



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

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of §
Vocational Nurse License Number 111473 §
issued to HELEN ELIZABETH MITCHELL §

ORDER OF THE BOARD

On this day, the Texas Board of Nursing, hereinafter referred to as the Board,

accepted the voluntary surrender of Vocational Nurse License Number 111473, issued to HELEN ELIZABETH MITCHELL, 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's license to practice vocational nursing in the State of Texas is currently in delinquent status.
2. Respondent waived representation by counsel, informal proceedings, notice and hearing.
3. Respondent received a Certificate in Vocational Nursing from Ranger Junior College, Brownwood, Texas, on August 16, 1985. Respondent was licensed to practice professional nursing in the State of Texas on December 4, 1985.
4. Respondent's nursing employment history is unknown.
5. On September 12, 1995, Respondent was issued the sanction of a Fine by the Board of Vocational Nurse Examiners for the State of Texas. A copy of the September 1, 1995, Agreed Order, Findings of Fact, and Conclusions of Law is attached and incorporated, by reference, as part of this Order.

6. On August 23, 2012, Respondent was issued the sanction of Remedial Education and a Fine by the Texas Board of Nursing. A copy of the August 23, 2012, Agreed Order, Findings of Fact, and Conclusions of Law is attached and incorporated, by reference, as part of this Order.
7. On or about August 24, 2013, Respondent failed to comply with the Agreed Order issued to her on August 23, 2012, by the Texas Board of Nursing. Noncompliance is the result of her failure to comply with Stipulation Number Two (2) of the Agreed Order which states, in pertinent part:

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in Texas nursing jurisprudence and ethics....
- ~~8. Formal Charges were filed on March 3, 2015.~~
9. Formal Charges were mailed to Respondent on March 11, 2015.
10. On October 26, 2015, 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 August 23, 2012. A copy of Respondent's notarized statement, dated August 25, 2015, is attached and incorporated herein 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 Vocational Nurse License Number 111473, heretofore issued to HELEN ELIZABETH MITCHELL, 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.

ORDER


NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Vocational Nurse License Number 111473, heretofore issued to HELEN ELIZABETH MITCHELL, to practice nursing in the State of Texas, is/are 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 vocational nursing, use the title of vocational nurse or the abbreviation LVN or wear any insignia identifying herself as a vocational nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a/an vocational nurse during the period in which the license/s is/are 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 26th day of October, 2015.

TEXAS BOARD OF NURSING

By: 

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

Board of Vocational Nursing

8/25/2015

On October the 5th of 2012, I had my second Femoral bypass done and I woke up paralyzed due to a spinal stroke. I have not worked in nursing since August 21, 2012, the date of my first Femoral bypass. Due to my illness I have been unable to complete the class required by the Board. I voluntarily surrender my licenses at this time, due to my inability to continue in my Nursing career.

~~John Christensen~~

Lic # 111473

RECEIVED OCT 26 2015

BEFORE THE TEXAS BOARD OF NURSING



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.
Katherine A. Thomas
Executive Director of the Board

In the Matter of Vocational Nurse	§	AGREED
License Number 111473	§	
issued to HELEN ELIZABETH MITCHELL	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of HELEN ELIZABETH MITCHELL, Vocational Nurse License Number 111473, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(2)&(10), Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on April 13, 2012, by Katherine A. Thomas, MN, RN, FAAN, Executive Director.

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 vocational nursing in the State of Texas.
4. Respondent received a Certificate in Vocational Nursing from Ranger Junior College, Brownsville, Texas, on August 16, 1985. Respondent was licensed to practice vocational nursing in the State of Texas on December 4, 1985.
5. Respondent's vocational nursing employment history is unknown.
6. On September 15, 1995, Respondent was issued the sanction of a FINE, by the Board of Vocational Nurse Examiners for the State of Texas. A copy of the Findings of Fact, Conclusions of Law and Agreed Order dated September 15, 1995, is attached and incorporated, by reference, as part of this Order.

7. On or about November 2, 2005, Respondent pled Guilty to THEFT BY CHECK, a Class B misdemeanor offense committed on April 12, 2005, in the County Court at Law of Coryell County, Texas, under Cause No. 05-55085. As a result, the proceedings against Respondent were deferred without entering an adjudication of guilt, and Respondent was placed on probation for a period of twelve (12) months and ordered to pay a fine, court costs and restitution in the amount of two hundred ninety-five dollars and nine cents (\$295.09).

8. On or about March 14, 2007, Respondent submitted a Texas Online Renewal Document Licensed Vocational Nurse to the Board of Nurse Examiners, in which she provided false, deceptive, and/or misleading information, in that she answered "No" to the question:

"Have you ever been convicted, placed on community supervision whether or not adjudicated guilty, sentenced to serve jail or prison time or granted pre-trial diversion, or plead guilty, no contest or nolo contendere to any crime in any state, territory or country, or received a court order whether or not a sentence was imposed, including any pending criminal charges or unresolved arrests whether or not on appeal (excluding minor Class C traffic violations)? This includes expunged offenses and deferred adjudications with or without a finding of guilt. Please note that DUIs, DWIs, and PI's must be reported and are not considered minor traffic violations. One time minor in possession [MIP] or minor in consumption [MIC] does not need to be disclosed; therefore, you may answer "No." If you have two or more MIPs or MICs, you must answer "Yes." You may answer "No" if you have previously disclosed a criminal matter otherwise responsive to this question in a renewal and/or licensure form."

Respondent failed to disclose, that on or about November 2, 2005, Respondent pled Guilty to THEFT BY CHECK, a Class B misdemeanor offense committed on April 12, 2005, in the County Court at Law of Coryell County, Texas, under Cause No. 05-55085. As a result, the proceedings against Respondent were deferred without entering an adjudication of guilt, and Respondent was placed on probation for a period of twelve (12) months

9. In response to Findings of Fact Numbers Seven (7) and Eight (8), Respondent states she appeared before the judge for hot checks, due to her daughter in-law taking money from her checking account. The judge advised her that once the checks were paid, the charge would be dismissed and that it would not affect her nursing license.

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 violations of Section 301.452(b)(2)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(6)(I).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 111473, heretofore issued to HELEN ELIZABETH MITCHELL, including revocation of Respondent's license(s) to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL receive the sanction of REMEDIAL EDUCATION 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 State of Texas 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 two hundred fifty dollars (\$250). 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>.

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.

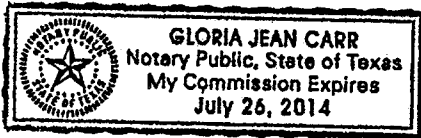
RESPONDENT'S CERTIFICATION

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 violations 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 when this Order becomes final and the terms of this Order become effective, 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 17 day of August, 2012.
HELEN ELIZABETH MITCHELL
HELEN ELIZABETH MITCHELL, Respondent

Sworn to and subscribed before me this 17 day of August, 2012.

SEAL



Gloria J. Carr
Notary Public in and for the State of TEXAS

WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby ratify and adopt the Agreed Order that was signed on the 17th day of August, 2012, by HELEN ELIZABETH MITCHELL, Vocational Nurse License Number 111473, and said Order is final.

Effective this 23rd day of August, 2012.



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

111473

BOARD OF VOCATIONAL NURSE EXAMINERS

STATE OF TEXAS

VS.

HELEN ELIZABETH MITCHELL

COUNTY OF TRAVIS

AGREED BOARD ORDER

On this day came to be considered by the Board of Vocational Nurse Examiners the matter of vocational nurse license number 111473 held by HELEN ELIZABETH MITCHELL, hereinafter called Respondent.

By letter, the Board of Vocational Nurse Examiners sent preliminary notice to Respondent of its intent to take disciplinary action with respect to said license held by Respondent, as a result of a complaint and subsequent investigation. Said investigation produced evidence indicating that Respondent has violated the Vocational Nurse Act or rule, regulation or order issued under the Act, contrary to Article 4528c, Section 10 (a) (1), Revised Civil Statutes of Texas, in the following manner:

- a. Respondent is a vocational nurse, licensed by the State of Texas, and holds license number 111473.
- b. In about April, 1995, a random continuing education audit of licensees revealed that Respondent had failed to complete twenty (20) contact hours of continuing education as required by the Board of Vocational Nurse Examiners. However, on or about March 15, 1995, Respondent submitted her license renewal form to the Board office falsely indicating that she had completed the 20 hours of educational requirements.

AGREED BOARD ORDER

RE: HELEN ELIZABETH MITCHELL, LWS #111473

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111473

By Respondent's signature on this Order, Respondent neither admits nor denies the truth of the matters previously set out in this Order with respect to the above mentioned investigation. By Respondent's signature on this Order, Respondent acknowledges that they have read and understood this Order and have approved it for consideration by the Board.

~~By their notarized signature on this Order, Respondent does hereby waive the right to a formal Complaint, Notice of Hearing and a Public Hearing held before an Administrative Law Judge with the State Office of Administrative Hearings, and to judicial review of this disciplinary action. Notice of this disciplinary action will appear in the Board's newsletter sent to Texas employers.~~

ORDER OF THE BOARD

NOW THEREFORE, IT IS ORDERED that HELEN ELIZABETH MITCHELL shall pay an administrative fine in the amount of \$100.00, in the form of a cashier's check or money order, payable to the Board of Vocational Nurse Examiners within thirty days of the date of the Board's endorsement of this Order. Said fee shall be sent to the Board office, in care of LaVeta Sweeney, Accountant.

This Agreed Order shall not be effective or take effect and become enforceable in accordance with its terms until endorsed by a majority of the Board present and voting, at its next regularly called session.

AGREED BOARD ORDER

111473

RE: HELEN ELIZABETH MITCHELL, LVN #111473
PAGE 3

Dated this the 25 day of August, 1995

Helen Mitchell
Signature of Respondant

Rt 3 Box 287
Current Address

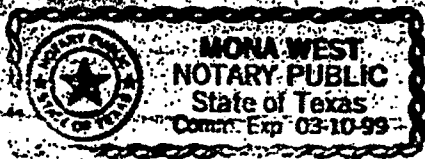
Goldthwaite TX 76844
City, State and Zip

915, 648 2809
Area Code and Telephone Number

The State of Texas
County of Hills

Before me, the undersigned authority, on this day personally appeared HELEN ELIZABETH MITCHELL, 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.

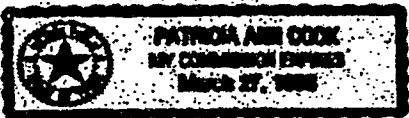
SWORN TO AND SUBSCRIBED before me on this the 25th day of August, 1995.



Mona West
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS
My Commission Expires 3-10-99

Marjorie A. Brook, RN
Marjorie A. Brook, RN
Agent for the Board of
Vocational Nurse Examiners

SWORN TO AND SUBSCRIBED before me, the undersigned authority, on this the 25th day of August, 1995.



Patricia Ann Cook
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

111473

AGREED BOARD ORDER

RE: HELEN ELIZABETH MITCHELL, LVN #111473

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ENDORSEMENT OF THE BOARD
To The Agreed Board Order
in the matter of Vocational Nurse
License No. 111473
Issued to HELEN ELIZABETH MITCHELL

At its regularly called session, on the 12th day of September, 1995, came on to be considered the indicated Agreed Board Order pertaining to HELEN ELIZABETH MITCHELL. The Board having reviewed the contents of said Order, the Order should be, and is hereby, endorsed as an Order of the Board and made an official act of the Board of Vocational Nurse Examiners for the State of Texas.

Said Order is rendered on this the 12th day of September, 1995.

Teeth Decker
Donis A. Poppen
Johnnie G. ...
Melba Lee Tracy, CVR
Lucie Church
Janet Wood-Young
Opal Robinson
Jack ...

Carrie M. Dues

111473

BOARD ORDER

RE: MILDRED ELIZABETH MITCHELL, LVN #111473

PAGE: 5

CERTIFICATE OF SERVICE

I hereby certify that on the 15th day of September, 1995

a true and correct copy of the foregoing Order was served by placement in the U.S. Mail, first class, and addressed to the following person(s):

**MILDRED ELIZABETH MITCHELL
RT 3 BOX 287
GOLDWATE, TX 76844**

Marjorie A. Brown
**Marjorie A. Brown, R.N.
Executive Director
Agent for the Board of Vocational Nurse Examiners**