



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. Thomas*  
Executive Director of the Board

Executive Director of the Board

## BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of   §  
Vocational Nurse License Number 153374                 §  
issued to TAMI LAINE HENRY                                   §

## ORDER OF THE BOARD

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Vocational Nurse License Number 153374, issued to TAMI LAINE HENRY, 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 is currently licensed to practice vocational nursing in the State of Texas.
2. Respondent waived representation by counsel, informal proceedings, notice and hearing.
3. Respondent received a Certificate in Vocational Nursing from North Central Texas College, Gainesville, Texas, on August 10, 1995. Respondent was licensed to practice vocational nursing in the State of Texas on September 6, 1995.
4. Respondent's nursing employment history includes:

9/1995 - 12/2006	Unknown	
1/2007 - 7/2008	LVN	Renaissance Care Center Gainesville, Texas
7/2008 - 9/2010	LVN	Settler's Ridge Care Center Celina, Texas

Respondent's nursing employment history continued:

10/2010 - 10/2011	LVN	Renaissance Care Center Gainesville, Texas
1/2012 - 2/2012	LVN	Texoma Specialty Care Denison, Texas
3/2012 - 3/2012	LVN	The Homestead of Collinsville Collinsville, Texas
4/2012 - Present		Not employed in nursing

5. On or about November 10, 2011, Respondent was issued the sanction of REMEDIAL EDUCATION AND A FINE through an Agreed Order by the Board. A copy of the Agreed Order, including the Findings of Fact, Conclusions of Law and Order dated November 10, 2011, is attached and incorporated herein by reference as part of this Order.
6. At the time of the incident in Finding of Fact Number Seven (7), Respondent was employed as a LVN with The Homestead of Collinsville, Collinsville, Texas, and had been in that position for three (3) days.
7. On or about March 5, 2013, while working as an LVN with Homestead of Collinsville, Collinsville, Texas, Respondent failed to assess the drug allergies for Patient EB SSN 9032 prior to administering a routine Purified Protein Derivative (PPD) Tuberculin Test. The patient was allergic to PPD Tuberculin, and the form for documenting the test indicated that the test was contraindicated. Respondent's conduct exposed the patient unnecessarily to a risk of harm in that the patient could have had an allergic, possibly anaphylactic, reaction.
8. In response to Finding of Fact Number Seven (7), Respondent admits that she received report from the day shift nurse who was unable to complete the assigned Tuberculin tests. Respondent volunteered to complete the tests for five residents. Respondent states they had no CNAs, therefore she assumed the CNA role in addition to her LVN role. She states she did the best she could, however, she admits she did not check the physician's order for allergies before administering the injection. She did not observe any adverse reactions.
9. On June 17, 2013, the Board received a signed statement from Respondent voluntarily surrendering the right to practice vocational nursing in Texas. A copy of Respondent's signed statement is attached and incorporated herein 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 §217.11(1)(A),(1)(B)&(1)(C) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B)&(4).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10)&(13), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 153374, heretofore issued to TAMI LAINE HENRY, 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 301.453 (d), Texas Occupations Code, and 22 TAC §§213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

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ORDER

NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Vocational Nurse License Number 153374, heretofore issued to TAMI LAINE HENRY, 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 vocational nursing, use the title of Vocational Nurse or the abbreviation LVN or wear any insignia identifying herself as a vocational nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a vocational 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 17th day of June, 2013.

TEXAS BOARD OF NURSING

By: \_\_\_\_\_



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



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

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In the Matter of Vocational Nurse                   §     AGREED  
License Number 153374                               §  
issued to TAMI LAINE HENRY                   §     ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of TAMI LAINE HENRY, Vocational Nurse License Number 153374, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated TEX. REV. CIV. STAT. ANN 4528c, sec 10(a)(2)&(9)(effective 9/1/1993), Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on July 1, 2011, by Katherine A. Thomas, MN, RN, Executive Director.

### 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 representation by counsel, 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 North Central Texas College, Gainesville, Texas, on August 10, 1995. Respondent was licensed to practice vocational nursing in the State of Texas on September 6, 1995.
5. Respondent's nursing employment history is unknown.

6. On or about July 13, 1995, Respondent submitted an Application for Licensure by Examination for License 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 felony or misdemeanor other than a minor traffic violation?"

Respondent failed to disclose the following:

On or about August 17, 1986, Respondent entered a plea of Guilty and was convicted of THEFT OVER \$20 AND LESS THAN \$200 (a misdemeanor offense committed on July 15, 1983), in the County Court of Cooke County, Texas, under Cause Number 28209. As a result of the conviction, Respondent was sentenced to confinement in the Cooke County Jail for a period of one (1) year; however, the imposition of the sentence of confinement was suspended, and Respondent was placed on probation for a period of one (1) year. Additionally, Respondent was ordered to pay restitution in the amount of sixty dollars (\$60) and court costs.

On or about April 2, 1990, Respondent entered a plea of Guilty and was convicted of DRIVING WHILE INTOXICATED (a misdemeanor offense committed on November 21, 1989), in the County Court of Cooke County, Texas, under Cause Number 9035676. As a result of the conviction, Respondent was ordered to pay a fine and court costs.

On or about May 29, 1992, Respondent entered a plea of Guilty and was convicted of DRIVING WHILE INTOXICATED (a misdemeanor offense committed on September 22, 1991), in the County Court of Cooke County, Texas, under Cause Number 91-37061. As a result of the conviction, Respondent was sentenced to confinement in the Cooke County jail for a period of sixty (60) days; however, the imposition of the sentence of confinement was suspended, and Respondent was placed on probation for a period of two (2) years. Additionally, Respondent was ordered to pay a fine and court costs.

7. On or about October 9, 1997, Respondent entered a plea of guilty and was convicted of THEFT BY CHECK REDUCED TO ISSUANCE OF A BAD CHECK (a misdemeanor offense committed on December 20, 1996), in the County Court of Cooke County, Texas, under Cause number 97-42015. As a result of the conviction, Respondent was ordered to pay a fine and court costs.
8. In response to Findings of Fact Numbers Six (6) and Seven (7), Respondent states: She is not sure where the mis-communication occurred. She has sent a copy of all charges she has ever had and their outcome. There are some not included in our request but she wants to be sure that we have everything. What led up to the incidents was that she was an alcoholic and not very responsible. She has been sober for over 10 years and put all of this behind her.

### 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 violations of TEX. REV. CIV. STAT. ART. 4528c, Sec. 10(a)(2)&(9)(effective 9/1/1993), and is a violation of 22 TEX. ADMIN. CODE §239.11(8)(effective 9/1/1993).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 153374, heretofore issued to TAMILAINE HENRY, including revocation of Respondent's license(s) to practice nursing in the State of Texas.

### ORDER

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL receive the sanction of a REMEDIAL EDUCATION 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 State of Texas and the Board of Nursing in the party state where Respondent wishes to work.

IT IS FURTHER AGREED that:

(1) 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.state.tx.us/disciplinaryaction/stipscourses.html>.

(2) RESPONDENT SHALL pay a monetary fine in the amount of two hundred and fifty dollars (\$250). 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.

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.

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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 violations 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 when this Order becomes final and the terms of this Order become effective, 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 4 day of November, 2011.  
Tami Laine Henry  
TAMI LAINE HENRY, Respondent

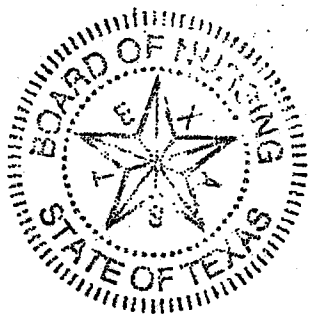
Sworn to and subscribed before me this 4 day of November, 2011.

SEAL



Leighann Skipworth  
Notary Public in and for the State of Texas

WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby ratify and adopt the Agreed Order that was signed on the 4th day of November, 2011, by TAMI LAINE HENRY, Vocational Nurse License Number 153374, and said Order is final.



Effective this 10th day of November, 2011.

*Katherine A. Thomas*

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

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(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 \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
TAMI LAINE HENRY, RESPONDENT

Sworn to and subscribed before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

SEAL

\_\_\_\_\_  
Notary Public in and for the State of \_\_\_\_\_

*I surrender my license. I have only used it 3 days in over a year. This incident reminds me why I got out.*

*Tami Henry*