

BEFORE THE TEXAS BOARD OF NURSING  
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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. Plummer*  
 Executive Director of the Board

In the Matter of §  
 Registered Nurse License Number 649987 §  
 issued to MICKEAL LOUIS MOULDEN §

**ORDER OF THE BOARD**

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Registered Nurse License Number 649987, issued to MICKEAL LOUIS MOULDEN, 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.

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

FINDINGS OF FACT

1. Respondent's license to practice professional nursing in the State of Texas is currently in delinquent status.
2. Respondent waived representation by counsel, informal proceedings, notice and hearing.
3. Respondent received a Baccalaureate Degree in Nursing from Pittsburg State University, Pittsburg, Kansas, on May 1, 1980. Respondent was licensed to practice professional nursing in the State of Texas on April 2, 1998.
4. Respondent's professional nursing employment history includes:

|             |              |   |
|-------------|--------------|---|
| 8/80 - 1/97 | Military     | US Navy Nurse Corp                            |
| 1/97 - 1/98 | Agency Nurse | Med Source<br>San Diego, California           |
| 2/98 - 7/06 | Agency Nurse | Medical Staffing Network<br>Fort Worth, Texas |

Respondent's professional nursing employment history continued:

8/06 - present                      Not employed in nursing

5. On July 19, 2006, the Board accepted the Voluntary Surrender of Respondent's license to practice professional nursing in the State of Texas. A copy of the July 19, 2006, Agreed Order, Findings of Fact, and Conclusions of Law is attached and incorporated, by reference, as part of this Order.
6. On June 8, 2010, Respondent's license to practice professional nursing was Reinstated with Stipulations by the Texas Board of Nursing. A copy of the June 8, 2010, Reinstatement Agreed Order, Findings of Fact, and Conclusions of Law is attached and incorporated, by reference, as part of this Order.
7. On March 1, 2013, the Board received a statement from Respondent voluntarily surrendering the right to practice professional nursing in Texas in lieu of complying with the Reinstatement Agreed Order issued to him on June 8, 2010. A copy of Respondent's statement, dated February 17, 2013, is attached and incorporated, by reference, as part of this Order.

#### 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(s) of 22 TEX. ADMIN. CODE §217.12(11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(1) and (10), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 649987, heretofore issued to MICKEAL LOUIS MOULDEN, 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, the Board may impose conditions for reinstatement of licensure.
7. Any subsequent reinstatement of this license will be controlled by Section 301.452 (b), Texas Occupations Code, and 22 TAC §§213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

ORDER


NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Registered Nurse License Number 649987, heretofore issued to MICKEAL LOUIS MOULDEN, to practice nursing in the State of Texas, is accepted by the Executive Director on behalf of the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL NOT practice professional nursing, use the title of registered nurse or the abbreviation "RN" or wear any insignia identifying himself as a registered nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a registered 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.

Effective this 1st day of March, 2013.

TEXAS BOARD OF NURSING

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

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Mickeal L. Moulden  
5501 Cross Creek Lane #2054  
Benbrook, TX 76109

February 17, 2013

Texas Board Of Nursing  
Diane E. Burrell, Investigator  
333 Guadalupe Street, Suite 3-460  
Austin, TX 78701

Dear Ms Burrell,

In reference to your letter of February 7, 2013, I have the following response:

On June 8, 2010, I was re-instated as a registered nurse in the state of Texas with stipulations on that license.

During the summer and autumn of 2010, I attended and completed the RN Refresher program through Austin Community college.

Upon completion of the program, I began applying for employment as a registered nurse at various hospitals in the DFW area. Due to the stipulations on the license, none of them would consider me for employment.

Due to the futility of seeking employment as a registered nurse, I stopped looking and my license expired on August 31, 2012.

Since August 22, 2006, I have been employed by Moritz of Fort Worth as a car salesman. As of today, I continue to be employed by Moritz of Fort Worth with unbroken employment and for the past two years have been an Internet Sales Manager. The Human Resource contact for Moritz Of Fort Worth is Ruth Crawford. She can be contacted at (817) 696-6000.

It is my intention to never again utilize the Texas Registered Nurse License Number: 649987.

Of course, you may contact me at the above address or telephone me at (817) 721-6453.

Sincerely,  
  
Mickeal L. Moulden



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 Williams*  
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Registered Nurse §  
License Number 649987 § REINSTATEMENT  
issued to MICKEAL LOUIS MOULDEN § AGREED ORDER

On this day came to be considered by the Texas Board of Nursing, hereinafter referred to as the Board, the Petition for Reinstatement of Registered Nurse License Number 649987, held by MICKEAL LOUIS MOULDEN, hereinafter referred to as Petitioner.

An informal conference was held on April 13, 2010, at the office of the Texas Board of Nursing, in accordance with Section 301.464, Texas Occupations Code.

Petitioner appeared in person. Petitioner was represented by Nancy Roper Willson, Attorney at Law. In attendance were Mary Beth Thomas, PhD, RN, Executive Director's Designee; Jena Abel, Assistant General Counsel; Anthony L. Diggs, MSCJ, Director of Enforcement; Bonnie Cone, MSN, RN; Tamika Rose, Investigator, Dominique Mackay, Investigator; and Diane E. Burell, Investigator.

FINDINGS OF FACT

1. Prior to institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was served on Petitioner and Petitioner was given an opportunity to show compliance with all requirements of the law for retention of the license.
2. Petitioner waived notice and hearing, and consented to the entry of this Order.
3. Petitioner received a Baccalaureate Degree in Nursing from Pittsburg State University, Pittsburg, Kansas, on May 1, 1980. Petitioner originally became licensed in the State of Texas on April 2, 1998.

4. Petitioner's professional nursing employment history includes:

|                |                         |   |
|----------------|-------------------------|---|
| 8/80 - 1/97    | Military                | US Navy Nurse Corp                            |
| 1/97 - 1/98    | Agency Nurse            | Med Source<br>San Diego, California           |
| 2/98 - 7/06    | Agency Nurse            | Medical Staffing Network<br>Fort Worth, Texas |
| 8/06 - present | Not employed in nursing |   |

5. On July 19, 2006, the Board accepted the voluntary surrender of Petitioner's license to practice professional nursing in the State of Texas. A copy of the July 19, 2006, Agreed Order, Findings of Fact, and Conclusions of Law is attached and incorporated, by reference, as a part of this Order.
6. On or about November 30, 2009, Petitioner submitted a Petition for Reinstatement of License to practice professional nursing in the State of Texas.
7. Petitioner presented the following in support of his petition:

7.1. Letter, dated May 12, 2009, from Ezio Leite, M.Ed., LPC, Licensed Sex Offender Treatment Provider, Psychotherapy Services and Yokefellows, Fort Worth, Texas, states Petitioner first came to see him voluntarily on July 15, 2006. He completed a series of assessments to assess him psychosexually and later he began attending group therapy on a regular basis starting in November 2007. After attending treatment for nearly a year, Petitioner completed a polygraph addressing his ability to maintain sexual propriety. The test showed no deception. He has, at this time, successfully completed 22 of the 26 assignments given to him in his initially designed treatment plan. Petitioner acts responsibly for his inappropriate sexual contact with a patient while working as a Registered Nurse. He blames no one and no other circumstance but himself. He continues to gain appropriate insight about his personality and intrinsic sexual make up. His commitment to the therapeutic process and his ability to demonstrate via the use of the polygraph that he is acting appropriately suggests that he is on the path to re-build his intrapsychic system and gain the necessary skills to manage his sexuality appropriately. Mr. Leite is of the opinion that Petitioner would be an appropriate candidate to have his RN license reinstated with the caveat that he would continue in treatment for a period of six (6) months to a year. During this probationary period, it will be important that while practicing he continue to be monitored through treatment and the use of polygraph in order to ascertain and confirm his ability to act appropriately in the same environment where he once failed.

7.2. Forensic psychological evaluation conduct by John Lehman, PhD, Richardson, Texas, on January 20, 2009. Dr. Lehman states because it has been over two (2) years since Petitioner was seen, a complete re-evaluation was warranted. When first seen in 2006, Petitioner was someone who struggled with his sexual identity and did not want to deal with it. Because of that, it manifested in an aberrant way. Since the voluntary surrender of his license, he began treatment in October 2007 with a certified sexual offender treatment provider. At this time, Petitioner acknowledges that he is bisexual with strong interest in homosexual relationships, but he does not want to pursue that lifestyle because of his family. Dr. Lehman believes Petitioner struggles with this and will for some time. The difference now is that he struggles with this in an appropriate place - therapy. In addition to his therapy, Petitioner attends SA meetings, which he believes will keep him accountable. His therapist is complimentary of his progress and does not believe him to be a significant risk of re-offending. Dr. Lehman believes Petitioner needs continued treatment. The testing shows one who went from self assured and self centered in 2006, to one who is broken and insecure now. Petitioner has lost a great deal of his support system and financial base. Dr. Lehman does not believe the issues here, mainly moderate depression and low self esteem, would preclude him from working in the nursing field. He has the potential to return and rebuild his work, but he needs to continue treatment and Petitioner agrees. A polygraph every year or so for some time would also assure the Board that he continues to steer clear of inappropriate behavior.

7.3. Verification of successful completion of twenty (20) Continuing Education Contact Hours

#### CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.
2. Pursuant to Section 301.467, Texas Occupations Code, the Board may refuse to issue or renew a license, and may set a reasonable period that must lapse before reapplication. Pursuant to 22 TEX. ADMIN. CODE §213.26, the Board may impose reasonable conditions that a Petitioner must satisfy before reissuance of an unrestricted license.

#### ORDER

IT IS THEREFORE AGREED, subject to ratification by the Texas Board of Nursing, that the petition of MICKEAL LOUIS MOULDEN, Registered Nurse License Number 649987, to practice nursing in the state of Texas, be and the same is hereby GRANTED, AND SUBJECT TO THE

FOLLOWING STIPULATIONS SO LONG AS THE PETITIONER complies 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 the stipulations contained in this Order:

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

IT IS FURTHER AGREED and ORDERED that while Petitioner's license is encumbered by this Order, Petitioner 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 Petitioner wishes to work.

(1) PETITIONER SHALL NOT seek employment or practice nursing for compensation until he has completed the following pre-licensure conditions and obtained a license to practice professional nursing from the Board.

(2) PETITIONER SHALL apply for a "Six-Month Clinical Permit" for the limited purpose of completing a refresher course. PETITIONER SHALL NOT, in any way, attempt to use this clinical permit for any purpose other than attending this course.

(3) PETITIONER SHALL successfully complete a nursing refresher course prior to returning to the practice of professional nursing in the State of Texas. PETITIONER SHALL obtain Board approval of the course prior to enrollment. Home study courses and video programs will not be approved. The course content shall include: 1) the role of the professional nurse; 2) a review of the nursing process to include assessment, planning, implementation and evaluation; 3) Pharmacology review; 4) medication administration review for all standard route of administration; 5) documentation, quality assurance and legal implications for nursing practice; and 6) current CPR certification. This course must contain a



minimum 80-hour clinical component, providing direct patient care, which is to be supervised by another registered nurse.

(4) Upon completion of the refresher course, PETITIONER SHALL return the clinical permit to the office of the Board, and PETITIONER SHALL CAUSE the sponsoring institution to notify the Board, on a form provided by the Board, of Petitioner's successful completion of the refresher course, including the required clinical component.

(5) Upon verification of successful completion of the agreed pre-licensure probation conditions of reinstatement, as set out in this Order, PETITIONER SHALL pay all re-registration fees and be issued a license to practice professional nursing in the State of Texas, which shall bear the appropriate notation. Said license issued to MICKEAL LOUIS MOULDEN, shall be subject to the following agreed post-licensure probation conditions:

(6) PETITIONER SHALL, within one (1) year of relicensure, successfully complete a course in Texas nursing jurisprudence and ethics. PETITIONER 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. PETITIONER 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 PETITIONER'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>.

(7) RESPONDENT SHALL, within one (1) year of relicensure, successfully complete the course "Sharpening Critical Thinking Skills," a 3.6 contact hour online program provided by the National Council of State Boards of Nursing (NCSBN) Learning Extension. In order to receive credit for completion of this program, RESPONDENT SHALL SUBMIT the continuing education certificate of completion for this program to the Board's office, to the attention of Monitoring. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure. *Information regarding this workshop may be found at the following web address: <http://ncsbn.hivelive.com/hives/a0f6f3e8a0/summary>.*

(8) RESPONDENT SHALL, within one (1) year of relicensure, successfully complete a course in "Respecting Professional Boundaries," a 3.9 contact hour online program provided by the National Council of State Boards of Nursing (NCSBN) Learning Extension. In order to receive credit for completion of this program, RESPONDENT SHALL SUBMIT the continuing education certificate of completion for this program to the Board's office, to the attention of Monitoring. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure. *Information regarding this workshop may be found at the following web address: <http://ncsbn.hivelive.com/hives/03fbf38973/summary>.*

**IT IS FURTHER AGREED, SHOULD PETITIONER CHOOSE TO WORK AS A NURSE IN TEXAS, PETITIONER WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING PROBATION CONDITIONS FOR THREE (3) YEARS OF EMPLOYMENT. THE LENGTH OF THE PROBATION PERIOD WILL BE EXTENDED UNTIL SUCH THIRTY-SIX (36) MONTHS HAVE ELAPSED. PERIODS OF**

**UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE THE USE OF A REGISTERED NURSE (RN) LICENSE WILL NOT APPLY TO THIS PROBATION PERIOD:**

(9) RESPONDENT SHALL notify all future employers in nursing of this Order of the Board and the stipulations on RESPONDENT's license. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each future employer prior to accepting an offer of employment.

(10) RESPONDENT SHALL CAUSE each future employer to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within five (5) days of employment as a nurse.

(11) For the first year of employment as a Nurse under this Order, RESPONDENT SHALL be directly supervised by a Registered Nurse. Direct supervision requires another professional nurse to be working on the same unit as RESPONDENT and immediately available to provide assistance and intervention. RESPONDENT SHALL work only on regularly assigned, identified and predetermined unit(s). The RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(12) For the remainder of the stipulation period, RESPONDENT SHALL be supervised by a Registered Nurse who is on the premises. The supervising nurse is not required to be on the same unit or ward as RESPONDENT, but should be on the facility grounds and readily available to provide assistance and intervention if necessary. The supervising nurse shall have a minimum of two (2) years experience in the same or similar practice setting to which the Respondent is currently working. RESPONDENT SHALL work only regularly assigned, identified and predetermined unit(s). RESPONDENT SHALL NOT be employed

by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(13) RESPONDENT SHALL CAUSE each employer to immediately submit any and all incident, counseling, variance, unusual occurrence, and medication or other error reports involving RESPONDENT, as well as documentation of any internal investigations regarding action by RESPONDENT, to the attention of Monitoring at the Board's office.

(14) RESPONDENT SHALL CAUSE each employer to submit, on forms provided to the Respondent by the Board, periodic reports as to RESPONDENT's capability to practice nursing. These reports shall be completed by the Registered Nurse who supervises the RESPONDENT. These reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) month period for three (3) years of employment as a nurse.

(15) RESPONDENT SHALL participate in therapy with Ezio Leite, M.Ed, LPC, Licensed Sex Offender Treatment Provider. RESPONDENT SHALL CAUSE the therapist to submit written reports, on forms provided by the Board, as to the RESPONDENT's progress in therapy, rehabilitation and capability to safely practice nursing. The report must indicate whether or not the RESPONDENT's stability is sufficient to provide direct patient care safely. Such reports are to be furnished each and every month for three (3) months. If therapy is recommended for beyond three (3) months, the reports shall then be required at the end of each three (3) month period for the duration of the stipulation period, or until RESPONDENT is dismissed from therapy.

(16) RESPONDENT SHALL, within one (1) year of relicensure, submit to a polygraph examination by a Board approved polygraph examiner. Such polygraph examinations shall be performed yearly and the results are to be furnished to the Board each and every year for three (3) years.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, all encumbrances will be removed from PETITIONER's license to practice professional nursing in the State of Texas and PETITIONER shall be eligible for nurse licensure compact privileges, if any.

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**PETITIONER'S CERTIFICATION**

I understand that I have the right to legal counsel prior to signing this Reinstatement Agreed Order. I certify that my past behavior, except as disclosed in my Petition for Reinstatement of Licensure, 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 convictions, such as: conditional discharge, deferred adjudication or dismissal. I have no criminal prosecution pending in any jurisdiction.

I have reviewed this Order. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order. 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 agree to inform the Board of any other fact or event that could constitute a ground for denial of licensure prior to reinstating my license to practice professional nursing in the state of Texas. I understand that if I fail to comply with all terms and conditions of this Order, my license to practice professional nursing in the State of Texas will be revoked, as a consequence of my noncompliance.

Signed this 10<sup>th</sup> day of May, 2010.

Mickael Louis Moulden

MICKEAL LOUIS MOULDEN, Petitioner

Sworn to and subscribed before me this 10<sup>th</sup> day of May, 2010.



[Signature]  
Notary Public in and for the State of TEXAS

Approved as to form and substance.

Nancy Roper Willson  
NANCY ROPER WILLSON, Attorney for Petitioner

Signed this 11<sup>th</sup> day of May, 2010.

WHEREFORE, PREMISES CONSIDERED, the Board of Nurse Examiners for the State of Texas does hereby ratify and adopt the Reinstatement Agreed Order that was signed on the 10th day of May, 2010, by MICKEAL LOUIS MOULDEN, Registered Nurse License Number 649987, and said Order is final.

Effective this 8th day of June, 2010.



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

BEFORE THE BOARD OF NURSE EXAMINERS  
FOR THE STATE OF TEXAS

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In the Matter of Registered Nurse            §  
License Number 649987                        §  
issued to MICKEAL LOUIS MOULDEN        §

ORDER OF THE BOARD

On this day, the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, accepted the voluntary surrender of Registered Nurse License Number 649987, issued to MICKEAL LOUIS MOULDEN, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived notice and hearing.

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

FINDINGS OF FACT

1. Respondent is currently licensed to practice professional nursing in the State of Texas.
2. Respondent waived informal conference, notice and hearing.
3. Respondent received a Baccalaureate Degree in Nursing from Pittsburg State University, Pittsburg, Kansas, on May 1, 1980. Respondent also received a Master of Arts Degree in Human Resource Management from National University, San Diego, California, on February 1, 1998. Respondent originally became licensed to practice professional nursing in the State of Texas on April 2, 1998.

4. Respondent's professional nursing employment history includes:

August 1980 to January 1997

Unit Nurse/ICU Nurse  
US Navy Nurse Corps  
San Diego, California

January 1997 to January 1998

Staff Nurse  
MedSource Professional Personnel  
San Diego, California



Respondent's professional nursing employment history continued:

February 1998 to Present

Agency Nurse  
Medical Staffing Network, Inc.  
Fort Worth, Texas

5. Formal Charges were filed on July 13, 2006. A copy of the Formal Charges is attached and incorporated by reference as part of this Order.
6. Formal Charges were faxed and mailed to Respondent on July 13, 2006.
7. On July 19, 2006, Respondent submitted a notarized statement to the Board voluntarily surrendering the right to practice professional nursing in Texas. A copy of this statement is attached and incorporated herein.

#### 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 a violation of Section 301.452(b)(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(6)(C),(D)&(E).
4. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
5. Under Section 301.453(d), Texas Occupations Code, the Board may impose conditions for reinstatement of licensure.
6. Any subsequent reinstatement of this license will be controlled by Section 301.452 (b), Texas Occupations Code, and 22 TAC §§213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

ORDER


NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Registered Nurse License Number 649987, heretofore issued to MICKEAL LOUIS MOULDEN, to practice professional nursing in the State of Texas, is accepted by the Executive Director on behalf of the Board of Nurse Examiners. In connection with this acceptance, the Board imposes the following conditions:

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

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's multistate licensure privilege, if any, to practice professional nursing in compact states.

Effective this 19<sup>th</sup> day of July, 2006.

BOARD OF NURSE EXAMINERS  
FOR THE STATE OF TEXAS

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

MICKEAL LOUIS MOULDEN  
909 Fannin St., Suite 1400  
Houston, Texas 77010-1006  
Texas RN License #649987

1507 Meadow Way  
Mansfield TX 76063

July 18, 2006  
July 13, 2006

649987

Dear Board of Nurse Examiners:

I no longer desire to be licensed as a professional nurse. Accordingly, I voluntarily surrender my license to practice in Texas. I consent to the entry of an Order which outlines requirements for reinstatement of my license. I understand that I will be required to comply with the Board's Rules and Regulations in effect at the time I submit any petition for reinstatement.

Signature Michael L Moulden

Date 07/18/2006

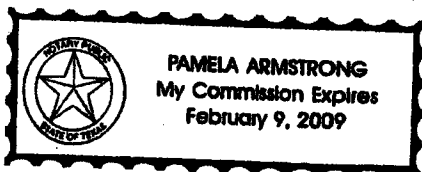
Texas RN License Number 649987

The State of Texas

Before me, the undersigned authority, on this date personally appeared MICKEAL LOUIS MOULDEN who, being duly sworn by me, stated that he executed the above for the purpose therein contained and that he understood same.

Sworn to before me the 18 day of July, 2006.

SEAL



Pamela Armstrong

Notary Public in and for the State of Texas

**REGISTERED NURSE**  
 BOARD OF NURSE EXAMINERS FOR THE STATE OF TEXAS  
 333 Guadalupe #3-480, Austin, Texas 78701  
 A CERTIFICATE OF RE-REGISTRATION TO PRACTICE PROFESSIONAL NURSING  
 ISSUED BY THE BOARD OF NURSE EXAMINERS FOR THE STATE OF TEXAS

RN LIC. NO. **649987** EXPIRE LAST DAY **AUG 2001**

**MICKEAL LOUIS MOULDEN**

Signature: Pamela Armstrong Michael L Moulden

**In the Matter of Permanent License** § **BEFORE THE BOARD**  
**Registered Nurse Number 649987, Issued to** § **OF NURSE EXAMINERS**  
**MICKEAL LOUIS MOULDEN, Respondent** § **FOR THE STATE OF TEXAS**

### **FORMAL CHARGES**

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, MICKEAL LOUIS MOULDEN, is a Registered Nurse holding license number 649987, 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 April 19, 2006, while employed with Medical Staffing Network Staffing and on assignment at Baylor All Saints Medical Center, Fort Worth, Texas, Respondent violated professional boundaries in that he participated in sexual inappropriateness and contact, when he fondled and stroked Patient H.M.'s genitals. Furthermore, Respondent caused emotional and sexual abuse in that he made Patient H.M. submit and become prone to sexual molestation when he told Patient H.M. that he was manipulating Patient H.M.'s catheter at the same time Respondent became sexually aroused. Respondent's conduct was likely to injure and cause emotional harm to Patient H.M.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(6)(C),(D)&(E).

NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of revocation of Respondent's license to practice nursing in the State of Texas pursuant to 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 § 301.461, TEX. OCC. CODE ANN. 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.bne.state.tx.us](http://www.bne.state.tx.us).

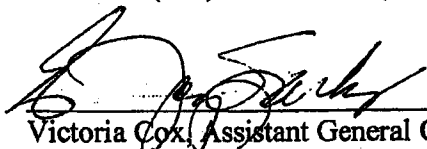
NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Sanction Policies for Sexual Misconduct which can be found at the Board's website, [www.bne.state.tx.us](http://www.bne.state.tx.us).

Filed this 13<sup>th</sup> day of July, 2006.

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

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