

IN THE MATTER OF
PERMANENT VOCATIONAL NURSE
LICENSE NUMBER 140258
ISSUED TO LINDA LAVON LAMURY,
RESPONDENT

§ 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 Thomas
Executive Director of the Board

ORDER OF THE BOARD

TO: LINDA LAVON LAMURY
6312 COPPERFIELD AVE
LAS VEGAS, NV 89108

During open meeting held in Austin, Texas, on **May 12, 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 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 140258, previously issued to LINDA LAVON LAMURY, 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 May, 2015.

TEXAS BOARD OF NURSING



BY:

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

Attachment: Formal Charge filed February 23, 2015.


d17r(2014.12.05)

Re: Permanent Vocational Nurse License Number 140258
Issued to LINDA LAVON LAMURY
DEFAULT ORDER - REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 13th day of May, 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
LINDA LAVON LAMURY
6312 COPPERFIELD AVE
LAS VEGAS, NV 89108

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

**In the Matter of
Permanent Vocational Nurse
License Number 140258
Issued to LINDA LAVON LAMURY,
Respondent**

§ **BEFORE THE TEXAS**
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§
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§ **BOARD OF NURSING**

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, LINDA LAVON LAMURY, is a Vocational Nurse holding License Number 140258, 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 September 18, 2014, the Voluntary Surrender of Respondent's Nevada registered nurse license was accepted by the Nevada State Board of Nursing, Las Vegas, Nevada. A copy of the Nevada State Board of Nursing Voluntary Surrender dated September 18, 2014, 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.

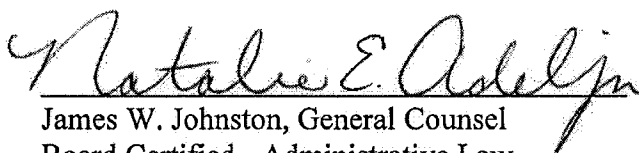
NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Sanction Policies for Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder, which can be found at the Board's website, www.bon.texas.gov.

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/are attached and incorporated by reference as part of these charges, will be offered in support of the disposition recommended by staff: Nevada State Board of Nursing Voluntary Surrender dated September 18, 2014.

Filed this 23rd day of February, 2015.

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

Natalie E. Adelaja, Assistant General Counsel
State Bar No. 24064715

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

Attachments: Nevada State Board of Nursing Voluntary Surrender dated September 18, 2014

D/2014.08.18

ORIGINAL

BEFORE THE NEVADA STATE BOARD OF NURSING

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4 IN THE MATTER OF
5 LINDA LAMURY
6 LICENSED PROFESSIONAL NURSE
7 NEVADA LICENSE NO. RN37701
8 RESPONDENT

VOLUNTARY SURRENDER OF
LICENSE IN LIEU OF OTHER
DISCIPLINARY ACTION

CASE NO. 0810-14CV

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10 I, LINDA LAMURY, wish to voluntarily surrender my Nevada Nursing License. I
11 voluntarily and knowingly admit the following facts:

- 12 1. I am licensed as a Licensed Professional Nurse in the State of Nevada and I was
13 licensed at the time of the conduct described herein and am, therefore, subject to the
14 jurisdiction of the Board.
- 15 2. That on or about September 16, 2011 the Board accepted by Agreement for
16 Suspension and Probation based on respondent's admission of addiction to controlled
17 substances and/or alcohol, a misdemeanor conviction she failed to report, and failure
18 to comply with the terms and conditions of a previous Agreement for Monitoring.
- 19 3. On or about February 26, April 2, and July 25, 2014 her urine drug screens were
20 reported as "dilute". On or about June 23, 2014 her urine drug screen was positive for
21 alcohol.
- 22 4. I admit these factual allegations constitute grounds for disciplinary action pursuant to
23 NRS 632.320 (1)(b) criminal conviction, (1)(e) controlled substances and/or alcohol,
24 (1)(o) failing to comply with Board order, and (1)(g) unprofessional conduct, because
25 the conduct violated NAC 632.890 (36) failing to comply.
- 26 5. I am aware of, understand, and have been advised of the effect of this Voluntary
27 Surrender.

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6. I have read this Voluntary Surrender and I fully understand and acknowledge its facts and terms.
7. I am aware that I have certain constitutional rights, including:
 - a. I have the right to hire an attorney to represent me in this proceeding;
 - b. I have the right to demand a hearing on the charges against me, and I can require the Board staff to prove the allegations;
 - c. I have the right to cross-examine the witnesses against me;
 - d. I have the right to call witnesses to provide evidence in my own behalf;
 - e. I have other rights accorded to me under Nevada Revised Statutes Chapters 233B, and 632. Also, I have rights accorded to me under Nevada Administrative Code Chapter 632.
8. I am aware of the foregoing rights, and I voluntarily, knowingly, and intelligently waive these rights in return for the Board accepting my voluntary surrender of my Nevada nursing license in lieu of other disciplinary action.
9. I understand this Voluntary Surrender is considered a disciplinary action and as such will become part of my permanent record.
10. I understand this Voluntary Surrender is considered public information.
11. I understand this Voluntary Surrender is considered a disciplinary action and will be reported to any national repository, which records disciplinary action taken against licensees or certificate holders, or any agency or another state, which regulates the practice of nursing.
12. I understand this Voluntary Surrender may be used in any subsequent hearings by the Board as evidence against me to establish a pattern of behavior and for the purpose of proving additional acts of misconduct.
13. This Voluntary Surrender shall not be construed as excluding or reducing any criminal or civil penalties or sanction or other remedies that may be applicable under federal, state or local laws.

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14. I understand that this surrender is effective the day it is accepted by the Nevada State Board of Nursing, or may be effective pursuant to NRS 632.400 (2), however I agree to immediately cease and desist from practicing as a Registered Nurse.

I, LINDA LAMURY, by my signature affixed below, agree with the foregoing facts and representations and therefore choose to voluntarily surrender my Nevada nursing license.

Dated this 22 day of August, 2014 Linda Lamury
Respondent
Linda Lamury

~~Dated this _____ day of _____, 2014
Tracy L. Singh, ESQ.~~

Accepted and approved this 19 day of Sept, 2014

NEVADA STATE BOARD OF NURSING

By: Patricia Smyer
Patricia Smyer, DNSc, RN
Board President