

6. On or about May 28, 2003, Respondent submitted an Application for Licensure by Examination to the Board of Vocational Nurse Examiners for the State of Texas, in which she provided false, deceptive, and/or misleading information, in that she answered "No" to the question: "Have you ever been convicted of a misdemeanor other than a minor traffic violation?"

Respondent failed to disclose that, on or about August 21, 1989, Respondent pled Nolo Contendere and was convicted of DRIVING WHILE INTOXICATED, a misdemeanor offense committed on May 21, 1989, in the County Court of Limestone County, Texas, under Cause No. 17, 210.

Respondent also failed to disclose that, on or about April 9, 1991, Respondent pled Guilty and was convicted of DRIVING WHILE INTOXICATED 2ND OFFENSE, a misdemeanor offense committed on February 8, 1991, in the County Court of Freestone County, Texas, under Cause No. 15602.

Respondent also failed to disclose that, on or about September 18, 1995, Respondent pled Guilty and was convicted of DRIVING WHILE INTOXICATED-OPEN CONTAINER, a Class B misdemeanor offense committed on May 21, 1995, in the County Criminal Court No. 1 of Tarrant County, Texas, under Cause No. 583840.

7. In response to Finding of Fact Number Six (6), Respondent states; when she was filling out the forms to apply for LVN license in class, she came to the question of "have you been convicted of any crimes" and she told her instructor that she had a DWI before. The instructor stated that if it had been longer than three years then to answer "No." Respondent took her word and answered "No" to that question. She never knew that she had done anything wrong and would never intentionally do anything to jeopardize her nursing license. She thought that since her DWIs had been such a long time ago that she was in compliance. She is sorry and if she had known she had to disclose her DWI record when she first applied for Vocational Nurse Licensure, she would have disclosed it.
12. The Board finds that there exists serious risks to public health and safety as a result of impaired nursing care due to intemperate use of controlled substances or chemical dependency.

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 22 TEX. ADMIN. CODE §239.11(8)(effective 9/1/1993).

4. The evidence received is sufficient cause pursuant to Section 302.402(a)(2)&(10), Texas Occupations Code(effective 9/1999-2/1/2004), to take disciplinary action against, Vocational Nurse License Number 190172, heretofore issued to TERESA ANN SPARKS, including revocation of Respondent's license(s) to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that RESPONDENT SHALL receive the sanction of WARNING WITH STIPULATIONS 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 Texas Board of Nursing 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 one thousand dollars (\$1,000). 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.

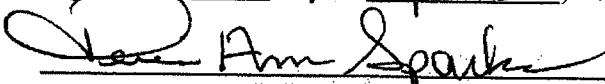
(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in Texas nursing jurisprudence and ethics. RESPONDENT SHALL obtain Board approval of the course prior to enrollment only if the course is not being offered by a pre-approved provider. Home study courses and 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) 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>.

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 violation 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 is subject to ratification by the Board. When this Order is ratified, the terms of this Order become effective, and 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 21 day of September, 2012.



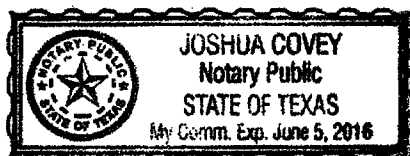
TERESA ANN SPARKS, RESPONDENT

Sworn to and subscribed before me this 21st day of September, 2012.

SEAL



Notary Public in and for the State of TX



WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 21st day of September, 2012, by TERESA ANN SPARKS, Vocational Nurse License Number 190172, and said Order is final.

Effective this 13th day of November, 2012.



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