



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. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of § AGREED
Vocational Nurse License Number 305386 §
issued to CANDICE MICHELLE DARK § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of CANDICE MICHELLE DARK, Vocational Nurse License Number 305386, hereinafter referred to as Respondent.

This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived notice and hearing and agreed to the entry of this Order.

The Board makes the following Findings of Fact and Conclusions of Law.

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 notice and hearing, and agreed to the entry of this Order.
3. Respondent's license to practice as a vocational nurse in the State of Texas is in current status.
4. Respondent received a Certificate in Vocational Nursing from Tyler Junior College, Tyler, Texas, on December 9, 2011. Respondent was licensed to practice vocational nursing in the State of Texas on January 31, 2012.
5. Respondent's vocational nursing employment history includes:

2/2012 Unknown

Respondent's vocational nursing employment history continued:

3/2012 - 12/2012	LVN	East Texas Medical Center Gilmer, Texas
5/2012 - 1/2013	LVN	Capstone Agency Tyler, Texas
1/2013 - Unknown	LVN	Diagnostic Clinic of Longview Longview, Texas
2/2014 - 7/2014	LVN	Trinity Mother Frances Hospitals and Clinics Tyler, Texas
8/2014 - Present	Unknown	

6. At the time of the incident, Respondent was employed as a Licensed Vocational Nurse with Trinity Mother Frances Hospitals and Clinics, Tyler, Texas, and had been in that position for five (5) months.
7. On or about July 24, 2014, while employed as a Licensed Vocational Nurse with Trinity Mother Frances Hospitals and Clinics, Tyler, Texas, Respondent admitted to initiating the creation of a fictitious excuse from work letter for her husband, who was not a patient at the clinic, and asking a coworker to assist in drafting the letter. Furthermore, Respondent had knowledge that the coworker signed a fictitious nurse's name to the letter. Respondent's conduct was likely to deceive the employer who relied on the letter to verify the husband's absence from work.
8. In response to Finding of Fact Number Seven (7), Respondent states another nurse typed the letter for her husband to excuse him from work. The other nurse also signed a fake nurse's name and put it in an envelope for Respondent. Respondent then gave it to her husband and he gave it to his boss. His boss faxed it back. Respondent states she has no excuse for her wrong doing other than she really did not think much about it. It never crossed her mind that she could lose her license.
9. Formal Charges were filed on December 7, 2015.
10. Formal Charges were mailed to Respondent on December 10, 2015.
12. Respondent, by his/her signature to this Order, expresses his/her desire to voluntarily surrender his/her license(s) to practice nursing in the State of Texas.

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(6)(A)&(6)(H).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 305386, heretofore issued to CANDICE MICHELLE DARK.
5. Pursuant to Section 301.463(d), Texas Occupations Code, this Agreed Order is a settlement agreement under Rule 408, Texas Rules of Evidence, in civil or criminal litigation.
6. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
7. Under Section 301.453(d), Texas Occupations Code, as amended, the Board may impose conditions for reinstatement of licensure.
8. Any subsequent reinstatement of this license will be controlled by Section 301.453(d), Texas Occupations Code, and 22 TEX. ADMIN. CODE §213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

TERMS OF ORDER

NOW, THEREFORE, IT IS AGREED and ORDERED that the **VOLUNTARY SURRENDER** of Vocational Nurse License Number 305386, heretofore issued to CANDICE MICHELLE DARK, to practice nursing in the State of Texas, is accepted by 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 "vocational nurse" or the abbreviation "LVN" or wear any insignia identifying herself/himself as a vocational nurse, or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a vocational nurse during the period in which the license is surrendered.

2. RESPONDENT SHALL NOT petition for reinstatement of licensure until at least 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.

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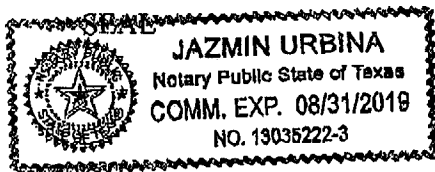
RESPONDENT'S CERTIFICATION

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 violation(s) alleged herein. By my signature on this Order, I agree to the entry of this 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 this Order becomes final when accepted by the Executive Director at which time the terms of this Order become effective and a copy will be mailed to me.

Signed this 15 day of November, 20 16.

Candice Michelle Dark
CANDICE MICHELLE DARK, Respondent

Sworn to and subscribed before me this 15th day of Nov., 20 16.



Jazmin Urbina
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 accept the voluntary surrender of Vocational Nurse License Number 305386, previously issued to CANDICE MICHELLE DARK.

Effective this 15th day of November, 2016.

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

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