

IN THE MATTER OF
PERMANENT REGISTERED NURSE
LICENSE NUMBER 796846
ISSUED TO
GEORGE FARRELL GIBSON

§
§
§
§
§

BEFORE THE TEXAS
BOARD OF NURSING

ELIGIBILITY AND
DISCIPLINARY COMMITTEE



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 R. Plummer
Executive Director of the Board

ORDER OF THE BOARD

TO: George Farrell Gibson
2125 Renfrew Ave.
Elmont, NY 11003

During open meeting held in Austin, Texas, on September 11, 2012, the Texas Board of Nursing 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 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(s) to practice 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 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 Registered Nurse License Number 796846, previously issued to GEORGE FARRELL GIBSON, to practice nursing in the State of Texas be, and the same is/are hereby, REVOKED.

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

Entered this 11th day of September, 2012.

TEXAS BOARD OF NURSING



BY:

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

Attachment: Formal Charge filed March 21, 2012.

Re: Permanent Registered Nurse License Number 796846
Issued to GEORGE FARRELL GIBSON
DEFAULT ORDER - REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 13th day of September, 2012, 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):

George Farrell Gibson
2125 Renfrew Ave.
Elmont, NY 11003

BY:



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

In the Matter of Permanent License § BEFORE THE TEXAS
Number 796846, Issued to §
GEORGE FARRELL GIBSON, Respondent § BOARD OF NURSING

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, GEORGE FARRELL GIBSON, is a Registered Nurse holding license number 796846, 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 October 25, 2011, Respondent received an Order from the University of the State of New York wherein Respondent's licenses to practice professional and practical nursing in the State of New York were suspended for two (2) years, with the last twenty-three (23) months stayed, and said professional and practical nursing licenses were placed on probation with stipulations for false documentation. A copy of the Order issued by the University of the State of New York, dated October 25, 2011, is attached and incorporated by reference as a part of this charge.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(8), Texas Occupations Code.

NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of up to, and including, revocation of Respondent's license/s 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 (\$1200.00).

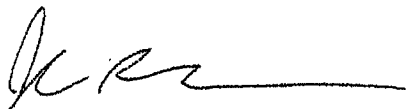
NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, www.bon.texas.gov.

NOTICE IS GIVEN that, 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.

NOTICE IS ALSO GIVEN that Respondent's past disciplinary history, as set out below and described in the Order which is attached and incorporated by reference as part of these charges, will be offered in support of the disposition recommended by staff: Order issued by the University of the State of New York dated October 25, 2011.

Filed this 21 day of March, 2012

TEXAS BOARD OF NURSING



-
- James W. Johnston, General Counsel
Board Certified - Administrative Law
Texas Board of Legal Specialization
State Bar No. 10838300
 - Jena Abel, Assistant General Counsel
State Bar No. 24036103
 - Lance Robert Brenton, Assistant General Counsel
State Bar No. 24066924
 - John R. Griffith, Assistant General Counsel
State Bar No. 24079751
 - Robert Kyle Hensley, Assistant General Counsel
State Bar No. 50511847
 - Nikki Hopkins, Assistant General Counsel
State Bar No. 24052269
 - John F. Legris, Assistant General Counsel
State Bar No. 00785533

TEXAS BOARD OF NURSING
333 Guadalupe, Tower III, Suite 460
Austin, Texas 78701
P: (512) 305-6824
F: (512) 305-8101 or (512)305-7401

Attachments: Order issued by the University of the State of New York dated October 25, 2011.

D/2012.03.07



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY,
NY 12230

OFFICE OF THE PROFESSIONS
DIVISION OF PROFESSIONAL LICENSING SERVICES
Public Information Unit
Tel. (518) 474-3817 EXT: 330
Fax (518) 473-0578
E-mail: DPLSDSU@MAIL.NYSED.GOV

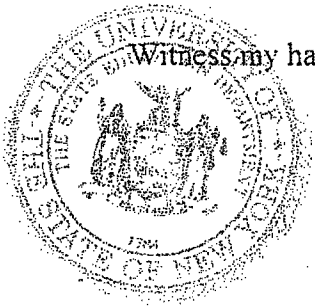
STATE OF NEW YORK)

SS:

COUNTY OF ALBANY)

In accordance with the Civil Practice Law and Rules Article 45, I, Connie F. Mitchell, Clerk II in the Division of Professional Licensing Services of the New York State Education Department, have caused this certificate to be prepared. I certify that I have legal custody of the official original records of the Division of Professional Licensing Services and I attest that the attached are true, complete and correct copies of the original documents in our files relating to the licensure of GEORGE F. GIBSON.

Witness my hand and the seal of the New York State Education Department this 9 December, 2011.



Connie F. Mitchell

Connie F. Mitchell, Clerk II
Professional Licensing Services

DATED
12/09/2011





The University of the State of New York

IN THE MATTER

OF

GEORGE F. GIBSON
(Licensed Practical Nurse)
(Registered Professional Nurse)

ORIGINAL
VOTE AND ORDER
NOS. 25840 & 25841

Upon the application of GEORGE F. GIBSON, under Calendar Nos. 25840 & 25841, which application is made a part hereof, and in accordance with the provisions of Title VIII of the Education Law, it was

VOTED (October 18, 2011): That the application of GEORGE F. GIBSON, respondent, for a consent order, be granted; and that the Deputy Commissioner for the Professions be empowered to execute, for and on behalf of the Board of Regents, all orders necessary to carry out the terms of this vote;

and it is

ORDERED: That, pursuant to the above vote of the Board of Regents, said vote and the provisions thereof are hereby adopted and SO ORDERED, and it is further

ORDERED that this order shall take effect as of the date of the personal service of this order upon the respondent or five days after mailing by certified mail.

GEORGE F. GIBSON (25840 & 25841)

IN WITNESS WHEREOF, I, Douglas E. Lentivech, Deputy Commissioner for the Professions, for and on behalf of the State Education Department and the Board of Regents, do hereunto set my hand, at the City of Albany, this 18th day of October, 2011.



DOUGLAS E. LENTIVECH
DEPUTY COMMISSIONER
FOR THE PROFESSIONS

NEW YORK STATE EDUCATION DEPARTMENT
OFFICE OF PROFESSIONAL DISCIPLINE
STATE BOARD FOR NURSING

-----X

IN THE MATTER

of the

Disciplinary Proceeding

against

GEORGE F. GIBSON

APPLICATION FOR
CONSENT ORDER

CAL. NOS.

25840 (L.P.N.)

25841 (R.N.)

who is currently licensed to practice as
a(n) licensed practical nurse and as
a(n) registered professional nurse in the
State of New York.

-----X

GEORGE F. GIBSON states:

That on or about July 1, 1983 I was licensed to practice as a
licensed practical nurse in the State of New York, having been
issued license number 162131 by the New York State Education
Department.

That on or about April 16, 1984 I was licensed to practice as
a registered professional nurse in the State of New York, having
been issued license number 364840 by the New York State Education
Department.

I am not currently registered with the New York State
Education Department to practice as a licensed practical nurse.

I am currently registered with the New York State Education
Department to practice as a registered professional nurse in the

GEORGE F. GIBSON

State of New York from an address at 2125 Renfrew Avenue, Elmont, New York 11003.

That I have been charged with one (1) specification of professional misconduct, a copy of which is annexed hereto, made a part hereof, and marked as Exhibit "A".

I admit guilt to the aforesaid specification of professional misconduct, charging me with practicing the profession of nursing fraudulently (falsely documenting the observation of a psychiatric patient).

I hereby agree to the penalty that my licenses to practice as a licensed practical nurse and as a registered professional nurse in the State of New York each be suspended for two (2) years; that execution of the last twenty-three (23) months of said suspensions be stayed; and that I be placed on probation for the aforesaid two (2) years under the terms set forth in the exhibit annexed hereto, made a part hereof and marked as Exhibit "B".

I hereby make this application to the Board of Regents and request that it be granted.

I understand that in the event that the Board of Regents denies the application, nothing contained herein shall be binding upon me or construed to be an admission of any act of misconduct alleged or charged against me. Such application shall not be used against me in any way and shall be kept in strict confidence during the pendency of the disciplinary proceeding, and such

GEORGE F. GIBSON

denial by the Board of Regents shall be without prejudice to the continuance of the disciplinary proceeding and the final determination by the Board of Regents pursuant to the provisions of the Education Law.

I agree that in the event the Board of Regents grants my application, as set forth herein, an Order may be issued in accordance with the same. I understand that if and when the Board of Regents grants this application, the entire application shall become a matter of public record.

No promises of any kind were made to me. I am making this application of my own free will and accord and not under duress, compulsion, or restraint of any kind or manner.

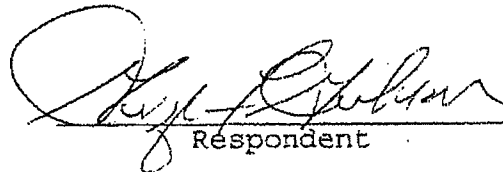

Respondent

EXHIBIT "A"

GEORGE F. GIBSON

SPECIFICATION OF PROFESSIONAL MISCONDUCT

Respondent is charged with practicing the profession of nursing fraudulently, within the purview and meaning of New York Education Law section 6509(2), in that:

On or about May 16, 2010, while assigned to the psychiatric unit at Interfaith Medical Center, Brooklyn, New York, Respondent, with fraudulent intent, documented on the patient rounds sheet that patient R.D. was awake in bed at 1:30 p.m. and at 2:00 p.m., when in truth and in fact, and as Respondent well knew, Respondent did not check the patient at those times.

EXHIBIT "B"

TERMS OF PROBATION

GEORGE F. GIBSON

CALENDAR NOS. 25840 (L.P.N.) and 25841 (R.N.)

1. That Respondent, during the period of probation, shall be in compliance with the standards of conduct prescribed by the law governing Respondent's profession;
2. That Respondent shall submit written notification to the New York State Education Department, addressed to the Director, Office of Professional Discipline, New York State Education Department, 195 Montague Street - 4th Floor, Brooklyn, New York 11201-3631, of any employment and/or practice, Respondent's residence, telephone number, or mailing address, and of any change in Respondent's employment, practice, residence, telephone number, or mailing address within or without the State of New York;
3. That, during the first month of the period of suspension and the first month of probation, Respondent shall not practice, offer to practice, or hold himself out as being able to practice as a licensed practical nurse or as a registered professional nurse in the State of New York;
4. That Respondent may resume the practice of his aforementioned professions immediately following execution of the first month of the twenty-four month period of suspension;
5. That Respondent shall, during the period of probation, work under the supervision of a registered professional nurse licensed to practice the profession of nursing in the State of New York.
6. That Respondent shall have quarterly performance reports submitted to the New York State Education Department, addressed to the Director, Office of Professional Discipline, as aforesaid, from Respondent's employer, evaluating Respondent's performance as a nurse in Respondent's place of employment, said reports to be prepared by Respondent's supervisor or employer;
7. That Respondent shall, within the first six (6) months of the probationary period, at Respondent's expense, submit and successfully complete a plan of continuing education, consisting of coursework in ethics and recordkeeping, to update the knowledge and skills of Respondent, said plan to

GEORGE F. GIBSON

CALENDAR NOS. 25840 (L.P.N.) and 25841. (R.N.)

have the prior written approval of the New York State Education Department; and shall submit written proof of such successful completion within 30 days after the completion of the plan to the New York State Education Department, addressed to the Director, Office of Professional Discipline, as aforesaid;

8. That Respondent shall submit written proof from the Division of Professional Licensing Services (DPLS), New York State Education Department (NYSED); that Respondent has paid all registration fees due and owing to the NYSED and Respondent shall cooperate with and submit whatever papers are requested by DPLS in regard to said registration fees, said proof from DPLS to be submitted by Respondent to the NYSED, addressed to the Director, Office of Professional Discipline, as aforesaid, no later than the first three months of the period of probation;
9. That Respondent shall submit written proof to the NYSED, addressed to the Director, Office of Professional Discipline, as aforesaid, that 1) Respondent is currently registered with the NYSED, unless Respondent submits written proof that Respondent has advised DPLS, NYSED, that Respondent is not engaging in the practice of Respondent's profession in the State of New York and does not desire to register, and that 2) Respondent has paid any fines which may have previously been imposed upon Respondent by the Board of Regents, said proof of the above to be submitted no later than the first two months of the period of probation;
10. That Respondent shall make quarterly visits to an employee of the Office of Professional Discipline, New York State Education Department, unless otherwise agreed to by said employee, for the purpose of said employee monitoring Respondent's terms of probation to assure compliance therewith, and Respondent shall cooperate with said employee, including the submission of information requested by said employee, regarding the aforesaid monitoring;
11. That upon receipt of evidence of noncompliance with or any other violation of any of the aforementioned terms of probation, the New York State Education Department may initiate a violation of probation proceeding and/or such other proceedings pursuant to the Education Law and/or Rules of the Board of Regents.

NEW YORK STATE EDUCATION DEPARTMENT
OFFICE OF PROFESSIONAL DISCIPLINE
STATE BOARD FOR NURSING

-----X

IN THE MATTER

of the

Disciplinary Proceeding

against

GEORGE F. GIBSON

APPLICATION FOR
CONSENT ORDER

CAL. NOS.
25840 (L.P.N.)
25841 (R.N.)

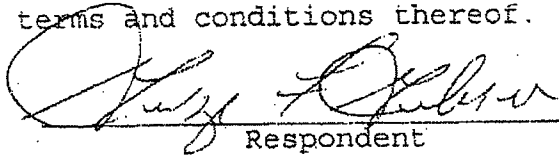
who is currently licensed to practice as
a(n) licensed practical nurse and as
a(n) registered professional nurse in the
State of New York.

-----X

The undersigned agree to the above statement and to the
proposed penalty based on the terms and conditions thereof.

Dated:

, 2011


Respondent

ATTORNEY SIGNATURE NOT REQUIRED;
RESPONDENT APPEARED PRO SE.

Attorney for Respondent

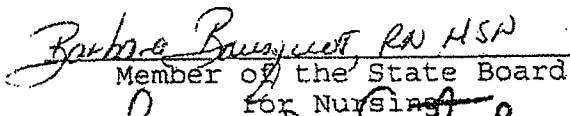
Dated:

, 2011

Dated:

7/22

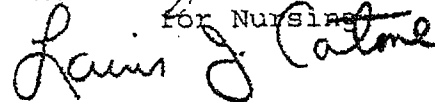
, 2011


Member of the State Board
for Nursing

Dated:

8/29

, 2011


Director

Director

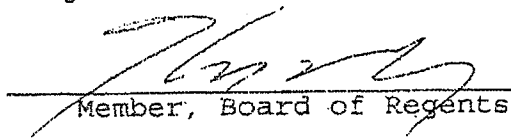
Office of Professional Discipline

The undersigned, a member of the Board of Regents who has
been designated by the Chairman of the Regents Committee on
Professional Practice to review this Application for a Consent
Order, has reviewed said Application and recommends to the Board
of Regents that the Application be granted.

Dated:

8/20

, 2011


Member, Board of Regents



The University of the State of New York

IN THE MATTER

OF

George F. Gibson

LICENSED PRACTICAL NURSE & REGISTERED PROFESSIONAL NURSE

STATE OF NEW YORK)

SS.:

COUNTY OF ALBANY)

I, Michael Kinley, being duly sworn, deposes and says:

I am over the age of twenty-one years and am an employee of the New York State Education Department, Office of Professional Discipline, 80 Wolf Road, Suite 204, Albany, New York 12205-2643.

On the ~~10~~ day of October, 2011, I personally delivered to the Stuyvesant Plaza Post Office the Duplicate Original Vote of the Board of Regents and Order under Calendar No. 25840 & 25841 and the Report of the Regents Review Committee or Application for Consent or Surrender, or Report of the designated Regent in a summary suspension proceeding as applicable, by Certified Mail - Return Receipt Requested to the respondent herein named at 2125 Renfrew Avenue Elmont, NY 11003.

Certified Mail Receipt No: 7002 0860 0000 6522 3995

The effective date of the Order being the ~~25~~ day of October, 2011.

Sworn to before me this

~~25~~ 31 day of October, 2011

Stephen E. Crogan

Michael Kinley

STEPHEN E. CROGAN
Notary Public, State of New York
No. 31684714040
Qualified in Rensselaer County
Commission Expires 8/31/14

7002 0A60 0000 6522 3995

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

0 4 5 1 0 3 5 7 3 5 3 3

Postage	\$ 1.48	Postmark Here
Certified Fee	2.85	
Return Receipt Fee (Endorsement Required)	2.30	
Restricted Delivery Fee (Endorsement Required)	—	
Total Postage & Fees	\$ 6.63	

Sent To George F. Gibson, Licensed Practical Nurse &
Registered Professional Nurse 25440 & 25441
2125 Renfrew Avenue
Elmont, NY 11003

Street, Apt. No.;
or PO Box No.

City, State, ZIP+ 4

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

George F. Gibson
Licensed Practical Nurse &
Registered Professional Nurse
25840 & 25841
2125 Renfrew Avenue
Elmont, NY 11003

COMPLETE THIS SECTION ON DELIVERY

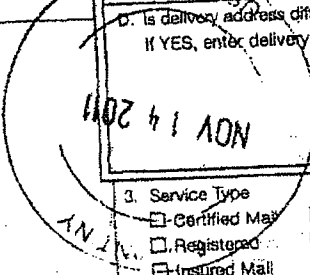
A. Signature Agent Addressee

George F. Gibson

B. Received by (Printed Name) C. Date of Delivery

60011 5455

D. Is delivery address different from item 1? Yes No
If YES, enter delivery address below:



3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number

7002 0860 0000 6522 3995

(Transfer from service label)
PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540