



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 Registered Nurse § AGREED  
License Number 655366 §  
issued to DIANTHE LYVETTE JONES § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board considered the matter of DIANTHE LYVETTE JONES, Registered Nurse License Number 655366, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(2)&(10), Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on September 16, 2011, by Katherine A. Thomas, MN, RN, 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 Southern University School of Nursing, Baton Rouge, Louisiana, on December 1, 1996. Respondent was licensed to practice professional nursing in the State of Texas on September 28, 1998.
5. Respondent's nursing employment history is unknown.
6. On or about July 11, 2007, Respondent was arrested by the Collin County Sheriff's Office, Collin County, Texas, for THEFT PROP >=\$20<\$500 BY CHECK ( a Class B misdemeanor offense).

On or about August 10, 2007, Respondent entered a plea of Guilty/Nolo Contendere and was convicted of ISSUANCE OF BAD CHECK (a Class C misdemeanor offense committed on March 18, 2005), in the County Court at Law No. 3, Collin County, Texas, under Cause No. 003-81365-07. As a result of the conviction, Respondent was ordered to pay a fine and court costs.

7. In response to Finding of Fact Number Six (6), Respondent states that she had applied to lease a house. During the application process, a background check was performed and she found that there was a bench warrant issued for her. She was processed through the jail and was released. She had done a poor job of balancing her check book which resulted in two checks being returned. She repaid the checks, the NSF charges and all fines.
8. On or about January 15, 2008, Respondent submitted a License Renewal Form - Registered Nurse 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 judgemnt/punishment/action?"

Respondent failed to disclose that on or about July 11, 2007, Respondent was arrested by the Collin County Sheriff's Office, Collin County, Texas, for THEFT PROP >=\$20<\$500 BY CHECK ( a Class B misdemeanor offense).

Respondent failed to disclose that on or about August 10, 2007, Respondent entered a plea of Guilty/Nolo Contendere and was convicted of ISSUANCE OF BAD CHECK (a Class C misdemeanor offense committed on March 18, 2005), in the County Court at Law No. 3, Collin County, Texas, under Cause No. 003-81365-07.

9. On or about May 27, 2009, Respondent was arrested by the Allen Police Department, Allen, Texas, for DRIVING WHILE INTOXICATED (a Class B misdemeanor offense).

On or about October 2, 2009, Respondent entered a plea of Guilty or Nolo Contendere and was convicted of DRIVING WHILE INTOXICATED (a Class B misdemeanor offense committed on May 27, 2009), in the County Court at Law No. 3, Collin County, Texas, under Cause No. 003-84551-09. As a result of the conviction, Respondent was sentenced to confinement in the Collin County Jail for a period of one hundred twenty (120) days; however, imposition of the sentence of confinement was suspended, and Respondent was placed on probation for a period of fifteen (15) months. Additionally, Respondent was ordered to pay a fine and court costs. On October 3, 2010, the Conditions of Supervision were amended, extending the term of supervision by three (3) months.

10. In response to Finding of Fact Number Nine (9), Respondent states that she had attended a friend's wedding and had a few drinks in celebration of the occasion. She felt fine to drive. She used poor judgment and there is simply no excuse to drink and drive.
11. On or about January 27, 2010, Respondent submitted a License Renewal Form to the Texas Board of Nursing in which he/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 May 27, 2009, Respondent was arrested by the Allen Police Department, Allen, Texas, for DRIVING WHILE INTOXICATED (a Class B misdemeanor offense).

Respondent failed to disclose that on or about October 2, 2009, Respondent entered a plea of Guilty or Nolo Contendere and was convicted of DRIVING WHILE INTOXICATED (a Class B misdemeanor offense committed on May 27, 2009), in the County Court at Law No. 3, Collin County, Texas, under Cause No. 003-84551-09.

12. Formal Charges were filed on June 28, 2011.
13. Formal Charges were mailed to Respondent on June 29, 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 violations of Section 301.452(b)(2)&(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 655366, heretofore issued to DIANTHE LYVETTE JONES, 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). 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) contact 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.state.tx.us/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.

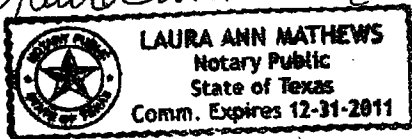
RESPONDENT'S CERTIFICATION

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 2 day of November, 2011.

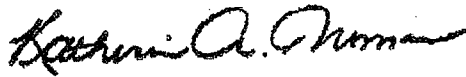
*Dianthe Lyvette Jones*  
DIANTHE LYVETTE JONES, Respondent

*Laura Ann Mathews*



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 2nd day of November, 2011, by DIANTHE LYVETTE JONES, Registered Nurse License Number 655366, and said Order is final.

Effective this 3rd day of November, 2011.



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