



I do hereby certify this to be a complete, accurate, and true copy of the document which is on file or is of record in the offices of the Texas Board of Nursing.
Katherine A. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Vocational Nurse § AGREED
License Number 64770 §
issued to PENNY BETH REID § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of PENNY BETH REID, Vocational Nurse License Number 64770, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may be subject to discipline pursuant to Section 301.452(b)(2)&(10), Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on August 24, 2012, subject to ratification by the Board.

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was served on Respondent and Respondent was given an opportunity to show compliance with all requirements of the law for retention of the license(s).
2. Respondent waived informal proceedings, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice vocational nursing in the State of Texas.
4. Respondent received a Certificate in Vocational Nursing from Lubbock School of Vocational Nursing, Lubbock, Texas, on September 10, 1974. Respondent was licensed to practice vocational nursing in the State of Texas, on October 23, 1975.
5. Respondent's vocational nursing employment history is unknown.
6. On or about April 30, 2009, Respondent submitted an Online Renewal Document Licensed Vocational Nurse to the Texas Board of Nursing in which she provided false, deceptive, and/or misleading information, in that she answered "No" to the question:

"Have you, within the past 24 months or since your last renewal, for any criminal offense, including those pending appeal:

- A. been convicted of a misdemeanor?
- B. been convicted of a felony?
- C. pled nolo contendere, no contest, or guilty?
- D. received deferred adjudication?
- E. been placed on community supervision or court-ordered probation, whether or not adjudicated guilty?
- F. been sentenced to serve jail or prison time? court-ordered confinement?
- G. been granted pre-trial diversion?
- H. been arrested or have any pending criminal charges?
- I. been cited or charged with any violation of the law?
- J. been subject of a court-martial; Article 15 violation; or received any form of military judgment/punishment/action?"

Respondent failed to disclose that, on or about August 28, 2007, Respondent pled Nolo Contendere to THEFT UNDER \$50, a Class B misdemeanor offense committed on August 7, 2007, in the County Court at Law No. 1, Bexar County, Texas, under Cause No. 225016. As a result of the plea, the proceedings against Respondent was deferred without entering an adjudication of guilt, and Respondent was placed on probation for a period of one (1) day, and ordered to pay a fine.

- 7. In response to Findings of Fact Number Six (6), Respondent states she generally admits to the allegations that she was arrested on or about August 7, 2007, regarding the alleged arrest for theft of property $\geq \$50 < \500 in Bexar County. This matter was resolved when she pled nolo contendere to a misdemeanor charge of theft $< \$50$, a Class C misdemeanor, and was granted deferred adjudication probation for a period of one day and a fine and court costs of four hundred twenty-six dollars (\$426.00). However, she was granted an order of non-disclosure by Bexar County Court at Law No. 1 on January 11, 2011.

CONCLUSIONS OF LAW

- 1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.
- 2. Notice was served in accordance with law.
- 3. The evidence received is sufficient to prove violation(s) of 22 TEX. ADMIN. CODE §217.12(6)(I).
- 4. The evidence received is sufficient cause pursuant to Section 301.452(b)(2)&(10), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 64770, heretofore issued to PENNY BETH REID, 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 a LIMITED LICENSE with Stipulations, 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 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) While under the terms of this Order, RESPONDENT SHALL NOT provide direct patient care. For the purposes of this Order, direct patient care involves a personal relationship between the Nurse and the client, and includes, but is not limited to: teaching, counseling, assessing the client's needs and strengths, and providing skilled nursing care.

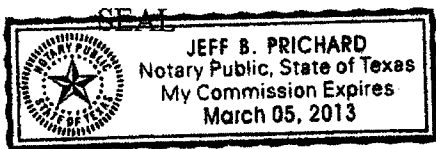
(2) SHOULD RESPONDENT desire to return to a clinical practice setting, which would require her to provide direct patient care, RESPONDENT SHALL petition the Board for such approval.

RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed this Order. I neither admit nor deny the violation(s) 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 22nd day of January, 2013.
Penny Beth Reid
PENNY BETH REID, Respondent

Sworn to and subscribed before me this 22nd day of January, 2013.



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

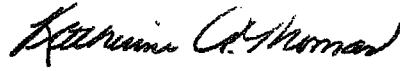
Approved as to form and substance.

[Signature]
MARC M. MEYER, Attorney for Respondent

Signed this 25th day of January, 2013.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 22nd day of January, 2013, by PENNY BETH REID, Vocational Nurse License Number 64770, and said Order is final.

Effective this 19th day of March, 2013.



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