

BEFORE THE BOARD OF NURSE EXAMINERS  
FOR THE STATE OF TEXAS

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In the Matter of  
PATRICIA MORALES  
APPLICANT for Eligibility for  
Licensure

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§  
§  
§

ORDER OF  
CONDITIONAL ELIGIBILITY



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 Morales*  
Executive Director of the Board

On the date entered below, the Board of Nurse Examiners considered the Petition :

Declaratory Order and Application for Initial Licensure by Examination and supporting documents filed by PATRICIA MORALES, hereinafter referred to as APPLICANT, together with any documents and information gathered by staff and APPLICANT's Certificate contained herein. Information received by the Board produced evidence that APPLICANT may have violated Section 301.452 *et seq.*, Texas Occupations Code.

A public meeting was held on September 12, 2000, by the Eligibility and Disciplinary Committee of the Board of Nurse Examiners (Board), at 333 Guadalupe, Tower 3, Suite 460, Austin, Texas, in which the application of PATRICIA MORALES, APPLICANT, was considered.

APPLICANT appeared in person. APPLICANT was notified of her right to be represented by legal counsel and elected to waive representation by counsel.

Board Members in attendance were: Marcelo Laijas Jr., Consumer Member; Sue McGee, MSN, RN, ADN Programs; and Elizaabeth C. Poster, PhD, RN, BSN Programs. SFNP, APN Education. Staff present were: Katherine A. Thomas, MN, RN, Executive Director; James W. Johnston, General Counsel; Phong Phan, Assistant General Counsel; Anthony L. Diggs, Director, Enforcement Division; Regina Ake; and Patricia Vianes-Cabrera, Legal Assistant.

## FINDINGS OF FACT

1. On or about March 14, 2000, Applicant submitted a Petition for Declaratory Order in compliance with 301.257 *et seq.*, Texas Occupations Code. On or about May 24, 2000, Applicant submitted an Application for Initial Licensure by Examination in compliance with 301.257 *et seq.*, Texas Occupations Code.
2. Applicant waived representation, notice, administrative hearing, and judicial review.
3. Applicant graduated with an Associate Degree in Nursing from Wharton County Junior College, Wharton, Texas, on May 19, 2000.
4. Applicant disclosed the following criminal history, to wit:
  - A. On January 9, 1991, Applicant entered a plea of nolo contendere and was convicted by the 240<sup>th</sup> District Court of Fort Bend County, Texas, of the felony offense of Obtaining Drugs by Forged Prescription (Schedule III-Vicodin). Applicant was sentenced to three (3) years in the Institutional Division of the Texas Department of Criminal Justice, assessed a fine of Five Hundred Dollars (\$500) and court costs of Eighty-Two Dollars and Fifty Cents (\$82.50), and ordered to attend Alcohol Anonymous twice weekly until completed or dismissed. Said sentence was suspended and Applicant was placed on supervised probation within the limits of Fort Bend County, Texas, for a term of three (3) years. Applicant was thirty-two (32) years of age at the time of the conviction.
  - B. On October 29, 1993, Applicant received an Order for Early Termination of Probation from the 240<sup>th</sup> District Court of Fort Bend County, Texas.
5. There is no evidence of any subsequent conviction.
6. On September 19, 1990, the Board of Vocational Nurse Examiners revoked Applicant's license to practice as a vocational nurse in the State of Texas. Applicant voluntarily surrendered her license to the Board of Vocational Nurse Examiners. A copy of the Order is attached and incorporated by reference as a part of this Order.
7. On September 14, 1993, Applicant's license to practice as a vocational nurse was reinstated, suspended, with said suspension stayed and placed on probation for a period of one (1) year by the Board of Vocational Nurse Examiners for the State of Texas. A copy of the Order is attached and incorporated by reference as a part of this Order.
8. On September 26, 1994, Applicant successfully completed the terms of probation as stipulated by the Board of Vocational Nurse Examiners. A copy of the notification letter is attached and incorporated by reference as a part of this Order.

9. After considering the actions taken by the Board of Vocational Nurse Examiners for the State of Texas along with Applicant's conduct since January 1991, the Eligibility and Disciplinary Committee is satisfied that Applicant is able to meet the requirements of the Nursing Practice Act, the Board's Rules and Regulations, and generally accepted standards of nursing practice.
10. The Board received letters of support/recommendation for Applicant from the following:
  - A letter of recommendation for the Gulf Coast Medical Center's Stipend Scholarship, dated December 14, 1999, from Sarah Clark, MS, RN, Director, Associate Degree Nursing, Wharton County Junior College, Wharton, Texas.
  - A letter of recommendation for the stipend program, dated December 14, 1999, from Mariakutty Samuel, RN, MSN, Wharton County Junior College, Wharton, Texas.
  - A letter of verification of ADN enrollment, from Mariakutty Samuel, RN, MSN, ADN Faculty, Wharton County Junior College, Wharton, Texas.
  - A letter of recommendation, dated July 30, 2000, from Martha Cordova, Stafford, Texas.
  - A letter of recommendation, dated August 9, 2000, from Anita Sanchez, parent of a patient.
11. On or about September 12, 2000, the Eligibility and Disciplinary Committee of the Board considered the evidence of the conviction and evaluated its direct relationship to nursing according to Chapter 53, Section 53.001 *et seq.*, Texas Occupations Code, and 22 Texas Administrative Code, §213.28, including the nature and circumstance of the offenses, and the absence of any subsequent conviction.
12. On or about September 12, 2000, the Eligibility and Disciplinary Committee of the Board considered evidence of Applicant's post conviction behavior in light of the character factors set out in 22 Texas Administrative Code, §213.27 and determined that Applicant currently demonstrates the criteria required for good professional character.
13. Applicant presented sufficient evidence that she would not pose a direct threat to the health and safety of patients and the public.
14. The Committee's review of the grounds for potential ineligibility has been made on the basis of Applicant's disclosures.
15. On July 24, 1000, Applicant completed a home study continuing education course titled "Nursing Ethics and the Law" provided by Western School, S. Easton, MA.

16. Applicant has been advised by the Board that any information found to be incomplete, incorrect or misleading will be considered and may result in an ultimate determination of ineligibility or the later revocation of a license obtained through fraud or deceit.

### CONCLUSIONS OF LAW

1. The Board of Nurse Examiners has jurisdiction over this matter pursuant to Section 301.453, Texas Occupations Code.
2. Applicant has submitted a application in compliance with 301.257 *et seq.*, Texas Occupations Code.
3. Applicant's criminal history reflects a felony conviction which is grounds for denial of a license under 301.452 *et seq.*, Texas Occupations Code.
4. Applicant's prior action taken by another jurisdiction is grounds for denial of a license under 301.452 *et seq.*, Texas Occupations Code.
5. Applicant shall immediately notify the Board of any fact or event that could constitute a ground of ineligibility for licensure under Section 301.452, Texas Occupations Code.
6. The Board may license an individual who has been previously convicted of a crime upon consideration of the factors set out in 22 Texas Administrative Code §213.28 and evaluating the direct relationship to nursing according to Chapter 53, Section 53.001 *et seq.*, Texas Occupations Code.
6. The Board may license an individual with prior behaviors inconsistent with the Board's character requirements if, upon evaluation of the factors in 22 Texas Administrative Code §213.27, the Board is satisfied that the individual is able to consistently conform her conduct to the requirements of the Nursing Practice Act, the Board's Rules and Regulations, and generally accepted standards of nursing practice.

### ORDER

NOW, THEREFORE, IT IS ORDERED that upon meeting the requirements for graduation and payment of any required fees, PATRICIA MORALES, APPLICANT, is CONDITIONALLY ELIGIBLE to sit for the National Council Licensure Examination for Registered Nurses (NCLEX-RN® Examination).

IT IS FURTHER ORDERED that APPLICANT SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas as amended, Texas Occupations Code §§301.001 *et seq.*, the Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.01 *et seq.*, and this Order.

IT IS FURTHER ORDERED that APPLICANT, upon attaining a passing grade on the NCLEX-RN®, shall be issued a license to practice nursing in the State of Texas.

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CONTINUED ON NEXT PAGE.

APPLICANT'S CERTIFICATE

I am the Applicant in this matter. I have fully and truthfully disclosed all of my past convictions, and I have caused a complete and accurate criminal history to be submitted to the Board of Nurse Examiners from each jurisdiction in which I have been convicted. I certify that my past behavior, except as disclosed in my Petition for Declaratory Order and Application for Initial Licensure by Examination, has been in conformity with the Board's professional character rule. I have provided the Board with complete and accurate documentation of my past behavior in violation of the penal law of any jurisdiction which was disposed of through any procedure short of conviction, such as: conditional discharge, deferred adjudication or dismissal. I have no criminal prosecution pending in any jurisdiction.

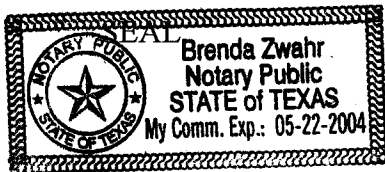
In connection with my application, I acknowledge that I have read and I understand Section 301.257, Texas Occupations Code, Section 301.452(a), (b) and (c), Texas Occupations Code, and Chapter 53, Section 53.001 *et seq.*, Texas Occupations Code, and Board Rules 213.27, 213.28, and 213.29 at 22 Texas Administrative Code, which are incorporated by reference as a part of this Order. I agree with all terms of this Order, including the Findings of Fact and Conclusions of Law and any stipulations as set out in this Order. I agree to inform the Board of any other fact or event that could constitute a ground for denial of licensure prior to registering for the NCLEX-RN® Examination or accepting any permit or license from the Board of Nurse Examiners.

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 to practice professional nursing in the State of Texas, as a consequence of my noncompliance.

I understand that I can be represented by an attorney in this matter. I waive representation, notice, administrative hearing, and judicial review of this Order and request that the Executive Director of the Board of Nurse Examiners enter this Order.

Signed this 30<sup>th</sup> day of October, 2003  
Patricia Morales  
PATRICIA MORALES, APPLICANT

Sworn to and subscribed before me this 30<sup>th</sup> day of October, 2003



Brenda Zwahr  
Notary Public in and for the State of Texas

WHEREFORE, PREMISES CONSIDERED, the Executive Director on behalf of the Board of Nurse Examiners for the State of Texas does hereby ratify and adopt the Order of Conditional Eligibility that was signed on the 30th day of October, 2000, by PATRICIA MORALES, APPLICANT, for Application for Initial Licensure by Examination, and said Order is final.

Entered this 1st day of November, 2000.

BOARD OF NURSE EXAMINERS  
FOR THE STATE OF TEXAS



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

Attachments: Section 301.257, Texas Occupations Code  
Section 301.452(a),(b) and (c), Texas Occupations Code  
Chapter 53, Sec. 53.001 *et seq.*, Texas Occupations Code  
Rule 213.27, 22 Texas Administrative Code  
Rule 213.28, 22 Texas Administrative Code  
Rule 213.29, 22 Texas Administrative Code

#110114

BEFORE THE BOARD OF VOCATIONAL NURSE EXAMINERS  
IN AND FOR THE STATE OF TEXAS  
\*\*\*\*\*

In the matter of Permanent  
License Number 110114 issued  
to PATRICIA MORALES

ORDER OF THE BOARD

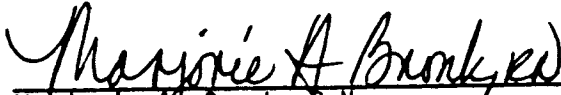
To: Patricia Morales  
550 Stafford Run Road, #410  
Stafford, Texas 77477

WHEREAS, PATRICIA MORALES has submitted to the Board her affidavit that she no longer desires to be licensed as a vocational nurse, and that she is voluntarily surrendering her license, the Board takes the following action:

ORDER


NOW, THEREFORE, IT IS ORDERED that license number 110114, heretofore issued to PATRICIA MORALES, to practice vocational nursing in the State of Texas, be revoked without formal charges, Notice of Hearing, or a formal hearing before the Board of Vocational Nurse Examiners.

Entered this the 19<sup>th</sup> day of September, 1990.

  
\_\_\_\_\_  
Marjorie A. Bronk, R.N.  
Executive Director  
Board of Vocational Nurse Examiners

SWORN AND SUBSCRIBED to before me, the undersigned authority, on this the 19<sup>th</sup> day of September, 1990.



  
\_\_\_\_\_  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS  
Linda Rae Kent  
My Commission Expires 10-24-93



#110

CERTIFICATE OF SERVICE

I hereby certify that on the 19<sup>th</sup> day of September, 19 90,  
a true and correct copy of the foregoing Order was served by placement in the  
U.S. Mail, first class, and addressed to the following person(s):

Patricia Morales  
550 Stafford Run Road, #410  
Stafford, Texas 77477

Marjorie A Bronk, R.N.  
Marjorie A. Bronk, R.N.  
Executive Director  
Agent for the Board of Vocational Nurse Examiners

#110114

THE STATE OF TEXAS

COUNTY OF TRAVIS

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NOW COMES the undersigned members of the Board of Vocational Nurse Examiners, on this the 18th day of September, 1990, who having heard the sworn statement executed by PATRICIA MORALES, have determined that said PATRICIA MORALES, has voluntarily surrendered her vocational nursing license number 110114, for revocation without the otherwise required formal charges, notice, or a hearing. Said license is hereby revoked by order of a majority of the members of the Board.

Norma Jean Clark, L.N.  
Adelia D. Miller, L.N.  
Margaret Johnson  
Annie Mae Perkins, L.N.  
Dee C. Stetson, L.N.

Wayne L. Johnson  
Sandra V. Knight, L.N.  
Betty Ann McNamee  
Lyle Leat, L.N.  
Virginia M. Bauman

#110714

BOARD OF VOCATIONAL NURSE EXAMINERS

STATE OF TEXAS

VS.

PATRICIA MORALES

COUNTY OF TRAVIS

AGREED BOARD ORDER

On this day came to be considered by the Board of Vocational Nurse Examiners for the State of Texas, hereinafter referred to as the Board, the matter of vocational nurse license number 110114, previously held by PATRICIA MORALES, hereinafter called Applicant.

Applicant has submitted a written request for reinstatement of said previously held license. By Order dated September 18, 1990 the Board of Vocational Nurse Examiners found that Applicant had violated the Vocational Nurse Act, or a rule, regulation or Order issued under the Vocational Nurse Act, Texas Revised Civil Statutes Annotated, Article 4528c.

A prehearing conference was held on August 16, 1993, at the office of the Board of Vocational Nurse Examiners. The conference was conducted by Marjorie A. Bronk, R.N., Executive Director of the Board, assisted by Dr. Morris Spector, member of the Board of Vocational Nurse Examiners. Applicant was present and was not represented by counsel.

AGREED BOARD ORDER

RE: PATRICIA MORALES, N #110114

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The conference was attended by Jana D. Walp, Investigator for the Board, and Debbie Leach, Assistant Attorney General. By her notarized signature on this Order, Applicant does hereby waive the right to Notice of Formal Hearing and a Formal Hearing on the Application for Reinstatement before the Board, and to judicial review of this disciplinary action after this Order is endorsed by the Board.

After reviewing the matters relative to the Application for Reinstatement at the prehearing conference, Applicant agrees to the entry of an Order dispensing with the need for further action on this application. By Applicant's signature on this Order, Applicant acknowledges that she has read and understood this Order and has approved it for consideration by the Board. Notice of this disciplinary action will appear in the Board's newsletter sent to Texas Employers.

ORDER OF THE BOARD

THEREFORE, PREMISES CONSIDERED, the Board of Vocational Nurse Examiners does hereby order that license number 110114, previously issued to PATRICIA MORALES be reinstated, suspended, with said suspension stayed and placed on probation for a period of one (1) year.

The probation of said license is subject to the following stipulations, to wit:

1. That by copy of this Board Order, Applicant shall provide notice of Board disciplinary action to her nursing employer(s) throughout the term of probation.
2. That Applicant shall cause her nursing employer(s) to submit satisfactory reports to the Board office on a quarterly basis throughout the term of probation.

AGREED BOARD ORDER

RE: PATRICIA MORALES, #110114

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3. That Applicant shall work only under the direct supervision of a licensed medical professional throughout the term of probation.
4. That Applicant shall submit to random periodic blood alcohol and urine drug screen(s) upon demand of the Board staff throughout the term of probation. Said screen(s) shall be properly monitored with adherence to chain of custody procedures. The results of said screen(s) shall be submitted to the Board office by the laboratory. The expense of said screen(s) shall be borne by Applicant.
5. That Applicant shall provide the Board a telephone number by which Applicant may be contacted between the hours of 8:00 a.m. and 5:00 p.m. on weekdays. Applicant must maintain with the Board, during the term of this probation, a current telephone number in order for the Board to request random blood alcohol and urine drug screens as provided in Stipulation No 4.
6. That Applicant shall cause her probation officer to submit satisfactory reports to the Board office on a quarterly basis throughout the term of probation.
7. That upon discharge of court ordered probation Applicant shall cause her probation to submit a final satisfactory report to the Board office.
8. That any period(s) of unemployment must be documented in writing by Applicant and submitted to the Board office on a quarterly basis, throughout the term of probation.
9. That if Applicant's place of employment, name, address, or telephone number changes, Applicant is to notify the Board office immediately, or no later than ten (10) days after said change has occurred. Said notification shall be in the form of a written letter or report.
10. It is also ordered that PATRICIA MORALES shall comply with all the provisions of Article 4528c, Revised Civil Statutes of Texas.

This Agreed Order shall not be effective or take effect and become enforceable in accordance with its terms until endorsed by a majority of the Board present and voting, at its next regularly called session.

Agreed to this the 16 day of August, 1993.

Patricia Morales  
Signature of Applicant

5710 West Grove Blvd #1709  
Current Address

AGREED BOARD ORDER

RE: PATRICIA MORALES, #110114

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#110114

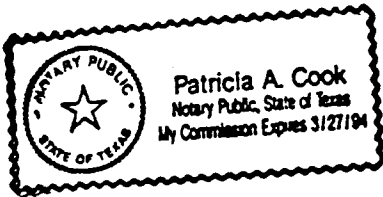
Stafford Tx  
City, State and Zip

713 1240-0545  
Area Code and Telephone Number

The State of Texas  
County of Harris

Before me, the undersigned authority, on this day personally appeared PATRICIA MORALES who being duly sworn by me stated that he or she executed the above for the purpose therein contained, and that he or she understood same.

SWORN TO AND SUBSCRIBED before me this the 16<sup>th</sup> day of August, 1993



Patricia A. Cook  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS  
My Commission Expires 3-27-94

Marjorie A. Bronk, R.N.  
Marjorie A. Bronk, R.N.  
Agent for the Board of  
Vocational Nurse Examiners

SWORN TO AND SUBSCRIBED before me, the undersigned authority, on this the 19<sup>th</sup> day of August, 1993.

Luisa Lopez  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS

#110114

AGREED BOARD ORDER  
RE: PATRICIA MORALES, LVN #110114  
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ENDORSEMENT OF THE BOARD  
To The Agreed Board Order  
in the matter of Vocational Nurse  
License No. 110114  
Issued to Patricia Morales

At its regularly called session, 14th day of September, 1993, came on to be considered the indicated Agreed Board Order pertaining to Patricia Morales. The Board having reviewed the contents of said Order, the Order should be, and is hereby, endorsed as an Order of the Board and made an official act of the Board of Vocational Nurse Examiners for the State of Texas.

Said Order is rendered this the 14th day of September, 1993.

Sandra Slaughter WN  
Naris A. Parkers  
Alitia Lewis  
Dale Robinson  
Jane Sippard WN  
Betty Ann McDemore

Virginia M. Bauman  
Cecilia M. Davis  
Melba Lee Casey RN  
Marjorie Speer  
Cheryl J. Leppard  
Carmen Jean Cobl

#110114

THE AGREED BOARD ORDER  
RE: PATRICIA MORALES, LVN #110114  
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CERTIFICATE OF SERVICE

I hereby certify that on the 17<sup>th</sup> day of September, 1993,  
a true and correct copy of the foregoing Order was served by placement in the  
U.S. Mail, first class, and addressed to the following person(s):

PATRICIA MORALES  
5010 WEST GROVE BLVD., #1709  
STAFFORD, TX 77477-2623

Marjorie A Bronk, R.N.  
Marjorie Bronk, R.N.  
Executive Director  
Agent for the Board of Vocational Nurse Examiners





#116114

**BOARD OF VOCATIONAL NURSE EXAMINERS**  
9101 BURNET ROAD - SUITE 105  
AUSTIN, TEXAS 78758  
TELEPHONE 512/835-2071

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September 26, 1994

Patricia Morales  
5010 West Grove Blvd. #1709  
Stafford, TX 77477-2623

Dear Ms. Morales:

You have successfully completed your term of probation as stipulated by the Board of Vocational Nurse Examiners.

All pertinent information will remain in your permanent records. We urge you in the future to promote and uphold the ethical standards a Licensed Vocational Nurse should practice.

If you have any questions concerning this matter, please do not hesitate to contact our office.

Sincerely,

*Carolyn Hudson*

Carolyn Hudson  
Investigations Division

/CH



**BOARD OF NURSE EXAM  
FOR THE STATE OF TEXAS**

Mailing Address:  
POST OFFICE BOX 430  
AUSTIN, TEXAS 78767-0430

WEB SITE: [www.bne.state.tx.us](http://www.bne.state.tx.us)  
333 GUADALUPE, SUITE 3-460  
AUSTIN, TEXAS 78701 • 512/305-7400 • Fax: 512/

Z 415 907 953

US Postal Service  
**Receipt for Certified Mail**  
No Insurance Coverage Provided.  
Do not use for International Mail (See reverse)

Sent to <i>Patricia Morales</i>	
Street & Number	
Post Office, State, & ZIP Code	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
<b>TOTAL Postage &amp; Fees</b>	<b>\$</b>
Postmark or Date	

PS Form 3800, April 1995

November 1, 2000

Certified Mail No. Z 415 907 953  
Return Receipt Requested

PATRICIA MORALES  
2111 THOMPSON ROAD  
NO. 210  
RICHMOND TX 77469

Dear Ms. Morales:

Please find enclosed your *Conditional Eligibility Order*, ratified November 1, 2000, regarding the Petition for Declaratory Order and Application for Initial Licensure by Examination you filed with the Board of Nurse Examiners. The disposition will be forwarded to the National Council of State Boards of Nursing, Inc., and to the Healthcare Integrity and Protection Data Bank (HIPDB). The results of any disciplinary action are public information.

You have been granted permission to write the National Council Licensure Examination for Registered Nurses (NCLEX-RN® Examination) upon completion of the requirements for graduation and payment of any required fees. Your eligibility to take the NCLEX-RN® Examination may be affected by any inaccuracies in your petition, and any subsequent violation of the Nursing Practice Act may affect your eligibility to sit for the examination or the later revocation of a license obtained through misrepresentation.

If you have any questions, please contact Karen Walters at (512)305-6817.

Sincerely,

*Katherine A. Thomas*  
Katherine A. Thomas, MN, RN  
Executive Director

KAT/MRA

R02/1299

Enclosures: Conditional Eligibility Order

**MEMBERS OF THE BOARD**

NANCY BOSTON  
TEMPLE, TEXAS

MARY LETRICE KEMP BROWN, BSN, RN  
DALLAS, TEXAS

JOHN FONTENO, JR.  
HOUSTON, TEXAS

MARCELO LAJAS, JR.  
FLORESVILLE, TEXAS

KENNETH W. LOWRANCE, MS, RN, CS, FNP-C  
CLIFTON, TEXAS

SUE McGEE, MSN, RN  
AMARILLO, TEXAS

THALIA H. MUNOZ, MS, RN  
ROMA, TEXAS

ELIZABETH C. POSTER, PhD, RN  
ARLINGTON, TEXAS

LINDA R. ROUNDS, PhD, RN, FNP  
GALVESTON, TEXAS