



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

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of § AGREED
Vocational Nurse License Number 195527 §
issued to GINNIE DAWN CAVANAUGH § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of GINNIE DAWN CAVANAUGH, Vocational Nurse License Number 195527, 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, and agreed to the entry of this Order.

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

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was provided to 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 John Peter Smith Hospital, Fort Worth, Texas, on August 27, 2004. Respondent was licensed to practice vocational nursing in the State of Texas on October 7, 2004.
5. Respondent's employment history is unknown.

6. On or about April 30, 2010, Respondent pled Guilty to SECURING EXECUTION OF A DOCUMENT BY DECEPTION-\$1,500-\$20,000, a State Jail Felony offense committed on October 2, 2007, in the 297th District County Court of Tarrant County, Texas, under Cause No. 1181858. As a result of the plea, the proceedings against Respondent were deferred without entering an adjudication of guilt, and Respondent was placed on probation for a period of three (3) years and ordered to pay restitution in the amount of four thousand, eight hundred forty-six (\$4846.00) dollars, a fine and court costs.

7. On or about September 12, 2010, Respondent submitted a Texas 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 or about April 30, 2010, Respondent pled Guilty to SECURING EXECUTION OF A DOCUMENT BY DECEPTION-\$1,500-\$20,000, a State Jail Felony offense committed on October 2, 2007, in the 297th District County Court of Tarrant County, Texas, under Cause No. 1181858. As a result of the plea, the proceedings against Respondent were deferred without entering an adjudication of guilt, and Respondent was placed on probation for a period of three (3) years.

8. On or about September 6, 2011, Respondent pled Guilty to SECURING EXECUTION OF A DOCUMENT BY DECEPTION-\$1,500-\$20,000, a State Jail Felony offense committed on July 27, 2009, in the 297th District County Court of Tarrant County, Texas, under Cause No. 1248296. As a result of the plea, the proceedings against Respondent were deferred without entering an adjudication of guilt, and Respondent was placed on probation for a period of three (3) years and ordered to pay restitution in the amount of three hundred (\$300.00) dollars, a fine and court costs.

9. In response to Findings of Fact Numbers Six (6) through Eight (8), Respondent states she was on food stamps in 2007-2009 and was under the understanding that she didn't have to report her income that didn't exceed \$2500, therefore, she didn't when she was working part time. In 2010, she was notified by Human Services that she was over paid in monthly benefits in 2007-2009 and that someone would be contacting her to discuss it. She offered to pay the amount at that time and the gentlemen told her that he couldn't take any money. She didn't hear anything else about it until 2011, when an officer notified her at her house that she was being charged with deception of a document due to not notifying of income. She went to court and received 3 yrs deferred adjudication probation and had to pay the restitution back prior to 60 days before her probation ends. She has been going to probation with no problem and fulfilling her monthly report obligations. She now understands that all income has to be reported if she was ever to receive assistance again.
10. Respondent, by her signature to this Order, expresses her desire to voluntarily surrender her license(s) to practice nursing in the State of Texas.

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)&(13).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(2),(3)&(10) Texas Occupations Code, to take disciplinary action against, Vocational Nurse License Number 195527, heretofore issued to GINNIE DAWN CAVANAUGH, 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, as amended, 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 TEX. ADMIN. CODE §213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

ORDER

NOW, THEREFORE, IT IS AGREED and ORDERED that the VOLUNTARY SURRENDER of Vocational Nurse License Number 195527, heretofore issued to GINNIE DAWN CAVANAUGH, to practice nursing in the State of Texas, is accepted by 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 "vocational nurse" or the abbreviation "LVN" or wear any insignia identifying 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.

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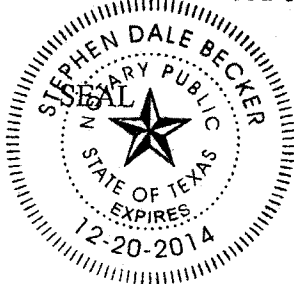
RESPONDENT'S CERTIFICATION

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 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 becomes final when accepted by the Executive Director at which time the terms of this Order become effective and a copy will be mailed to me.

Signed this 14th day of August, 2013.

Ginnie Dawn Cavanaugh
GINNIE DAWN CAVANAUGH, Respondent

Sworn to and subscribed before me this 14th day of August, 2013.



Steph Becker
Notary Public in and for the State of Texas

This surrender is for 1yr until reinstatement can be filed.

WHEREFORE, PREMISES CONSIDERED, the Executive Director on behalf of the Texas Board of Nursing does hereby accept the voluntary surrender of Vocational Nurse License Number 195527, previously issued to GINNIE DAWN CAVANAUGH.

Effective this 16th day of August, 2013.



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