



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. Parnham*  
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of §  
Registered Nurse License Number 568501 §  
issued to JANET SCHAEFER VELLA §

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 568501, issued to JANET SCHAEFER VELLA, 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 professional nursing in the State of Texas.
2. Respondent waived representation by counsel, informal proceedings, notice and hearing.
3. Respondent received an Associate Degree in Nursing from Del Mar College, Corpus Christi, Texas, on February 1, 1991. Respondent was licensed to practice professional nursing in the State of Texas on March 18, 1991.
4. Respondent's complete nursing employment history is unknown.
5. On July 19, 2012, Respondent was issued the sanction of a Warning with Stipulations by the Texas Board of Nursing. A copy of the July 19, 2012, Agreed Order, Findings of Fact, and Conclusions of Law is attached and incorporated, by reference, as part of this Order.

6. On December 5, 2013, the Board received a notarized statement from Respondent voluntarily surrendering the right to practice nursing in Texas in lieu of complying with the Order issued to her on July 19, 2012. A copy of Respondent's notarized statement, dated December 3, 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 568501, heretofore issued to JANET SCHAEFER VELLA, 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

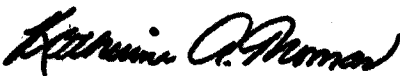
NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Registered Nurse License Number 568501, heretofore issued to JANET SCHAEFER VELLA, to practice nursing in the State of Texas, is accepted by the Executive Director on behalf of the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL NOT practice professional nursing, use the title of registered or the abbreviation RN or wear any insignia identifying herself 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 day 5th of December, 2013.

TEXAS BOARD OF NURSING

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

JANET SCHAEFER VELLA  
2133 RIATA DRIVE  
CORPUS CHRISTI, TX 78418  
Registered Nurse License Number 568501  
DEC 10 2 5013

Voluntary Surrender Statement

Dear Texas Board of Nursing:

I no longer desire to be licensed as a nurse. Accordingly, I voluntarily surrender my license(s) to practice in Texas. I waive representation by counsel and consent to the entry of an Order which outlines requirements for reinstatement of my license. I understand that I may not petition for reinstatement until one (1) year from the effective date of the Order. 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.

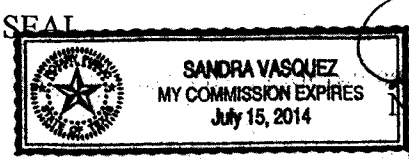
Signature Janet S. Vella  
Date 12-3-13

Registered Nurse License Number 568501

The State of Texas

Before me, the undersigned authority, on this date personally appeared JANET SCHAEFER VELLA 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 before me the 3 day of December, 2013.



Sandra Vasquez  
Notary Public in and for the State of Texas



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.  
*April Thomas*  
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Registered Nurse           §           AGREED  
License Number 568501                       §  
issued to JANET SCHAEFER VELLA       §           ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of JANET SCHAEFER VELLA, Registered Nurse License Number 568501, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Tex. Rev. Civ. Stat. 4525(a)(2)&(9) (eff. 9/1/89). Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on April 23, 2012, by Katherine A. Thomas, MN, RN, FAAN, Executive Director, 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 representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice professional nursing in the State of Texas.
4. Respondent received an Associate Degree in Nursing from Del Mar College, Corpus Christi, Texas, on February 1, 1991. Respondent was licensed to practice professional nursing in the State of Texas on March 18, 1991.
5. Respondent's nursing employment history is unknown.

6. On or about July 12, 1990, Respondent submitted a Registration by Examination application to the Board of 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 crime other than minor traffic violations?"

Respondent failed to disclose that on or about January 9, 1984, Respondent was arrested by the Police Department, La Habra, California, and subsequently convicted of FORGED PRESCRIPTION. As a result of the conviction, Respondent was placed on probation for a period of thirty-six (36) months, and ordered to pay a fine.

Respondent also failed to disclose that on or about December 3, 1984, Respondent pled Nolo Contendere and was convicted of OPERATING A MOTOR VEHICLE IN A PUBLIC PLACE WHILE INTOXICATED, a misdemeanor offense committed on October 19, 1984, in the County Court at Law No. 2, Nueces County, Texas, under Cause No. 90007-2. As a result of the conviction, Respondent was sentenced to confinement in the Nueces County Jail for a period of ninety (90) days; however, imposition of the sentence of confinement was suspended, and Respondent was placed on probation for a period of two (2) years, and ordered to pay a fine.

7. In response to Finding of Fact Number Six (6), Respondent states, she answered "No" to the arrest question because she was afraid it would jeopardize her nursing career and job opportunities. She apologizes for the false statement concerning her past arrests, and is willing to do whatever she needs to make things right.

For the Forged Prescription charge, she was with her husband and his two friends. She was in a full right leg cast from a car accident 21 months prior. One of the friends they were with had written the prescription for pain medication, she believes it was Codeine with Tylenol. The friend offered her and her husband money to turn in the prescription. They were all arrested, and later bailed out by their lawyer friend. Her family was struggling financially at the time, so her mother-in-law offered for them to come live with her in Corpus Christi. They moved to Corpus and she did not finish the 36 months of probation in California. For the DUI charge, she had recently moved to Corpus Christi and was working as a waitress where she was allowed to have two discounted drinks after work. She stayed hoping to make friends. One night after work, she was pulled over for driving the wrong way down an one-way street. She tried to talk her way out of a ticket, and talked herself into a DUI. She paid the fines and completed one year of probation.

#### 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 of Tex. Rev. Civ. Stat. 4525(a)(2)&(9) (eff. 9/1/89), and 22 TEX. ADMIN. CODE §217.13(15) (eff. 9/1/87).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 568501, heretofore issued to JANET SCHAEFER VELLA, 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 WARNING WITH STIPULATIONS 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 Texas Board of Nursing and the Board of Nursing in the party state where Respondent wishes to work.

IT IS FURTHER AGREED that:

(1) RESPONDENT SHALL pay a monetary fine in the amount of five hundred dollars (\$500). 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.

(2) 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.texas.gov/disciplinaryaction/stipscourses.html>



(3) RESPONDENT SHALL, within one (1) year of entry of this Order, 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. *Board-approved courses may be found at the following Board website address: <http://www.bon.texas.gov/disciplinaryaction/stipscourses.html>.*

**IT IS FURTHER AGREED, SHOULD RESPONDENT PRACTICE AS A NURSE IN THE STATE OF TEXAS, RESPONDENT WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING AND RESPONDENT MUST WORK IN SUCH SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING STIPULATIONS FOR ONE (1) YEAR(S) OF EMPLOYMENT. THE LENGTH OF THE STIPULATION PERIOD WILL BE EXTENDED UNTIL SUCH TWELVE (12) MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE THE USE OF A REGISTERED NURSE (RN) OR A VOCATIONAL NURSE (LVN) LICENSE, AS APPROPRIATE, WILL NOT APPLY TO THIS STIPULATION PERIOD:**

(4) RESPONDENT SHALL notify each present employer in nursing of this Order of the Board and the stipulations on RESPONDENT'S license(s). RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each present employer within five (5) days of receipt of this Order. RESPONDENT

SHALL notify all future employers in nursing of this Order of the Board and the stipulations on RESPONDENT'S license(s). 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.

(5) RESPONDENT SHALL CAUSE each present employer in nursing to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within ten (10) days of receipt of this Order. 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.

(6) 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.

(7) 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 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 one (1) year(s) of employment as a nurse.

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.

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 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.

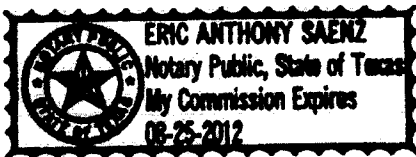
Signed this 18 day of June, 2012.

Janet Schaefer Vella  
JANET SCHAEFER VELLA, Respondent

Sworn to and subscribed before me this 18 day of JUNE, 2012.

SEAL

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



WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 18th day of June, 2012, by JANET SCHAEFER VELLA, Registered Nurse License Number 568501, and said Order is final.

Effective this 19th day of July, 2012.



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