas on October 12, 2004.
5. Respondent's employment history is unknown.

6. On or about December 16, 2010, Respondent entered a plea of Guilty to UNAUTHORIZED USE OF A MOTOR VEHICLE, a State Jail Felony offense committed on August 22, 2009, in the 25th Judicial District Court of Gonzales County, Texas, under Cause Number 155-10. 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 two (2) years, and was ordered to pay a fine and court costs.
7. In response to Finding of Fact Number Six (6), Respondent states: She is writing this letter to explain the charge of unauthorized use of motor vehicle. On that day she came home two of her six children stated that their father with whom she was living with had been abusing them. The father of the kids, her husband, became angry with her children and her when she questioned him. She felt at the time she needed somewhere to go where her husband couldn't hurt the kids or find them. She took her friend's car. Her friend didn't know she had taken it, and left her car at her grandma's. She was going to a shelter because she wanted to keep her husband away. Her friend dropped the charges but the state picked them up. She fully understands that she made a poor decision that day. She is on probation and following all the rules. She has called CPS, and they who helped her understand the help available to her kids and her. She is single and has full custody of all six of her kids. She lives with her parents, who also have been a support system. She is not with her husband because he gave up full rights to his children. She is taking parenting classes and has complied with the rules of her probation.
8. Respondent, by her signature to this Order, expresses her desire to voluntarily surrender her license(s) to practice nursing in the State of Texas.

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 violations of Section 301.452(b)(3)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(13).
4. The evidence received is sufficient cause pursuant to Section 301.453(a), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 195694, heretofore issued to CLARISSA ANN RODRIGUEZ, including revocation of Respondent's license(s) to practice nursing in the State of Texas.
5. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.

6. Under Section 301.453(d), Texas Occupations Code, as amended, the Board may impose conditions for reinstatement of licensure.
7. Any subsequent reinstatement of this license will be controlled by Section 301.453(d), Texas Occupations Code, and 22 TEX. ADMIN. CODE §213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

ORDER

NOW, THEREFORE, IT IS AGREED and ORDERED that the VOLUNTARY SURRENDER of Vocational License Number 195694, heretofore issued to CLARISSA ANN RODRIGUEZ, to practice nursing in the State of Texas, is accepted by the Texas Board of Nursing.

In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL NOT practice vocational nursing, use the title "vocational nurse" or the abbreviation "LVN" or wear any insignia identifying herself as a vocational nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a vocational nurse during the period in which the license is surrendered.
2. RESPONDENT SHALL NOT petition for reinstatement of licensure until: one (1) year has elapsed from the date of this Order.
3. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

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.

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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 this Order becomes final when accepted by the Executive Director at which time the terms of this Order become effective and a copy will be mailed to me.

Signed this 18th day of November, 2011.

Clarissa A. Rodriguez
CLARISSA ANN RODRIGUEZ, Respondent

Sworn to and subscribed before me this 18th day of November, 2011.

SEAL

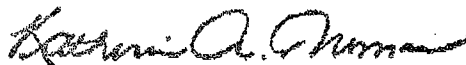


Shanna Mitchell

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 accept the voluntary surrender of Vocational Nurse License Number 195694, previously issued to CLARISSA ANN RODRIGUEZ.

Effective this 29th day of November, 2011.



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