

IN THE MATTER OF  
PERMANENT VOCATIONAL NURSE  
LICENSE NUMBER 136790  
ISSUED TO  
CRYSTAL ANNETTE HORTON

§  
§  
§  
§  
§

BEFORE THE TEXAS  
BOARD OF NURSING  
  
ELIGIBILITY AND  
DISCIPLINARY COMMITTEE

**ORDER OF THE BOARD**

TO: CRYSTAL ANNETTE HORTON  
PO BOX 2503  
CRYSTAL BEACH, TX 77650

During open meeting held in Austin, Texas, on **Wednesday, November 12, 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.



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.  
*William C. Thomas*  
Executive Director of the Board

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 136790, previously issued to CRYSTAL ANNETTE HORTON, 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 12th day of November, 2014.

TEXAS BOARD OF NURSING

BY:



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

Attachment: Formal Charge filed August 7, 2014.

Re: Permanent Vocational Nurse License Number 136790  
Issued to CRYSTAL ANNETTE HORTON  
DEFAULT ORDER - REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 17<sup>th</sup> day of November, 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

CRYSTAL ANNETTE HORTON  
PO BOX 2503  
CRYSTAL BEACH, TX 77650

Via USPS First Class Mail

CRYSTAL ANNETTE HORTON  
PO BOX 2503  
CRYSTAL BEACH, TX 77650

BY:



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

|                                   |   |                  |
|-----------------------------------|---|------------------|
| In the Matter of                  | § | BEFORE THE TEXAS |
| Permanent Vocational Nurse        | § |                  |
| License Number 136790             | § |                  |
| Issued to CRYSTAL ANNETTE HORTON, | § |                  |
| Respondent                        | § | BOARD OF NURSING |

### FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, CRYSTAL ANNETTE HORTON, is a Vocational Nurse holding License Number 136790, 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 May 31, 1994, Respondent entered a plea of Guilty to and was convicted of DRIVING WHILE INTOXICATED 1ST, a Class A misdemeanor offense, committed on March 3, 1994, in the County Criminal Court at Law No. 7, Harris County, Texas, under Cause No. 9408917. As a result of the conviction, Respondent was sentenced to confinement in the Harris County Jail for a period of one hundred eighty (180) days; however, imposition of confinement was suspended and Respondent was placed on probation for a period of one (1) year, and ordered to pay a fine.

The above action constitutes grounds for disciplinary action in accordance with TEX. REV. CIV. STAT. ART. 4528c, Sec. 10(a)(9)(eff. 9/1/1993) and is a violation of 22 TEX. ADMIN. CODE §239.11(28)(eff. 9/1/1993).

#### CHARGE II.

On or about March 25, 2013, Respondent entered a plea of Nolo Contendere to and was convicted of DRIVING WHILE INTOXICATED 2ND, a Class A misdemeanor offense, committed on March 25, 2013, in the County Court at Law 2, Galveston County, Texas, under Cause No. MD-0333573. As a result of the conviction, Respondent was sentenced to confinement for a period of thirty (30) days with six (6) days credit, and ordered to pay a fine and court costs.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(13).

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CONTINUED ON NEXT PAGE.

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 and TEX. OCC. CODE Ch. 53. 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).

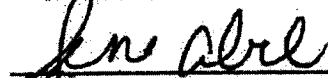
NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, [www.bon.texas.gov](http://www.bon.texas.gov).

NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Guidelines for Criminal Conduct and on Adopted Disciplinary Sanction Policies for Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder, which can be found at the Board's website, [www.bon.texas.gov](http://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](http://www.bon.texas.gov/disciplinaryaction/discp-matrix.html).

Filed this 7th day of August, 2014.

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

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

John Vanderford, Assistant General Counsel  
State Bar No. 24086670

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



## Texas Board of Nursing

333 Guadalupe Street, Ste. 3-460, Austin, Texas 78701  
Phone: (512) 305-7400 Fax: (512) 305-7401 www.bon.texas.gov

Katherine A. Thomas, MN, RN, FAAN  
Executive Director

August 8, 2014

Certified Mail No.

91 7199 9991 7031 1039 0435

Return Receipt Requested

Crystal Annette Horton  
PO Box 2503  
Crystal Beach, TX 77650

Dear Crystal Annette Horton:

Enclosed are Formal Charges which have been filed against you because your pending alleged violation(s) of Section 301.452(b) of the Nursing Practice Act, Texas Occupations Code, have not been resolved. Within three weeks from the date of this letter, you must file a written answer to each charge admitting or denying each allegation. If you intend to deny only part of an allegation, you must specify so much of it as is true and deny only the remainder. Your answer shall also include any other matter, whether of law or fact, upon which you intend to rely for your defense. Send your written answer to the attention of Terry Washington, Investigator, at the above address. You may obtain legal counsel at your own expense.

**FAILURE TO FILE A WRITTEN ANSWER TO THE FORMAL CHARGES, EITHER PERSONALLY OR BY LEGAL REPRESENTATIVE, WILL RESULT IN THE ALLEGATIONS CONTAINED IN THE FORMAL CHARGES BEING ADMITTED AS TRUE AND THE PROPOSED RECOMMENDATION OF STAFF WILL BE GRANTED BY DEFAULT.**

If a written answer to the Formal Charges is not received within three weeks from the date of this letter, this matter will proceed on a default basis and it will be staff's recommendation that a default order be entered revoking your license(s) and/or nurse licensure compact privilege(s) to practice nursing in the State of Texas.

The result of any disciplinary action, including any default order or formal disposition (Board Order), is public information. Dispositions, including default orders and formal dispositions, will appear in the Board's quarterly newsletter and will be reported to the National Council of State Boards of

### Members of the Board

Kathleen Shipp, MSN, RN, FNP  
Lubbock, President

|                                 |                                   |                                    |  |                                    |   |
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| Nina Almay, MSN, RN<br>Austin   | Deborah Bell, CLU, ChFC<br>Arlene | Patricia Clupp, BA<br>Dallas       | Tamara Cowen, MSN, RN<br>Harlingen     | Sheri Crosby, JD, SPHR<br>Dallas   | Marilyn Davis, MPA, BSN, RN<br>Sugar Land |
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CRYSTAL ANNETTE HORTON

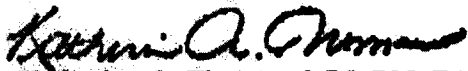
August 8, 2014

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Nursing, Inc., and the National Practitioner Data Bank (NPDB).

Should you desire to discuss this matter, contact Terry Washington, Investigator, Enforcement Division at (512) 305-6852.

Sincerely,

A handwritten signature in black ink, appearing to read "Katherine A. Thomas".

Katherine A. Thomas, MN, RN, FAAN  
Executive Director

KAT/232

Enclosure: Formal Charges

DA(2013.05.15)