

IN THE MATTER OF PERMANENT §
VOCATIONAL NURSE LICENSE §
NUMBER 233453 ISSUED TO §
DIANA SUE QUIDA BONE §

BEFORE THE TEXAS
BOARD OF NURSING
ELIGIBILITY AND
DISCIPLINARY COMMITTEE



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

ORDER OF THE BOARD

TO: Diana Sue Quida Bone
2107 SE 90th Street
Lawton, OK 73501

During open meeting held in Austin, Texas, on **February 11, 2014**, the Texas Board of Nursing Eligibility and Disciplinary Committee (hereinafter "Committee") heard the above-styled case, based on the failure of the Respondent to appear as required by 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that notice of the facts or conduct alleged to warrant disciplinary action has been provided to Respondent in accordance with Texas Government Code § 2001.054(c) and Respondent has been given an opportunity to show compliance with all the requirements of the Nursing Practice Act, Chapter 301 of the Texas Occupations Code, for retention of Respondent's license(s) to practice nursing in the State of Texas.

The Committee finds that the Formal Charges were properly initiated and filed in accordance with section 301.458, Texas Occupations Code.

The Committee finds that after proper and timely Notice regarding the violations alleged in the Formal Charges was given to Respondent in this matter, Respondent has failed to appear in accordance with 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that the Board is authorized to enter a default order pursuant to Texas Government Code § 2001.056.

The Committee, after review and due consideration, adopts the proposed findings of fact and conclusions of law as stated in the Formal Charges which are attached hereto and incorporated by reference for all purposes and the Staff's recommended sanction of revocation by default. This Order

will be properly served on all parties and all parties will be given an opportunity to file a motion for rehearing [22 TEX. ADMIN.CODE § 213.16(j)]. All parties have a right to judicial review of this Order.

All proposed findings of fact and conclusions of law filed by any party not specifically adopted herein are hereby denied.

NOW, THEREFORE, IT IS ORDERED that Permanent Vocational Nurse License Number 233453, previously issued to DIANA SUE QUIDA BONE, to practice nursing in the State of Texas be, and the same is/are hereby, REVOKED.

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

Entered this 11th day of February, 2014.



TEXAS BOARD OF NURSING

A handwritten signature in cursive script, appearing to read 'Katherine A. Thomas', is written over a horizontal line.

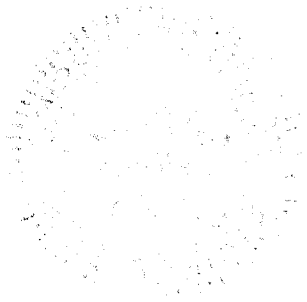
BY:

KATHERINE A. THOMAS, MN, RN, FAAN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

Attachment: Formal Charge filed September 23, 2014.

I certify this to be a true copy of the records on file with the Texas Board of Nursing.

Date: _____
Signed: _____



Re: Permanent Vocational Nurse License Number 233453
Issued to DIANA SUE QUIDA BONE
DEFAULT ORDER - REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 14th day of February, 2014, a true and correct copy of the foregoing DEFAULT ORDER was served and addressed to the following person(s), as follows:

Via USPS Certified Mail, Return Receipt Requested

Diana Sue Quida Bone
2107 SE 90th Street
Lawton, OK 73501

Via USPS First Class Mail

Diana Sue Bone
Rt 2 Box 420
Duncan, OK 73533



BY:

KATHERINE A. THOMAS, MN, RN, FAAN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

In the Matter of Permanent	§	BEFORE THE TEXAS
Vocational Nurse License	§	
Number 233453 Issued to	§	
DIANA SUE QUIDA BONE,	§	
Respondent	§	BOARD OF NURSING

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, DIANA SUE QUIDA BONE, is a Vocational Nurse holding License Number 233453, which is in delinquent 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 January 31, 2013, Respondent was issued an Order of Emergency Temporary Suspension Pending Hearing by the Oklahoma Board of Nursing wherein Respondent's license to practice practical nursing in the State of Oklahoma was Summarily Suspended. A copy of the Order of Emergency Temporary Suspension Pending Hearing issued by the Oklahoma Board of Nursing, dated January 31, 2013, is attached and incorporated by reference as part of this pleading.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(8), Texas Occupations Code.

NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of up to, and including, revocation of Respondent's license/s to practice nursing in the State of Texas pursuant to the Nursing Practice Act, Chapter 301, Texas Occupations Code and 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 Section 301.461, Texas Occupations Code. 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.bon.texas.gov.

NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, which can be found at www.bon.texas.gov/disciplinaryaction/discp-matrix.html.

NOTICE IS ALSO GIVEN that Respondent's past disciplinary history, as set out below and described in the Order(s) which is attached and incorporated by reference as part of these charges, will be offered in support of the disposition recommended by staff: Order of Emergency Temporary Suspension Pending Hearing issued by the Oklahoma Board of Nursing, dated January 31, 2013.

Filed this 23 day of September, 20B.

TEXAS BOARD OF NURSING



James W. Johnston, General Counsel
Board Certified - Administrative Law
Texas Board of Legal Specialization
State Bar No. 10838300

Jena Abel, Assistant General Counsel
State Bar No. 24036103

Lance Robert Brenton, Assistant General Counsel
State Bar No. 24066924

John R. Griffith, Assistant General Counsel
State Bar No. 24079751

Robert Kyle Hensley, Assistant General Counsel
State Bar No. 50511847

John F. Legris, Assistant General Counsel
State Bar No. 00785533

TEXAS BOARD OF NURSING

333 Guadalupe, Tower III, Suite 460
Austin, Texas 78701
P: (512) 305-6811
F: (512) 305-8101 or (512)305-7401

Attachments: Order of Emergency Temporary Suspension Pending Hearing issued by the Oklahoma Board of Nursing, dated January 31, 2013.

D/2012.06.19

BEFORE THE OKLAHOMA BOARD OF NURSING

IN THE MATTER OF DIANA SUE QUIDA HOLLEY BONE, L.P.N.
LICENSE NO. L0050385

ORDER OF EMERGENCY TEMPORARY SUSPENSION PENDING HEARING

This matter comes on for hearing before the Oklahoma Board of Nursing ("Board") on the 31st day of January, 2013, at the Fairfield Inn & Suites, 4521 S.W. 15th St., Oklahoma City, Oklahoma

The Board is represented by Debbie McKinney, Attorney at Law. Diana Sue Quida Holley Bone, L.P.N. ("Respondent") appears neither in person nor by counsel at the hearing on this date.

This Order is issued pursuant to the Oklahoma Nursing Practice Act, 59 O.S. §§ 567.1 *et. seq.*

FINDINGS OF FACT

After hearing all the evidence presented and upon due consideration thereof, the Board by clear and convincing evidence finds:

1. Respondent is licensed to practice licensed practical nursing in the State of Oklahoma and is the holder of License No. L0050385, issued by the Oklahoma Board of Nursing.
2. On the 30th day of November, 2012, Lisa, Griffiths, R.N., Nurse Investigator for the Oklahoma Board of Nursing, filed a Complaint against the license of Respondent alleging facts which constitute a violation of the Oklahoma Nursing Practice Act, specifically, it is alleged that Respondent's conduct jeopardized patients' lives, health, or safety. Said Complaint is hereby incorporated by reference as if set forth in full herein.

3. The Complaint and Notice filed the 30th day of November, 2012, and mailed to Respondent by Certified/Restricted delivery was returned "Unclaimed" on December 21, 2012. The Complaint and Notice were mailed to the address provided by Respondent to the Board.

4. Attempts to notify Respondent of this hearing have been unsuccessful despite Respondent having an affirmative duty to notify the Board of any change in address. See § 485:10-9-9(C), of the Rules promulgated by the Board of Nursing.

5. By reason of the seriousness of the allegations made in the Complaint, and the inability to notify the Respondent of this hearing, the Board finds that public health, safety, and welfare require emergency action summarily to suspend the license to practice licensed practical nursing held by Diana Sue Quida Holley Bone, L.P.N., pending a hearing on the Complaint and a determination of whether or not Respondent's license should be disciplined.

CONCLUSION OF LAW

The Board concludes that Respondent's license to practice licensed practical nursing should be summarily suspended as provided in the Order below, pursuant to 75 O.S. § 314(C)(2).

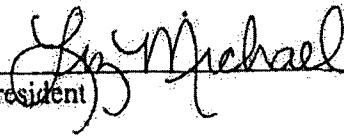
ORDER

IT IS THEREFORE ORDERED by the Oklahoma Board of Nursing that the license to practice licensed practical nursing held by Diana Sue Quida Holley Bone, L.P.N., be, and the same is, summarily suspended pending a hearing on the Complaint filed herein by Lisa Griffitts, R.N., Nurse Investigator for the Oklahoma Board of Nursing.

IT IS FURTHER ORDERED that pending such hearing or further Order of this Board, the Respondent is hereby enjoined from practicing or holding herself out as licensed to practice licensed practical nursing in the State of Oklahoma.

OKLAHOMA BOARD OF NURSING

By:



President



LG:tj

THE OKLAHOMA BOARD OF NURSING

IN THE MATTER OF DIANA SUE QUIDA HOLLEY BONE, L.P.N.
LICENSE NO. L0050385

COMPLAINT

The Complaint of Lisa Griffitts, R.N., Nurse Investigator, Oklahoma Board of Nursing, respectfully states:

1. Respondent is Diana Sue Quida Holley Bone, L.P.N.
2. Respondent is licensed to practice licensed practical nursing in the State of Oklahoma, and is the holder of License No. L0050385, issued by the Oklahoma Board of Nursing ("Board").
3. Respondent is guilty of deceit or material misrepresentation in procuring or attempting to procure a license to practice licensed practical nursing; violated a Rule promulgated by the Board, an order of the Board, or a state or federal law relating to the practice of licensed practical nursing; is guilty of unprofessional conduct as defined in the Rules of the Board; specifically, OAC §§485:10-9-9.(a)(b), and §§485:10-11-1.(a)(b)(1)(3)(A)(E)(H), and is in violation of the provisions of the Oklahoma Nursing Practice Act, 59 O.S. §§567.1, *et seq.*, specifically, §§567.8 A.1.a.2.3. B. 1.a., 7. and 9., with the following particulars, to wit:
 - a. During February, 2012, the Respondent, while employed by Agape Comprehensive Health Services as a Marketing Community Liaison, in Lawton, Oklahoma ("Agape Health Services"), worked as an LPN and performed multiple home health care patient visits without a valid Oklahoma nursing license. The Respondent's license to practice licensed practical nursing in Oklahoma had lapsed on December 1, 2011, and was reinstated in Oklahoma on March 23, 2012.
 - b. On or about March 2, 2012, the Respondent submitted to the Board a Licensee Application for Reinstatement or Return to Active Status of

Licensure (LPN) ("Application"). The Respondent falsified the Application by answering "No" to the following Question:

Have you practiced in a position requiring an RN/LPN license in Oklahoma since your license was not in active status?

As more particularly described in the Application, attached hereto as Exhibit "A" and made a part hereof.

c. The Respondent was employed as a licensed practical nurse at Agape Health Services as "Diana Holley, L.P.N.", and failed to notify the Board of a name change, within 30 days of her name change, and pay the appropriate fee to change her name with the Board.

4. Jurisdiction for this Complaint is based upon the statutes regulating nursing practice in the State of Oklahoma, i.e., the Oklahoma Nursing Practice Act, 59 O.S. §§567.1, *et seq.*, and the promulgated Rules by the Oklahoma Board of Nursing, OAC §§485:10-11-1, *et seq.* and the facts alleged herein.

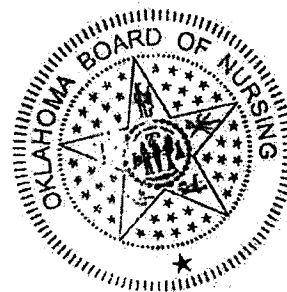
WHEREFORE, Complainant prays the Board take such action as may be just and proper with regard to the license to practice licensed practical nursing held by Diana Sue Quida Holley Bone, L.P.N., including the assessment of administrative penalties in an amount not to exceed \$1,500.00 as provided in, 59 O.S. §§567.8A.2., J.1. and 2., and OAC §485:10-11-2(d), of the Rules promulgated by the Oklahoma Board of Nursing.

DATED AND FILED with the Oklahoma Board of Nursing this 30th day of November, 2012.

Lisa Griffitts

LISA GRIFFITTS, R.N.

STATE OF OKLAHOMA)
)
COUNTY OF OKLAHOMA)



Lisa Griffiths, R.N., Nurse Investigator, Oklahoma Board of Nursing, is the Complainant in the above matter before the Oklahoma Board of Nursing: that she has read the Complaint and knows the contents thereof, and the facts set forth therein are true to the best of her information and belief.

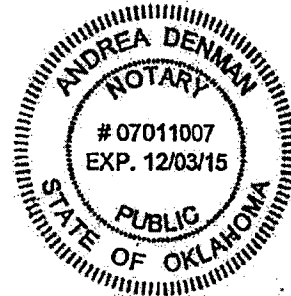
Lisa Griffiths
LISA GRIFFITTS, R.N.

SUBSCRIBED AND SWORN to me before this 30th day of November, 2012.

Andrea Denman
NOTARY PUBLIC
My Commission expires: 12/03/2015

LG:ad

DMC/2012-1087



Licensee Application for Reinstatement or Return to Active Status of Licensure (LPN)

Personal Information

Name: DIANA SUE QUIDA HOLLEY BONE
Name on License (3 Full Names): DIANA SUE QUIDA BONE
Social Security:
Date of Birth:
Email Address: dianaholley@gmail.com

Mailing Address:
Address:
2107 SE 90TH STREET LAWTON OK, 735010000
Country:
United States

Daytime Phone: 5807210100
Evening Phone:

Demographic Information
Gender:
Female
Race/Ethnicity:
White

Employer Information

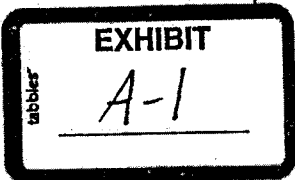
Employer: Agape' Comprehensive Health Services

Job Title: Community Liaison

Supervisor First Name: Juanita Supervisor Last Name: Grooms

Dates of Employment
Start Date: 12/17/2011 End Date: Currently Employed

Company Address
Address Line 1: 207 SW C Avenue
Address Line 2:
City: Lawton State: OK
Zip: 73501
Country: UNITED STATES



Province: _____

Phone: 5803512273

Employment Questions

Are you currently employed in a position requiring an RN/LPN license in Oklahoma?

Yes No

Have you practiced in a position requiring an RN/LPN license in Oklahoma since your license was not in active status?

Yes No ←

License Questionnaire

1. Have you ever been summoned, arrested, taken into custody, indicted, convicted or tried for, or charged with, or pleaded guilty to, the violation of any law or ordinance or the commission of any misdemeanor or felony, or have you been requested to appear before any prosecuting attorney or investigative agency in any matter, not previously reported in writing to the Oklahoma Board of Nursing? (Include all such incidents no matter how minor the infraction whether guilty or not.)

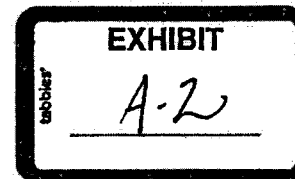
Yes No

If Yes, please describe in detail:

2. Have you ever had disciplinary action taken against your nursing license, recognition, or certificate; and/or any health-related license, recognition, or certificate; and/or any application for a nursing or health-related license, recognition, or certificate in any state, territory or country, not previously reported in writing to the Oklahoma Board of Nursing?

Yes No

If Yes, please describe in detail:



3. Is there currently any investigation of your nursing license, recognition, or certificate; and/or any health-related license, recognition, or certificate; and/or any application for a nursing or health-related license, recognition, or certificate in another state, territory, or country, not previously reported in writing to the Oklahoma Board of Nursing?

- Yes No

If Yes, please describe in detail:

4. Have you ever been judicially declared incompetent in any state, territory, or country, not previously reported in writing to the Oklahoma Board of Nursing?

- Yes No

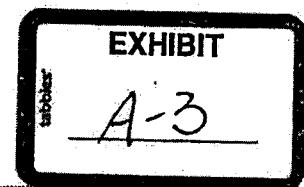
If Yes, please describe in detail:

Citizenship information

Please check one of the following Citizenship statuses

- I am a U.S. citizen
- I am a U.S. national
- I am a legal permanent resident alien
- I am a qualified alien

An Evidence of Status form and documentation as identified on the form must be submitted in order for the application to be complete.



Verification of Continuing Qualifications for Practice

- It has been less than two years since my Oklahoma nursing license has not been in active status.

It has more than two years since my Oklahoma nursing license has not been in active status. During that time, I verify that I have maintained continued qualifications for practice through completion of one or more of the following (Check all of the following that apply. You must submit the requested documentation in order for your application to be considered):

I have completed a refresher course within the last two years with content consistent with Board Policy. (Please request that the institution offering the Oklahoma Board of Nursing approved refresher course submit an official transcript or certificate of completion.)

I want to take the National Council Licensure Examination (NCLEX). Please send me a registration form. I understand that my application will not be processed until the examination is successfully passed.

I have completed at least seven (7) academic semester credit hours (or 105 contact hours, for LPNs enrolled in practical nursing) of nursing courses within the last two years which include classroom and clinical instruction. (Please request that the education institution submit an official transcript to the Oklahoma Board of Nursing.)

I am licensed in another state and have been employed in that state in a position requiring nursing licensure for a minimum of 520 work hours in the past two years. (Please request that an Employment Verification Form be completed by your employer and submitted directly to the Board office.)

I understand that if I am a U.S. citizen, national, or permanent legal resident alien, I must submit to the Board a photocopy of supporting documentation as stated in the *Evidence of Status Form*, or a Citizenship Affidavit, unless one of these documents is on file with the Oklahoma Board of Nursing. If I am a qualified alien, I must bring an *Evidence of Status Form* and original copy of supporting documentation to the Board office.

I understand that if I answer "yes" to any question related to criminal charges, disciplinary actions or judicial declaration of incompetence, I must submit to the Board certified copies of court records or the Board order.

I understand that if I am employed in a position or have worked in a position requiring an LPN license since my license was not in an active status, my employer must submit an *Employment Verification Form* and a job description directly to the Oklahoma Board of Nursing office.

I understand that, if it has been more than two years since my license was in an active status, I must provide evidence of continuing qualifications for practice prior to being eligible for reinstatement or return to active status.

I declare and affirm that the statements made in this application, including accompanying documents, are true, complete and correct. I understand that any false or misleading information in, or in connection with, my application, may be cause for denial or loss of licensure, certification, and/or recognition.

