

IN THE MATTER OF PERMANENT  
PERMANENT VOCATIONAL NURSE  
LICENSE NUMBER 174075  
ISSUED TO DIANA RENEE ADAMS,  
RESPONDENT

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§  
§  
§

BEFORE THE TEXAS  
BOARD OF NURSING  
  
ELIGIBILITY AND  
DISCIPLINARY COMMITTEE

**ORDER OF THE BOARD**

TO: DIANA RENEE ADAMS  
3011 42ND STREET  
LUBBOCK, TX 79413

During open meeting held in Austin, Texas, on **March 10, 2015**, 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



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 Thomas*  
Executive Director of the 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.

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.

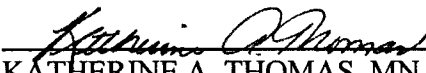
NOW, THEREFORE, IT IS ORDERED that Permanent Vocational Nurse License Number 174075, previously issued to DIANA RENEE ADAMS, to practice nursing in the State of Texas be, and the same is/are hereby, REVOKED.

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 10th day of March, 2015.

TEXAS BOARD OF NURSING

BY:

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

Attachment: Formal Charge filed January 6, 2015.

d17r(2014.12.05)

Re: Permanent Vocational Nurse License Number 174075  
Issued to DIANA RENEE ADAMS  
DEFAULT ORDER - REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 11 day of March, 2015, 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 RENEE ADAMS  
3011 42ND STREET  
LUBBOCK, TX 79413

Via USPS First Class Mail

DIANA RENEE ADAMS  
3011 42ND STREET  
LUBBOCK, TX 79413

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 174075** §  
**Issued to DIANA RENEE ADAMS,** §  
**Respondent** § **BOARD OF NURSING**

### **FORMAL CHARGES**

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, DIANA RENEE ADAMS, is a Vocational Nurse holding License Number 174075, which is in current 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 30, 2001, Respondent entered a plea of Guilty to and was convicted of LESSER BUT INCLUDED OFFENSE OF THEFT BY CHECK CLASS C MISDEMEANOR, committed on December 20, 2000, in the County Court, Hockley County, Texas, under Cause No. 33112. As a result of the conviction, Respondent was ordered to pay restitution in the amount of three hundred forty-two dollars and thirty-seven cents (\$342.37), along with a fine and court costs.

The above action constitutes grounds for disciplinary action in accordance with Section 302.402(a)(3)(B)&(10)(eff. 9/1/1999), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §239.11(29)(A)(eff. 3/1/1999).

#### **CHARGE II.**

On or about October 30, 2001, Respondent entered a plea of Guilty to and was convicted of THE LESSER BUT INCLUDED CHARGE OF CLASS C THEFT BY CHECK, committed on April 23, 2001, in the County Court, Hockley County, Texas, under Cause No. 33437. As a result of the conviction, Respondent was ordered to pay restitution in the amount of thirty-seven dollars and forty cents (\$37.40), along with a fine and court costs.

The above action constitutes grounds for disciplinary action in accordance with Section 302.402(a)(3)(B)&(10)(eff. 9/1/2001), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §239.11(29)(A)(eff. 9/1/2001).

### **CHARGE III.**

On or about June 24, 2003, Respondent entered a plea of Guilty to and was convicted of THE LESSER BUT INCLUDED CHARGE OF CLASS C THEFT BY CHECK, committed on April 16, 2002, in the County Court, Hockley County, Texas, under Cause No. 34902. As a result of the conviction, Respondent was sentenced to confinement in the Hockley County Jail, and ordered to pay restitution in the amount of one hundred seventy-two dollars and ninety-one cents (\$172.91), along with a fine and court costs.

The above action constitutes grounds for disciplinary action in accordance with Section 302.402(a)(3)(B)&(10)(eff. 9/1/2001), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §239.11(29)(A)(eff. 12/1/2002).

### **CHARGE IV.**

On or about March 31, 2005, Respondent submitted a License Renewal Form 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 been convicted, adjudged guilty by a court, plead guilty, no contest or nolo contendere to any crime in any state, territory or country, whether or not a sentence was imposed, including any pending criminal charges or unresolved arrest (excluding minor traffic violations) since your last renewal? This includes expunged offenses and deferred adjudications with or without prejudice of guilt. Please note that DUI's, DWI's, PI's must be reported and are not considered minor traffic violations. (One time minor in possession [MIP] or minor in consumption [MIC] do not need to be disclosed, therefore, you may answer "No". If you have two or more MIP's or MIC's, you must answer "Yes".)"

Respondent failed to disclose that, on or about June 24, 2003, Respondent entered a plea of Guilty to and was convicted of THE LESSER BUT INCLUDED CHARGE OF CLASS C THEFT BY CHECK, committed on April 16, 2002, in the County Court, Hockley County, Texas, under Cause No. 34902.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(2)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(6)(I)&(13).

### **CHARGE V.**

On or about April 23, 2008, Respondent entered a plea of Guilty to and was convicted of THE LESSER BUT INCLUDED CHARGE OF CLASS C THEFT BY CHECK, committed on September 21, 2005, in the County Court, Hockley County, Texas, under Cause No. 38602. As a result of the conviction, Respondent was sentenced to confinement, and ordered to pay restitution in the amount of eighty-five dollars (\$85.00), along with a fine and court costs.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(3)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(13).

## CHARGE VI.

On or about March 30, 2009, Respondent submitted an Online Renewal Document Licensed Vocational Nurse to the Texas Board of Nursing in which 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 on or about April 25, 2008, Respondent entered a plea of Guilty to and was convicted of THE LESSER BUT INCLUDED CHARGE OF CLASS C THEFT BY CHECK, committed on September 21, 2005, in the Hockley County Criminal Court, Levelland, Texas, under Cause No. 38602.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(2)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(6)(I)&(13).

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).

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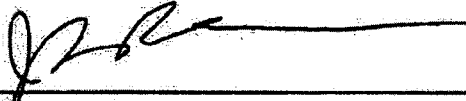
CONTINUED ON NEXT PAGE.

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 for Lying and Falsification, for Fraud, Theft and Deception, 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 6 day of January, 2015.

TEXAS BOARD OF NURSING



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