



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. Johnson
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of	§	AGREED ORDER
REGINA YOLANDA WARREN,	§	
PETITIONER for Reinstatement of	§	FOR
Vocational Nurse License Number 179176 and for	§	
Eligibility for Professional Nursing Licensure	§	REINSTATEMENT & ELIGIBILITY

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of the Petition for Reinstatement of Vocational Nurse License Number 179176 and the Petition for Declaratory Order, and supporting documents filed by REGINA YOLANDA WARREN, hereinafter referred to as PETITIONER, requesting a determination of eligibility for professional nursing licensure in compliance with Sections 301.252, 301.253, 301.257 and 301.258, Texas Occupations Code, and the Board's Rules at 22 TEX. ADMIN. CODE §213.30, together with any documents and information gathered by staff and Petitioner's Certification contained herein.

An informal conference was conducted on October 11, 2016, in accordance with Section 301.464, Texas Occupations Code. Petitioner appeared in person.

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 Petitioner and Petitioner was given an opportunity to show compliance with all requirements of the law for retention of the license(s).
2. Petitioner waived notice and hearing, and agreed to the entry of this Order.
3. Petitioner received a Certificate in Vocational Nursing from Tyler Junior College, Tyler, Texas, on December 14, 2000. Petitioner was licensed to practice vocational nursing in the State of Texas on February 8, 2001. Petitioner is planning to enroll in an Associate Degree in Nursing Program at Tyler Junior College, Tyler, Texas.

4. Petitioner's nursing employment history includes:

12/00 - 4/02	GVN/LVN	Azalea Place Nursing Home Tyler, Texas
4/02 - 9/02	LVN	Westwood Convalescent Home Troup, Texas
9/02 - 9/13	LVN	Pinehurst Tyler, Texas
10/15 - current	Not employed in nursing	

5. On September 10, 2013, Petitioner's license to practice vocational nursing was Revoked by the Texas Board of Nursing. A copy of the September 10, 2013, Order of the Board is attached and incorporated, by reference, as part of this Order.
6. On or about May 11, 2016, Petitioner submitted a Petition for Reinstatement of License to practice vocational nursing in the State of Texas.
7. Petitioner presented the following in support of said petition:
- 7.1. State's Motion for Dismissal, dated February 6, 1998, under Cause No. 001-8136-96, in the County Court at Law of Smith County, Texas, for the offense of Theft by Check.
- 7.2. Order Discharging Defendant, dated July 13, 2006, under Cause No. 003-83908-5, in the County Court at Law of Smith County, Texas, for the offense of Theft by Check.
- 7.3. Commitment, dated August 7, 2008, under Cause No. 003-81010-08, in the Smith County Court at Law, for the offense of Theft of Property $\geq \$20 < \500 by Check.
- 7.4. Order Discharging Defendant, dated November 28, 2011, under Cause No. 001-83398-09, in the County Court at Law of Smith County, Texas, for the offense of Hinder Secured Creditors $\geq \$500 < \$1,500$.
- 7.5. Letter, dated February 16, 2016, from Kenneth Cushman, MD, Family Medicine, Tyler, Texas, stating Petitioner has been under his care for more than ten (10) years. Petitioner is physically able to safely practice nursing.
- 7.6. Psychological evaluation conducted on March 7, 2016, by Charles T. Fries, ED.D. Dr. Fries recommends Petitioner be considered for reinstatement. Dr. Fries does not believe Petitioner has any severe psychopathology or difficulties that would impair her from being an excellent nurse.

- 7.7. Letter of support, dated April 3, 2016, from Dr. David L. Cox, Atlanta, Georgia, stating Petitioner was in his microbiology class at Tyler Junior College the spring semester of 2015. Petitioner is a very sharp individual and is very determined to make a career as a nurse. She was an excellent student academically; she had an A average in the class and had an extremely high average (97) in the lab. Petitioner was always cordial and very positive in her attitude. She is very respectful of superiors and her fellow peers.
- 7.8. Letter of support, dated May 5, 2016, from Quinette Broughton-Cooper, Tyler, Texas, stating she has known Petitioner for seventeen (17) years. Ms. Broughton-Cooper first met Petitioner at Tyler Junior College as one of her instructors. Ms. Broughton-Cooper later worked with Petitioner from 2006 to 2012 at Pinehurst as Charge Nurse. Petitioner is dependable and hard working with great communication skills. She delivers care to patients with compassion and integrity. Petitioner has a kind and professional demeanor at all times. Ms. Broughton-Cooper has no doubt that Petitioner will continue to be a valuable asset in the nursing field.
- 7.9. Letter of support, dated April 28, 2016, from Altheria Carpenter, Tyler, Texas, stating she has been friends with Petitioner for over fourteen (14) years and worked with her at Pinehurst for twelve (12) of those years. Ms. Carpenter can proudly vouch for Petitioner's dedication, great leadership, organizational skills and ability to deal with high-pressure situations. Petitioner has always been a good nurse while helping patients deal with illness and treatment. Ms. Carpenter could not recommend a more compassionate or sincere person to be allowed to continue nursing.
- 7.10. Documentation of the required continuing education contact hours.
8. On or about October 11, 2016, Petitioner submitted a Petition for Declaratory Order requesting a determination of eligibility for professional nursing licensure.
9. Petitioner has sworn that, with the exception of matters disclosed in connection with the Petition, her past behavior conforms to the Board's professional character requirements at 22 TEX. ADMIN. CODE §213.27.
10. The Executive Director considered evidence of Petitioner's past behavior in light of the character factors set out in 22 Tex. Admin. Code §213.27 and determined that Petitioner currently demonstrates the criteria required for good professional character and relicensure.
11. Relicensure of Petitioner poses no direct threat to the health and safety of patients or the public provided Petitioner complies with the stipulations outlined in this Order.
12. The Executive Director's review of Petitioner's eligibility for relicensure has been made on the basis of Petitioner's disclosures.

13. Petitioner has been advised by the Board that any information found to be incomplete, incorrect or misleading to the Board or a subsequent discovery of a basis of ineligibility will be considered by the Board and may result in an ultimate determination of ineligibility or the later revocation of a license obtained through fraud or deceit.
14. Petitioner shall immediately notify the Board of any fact or event that could constitute a ground of ineligibility for licensure under Section 301.452(b), Texas Occupations Code.

CONCLUSIONS OF LAW

1. The Board has jurisdiction over this matter pursuant to Sections 301.452 and 301.453, Texas Occupations Code.
2. On or about May 11, 2016, Petitioner submitted a Petition for Reinstatement of License to practice vocational nursing in the State of Texas requesting a determination of eligibility for relicensure in compliance with Section 301.467, Texas Occupations Code, and the Board's Rules at 22 TEX. ADMIN. CODE §213.26.
3. On or about October 11, 2016, Petitioner submitted the Petition for Declaratory Order requesting a determination of eligibility for professional nursing licensure in compliance with Sections 301.252, 301.253, 301.257 and 301.258, Texas Occupations Code, and the Board's Rules at 22 TEX. ADMIN. CODE §213.30.
4. The Board may probate the denial of a license under conditions for a specified term pursuant to Section 301.453, Texas Occupations Code.
5. Pursuant to Section 301.467, Texas Occupations Code, the Board may refuse to issue or renew a license, and may set a reasonable period that must lapse before reapplication. Pursuant to 22 TEX. ADMIN. CODE §213.26, the Board may impose reasonable conditions that a Petitioner must satisfy before reissuance of an unrestricted license.
6. The Board may license an individual with prior behaviors inconsistent with the Board's character requirements if, upon evaluation of the factors in 22 Tex. Admin. Code §213.27, and pursuant to 22 Tex. Admin. Code §213.33, the Board is satisfied that the individual is able to consistently conform her conduct to the requirements of the Nursing Practice Act, the Board's Rules and Regulations, and generally accepted standards of nursing practice.
7. This Order is conditioned upon the accuracy and completeness of Petitioner's disclosures. Any subsequently discovered discrepancies will result in investigation and possible disciplinary action, up to revocation of Petitioner's license(s).

TERMS OF ORDER

I. REINSTATEMENT OF AND ELIGIBILITY FOR LICENSURE

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that:

The petition for reinstatement of license to practice vocational nursing in the state of Texas filed by PETITIONER be **GRANTED** and Vocational Nurse License Number 179176 is hereby **REINSTATED** in accordance with the terms of this Order; and

The Petition for Declaratory Order filed by PETITIONER is hereby **GRANTED**, and upon meeting the requirements for graduation of an appropriate program in nursing education and payment of any required fees, PETITIONER is **ELIGIBLE** to sit for the National Council Licensure Examination for Registered Nurses (NCLEX-RN® Examination).

- A. PETITIONER SHALL NOT be eligible for temporary authorization to practice as a Graduate Nurse (GN) in the State of Texas.
- B. Upon payment of any required fees and upon attaining a passing grade on the applicable National Council Licensure Examination, PETITIONER shall be issued the applicable license to practice nursing in the State of Texas.

II. COMPLIANCE WITH LAW AND APPLICABILITY

While under the terms of this Order, PETITIONER agrees to 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.

- A. PETITIONER SHALL pay all re-registration fees, if applicable, and PETITIONER'S licensure status in the State of Texas will be updated to reflect the applicable conditions outlined herein.

- B. Until successfully completed, any and all licenses issued to Petitioner shall be subject to the terms of this Order.
- C. This Order SHALL be applicable to PETITIONER'S nurse licensure compact privileges, if any, to practice nursing in the State of Texas.
- D. As a result of this Order, PETITIONER'S license(s) will be designated "single state" and PETITIONER may not work outside the State of Texas in another nurse licensure compact party state without first obtaining the written permission of the Texas Board of Nursing and the Board of Nursing in the nurse licensure compact party state where PETITIONER wishes to work.

III. REMEDIAL EDUCATION COURSE(S)

In addition to any continuing education requirements the Board may require for licensure renewal, Petitioner SHALL successfully complete the following remedial education course(s) **within one (1) year of the effective date of this Order, unless otherwise specifically indicated:**

- A. **A Board-approved course in Texas nursing jurisprudence and ethics** that 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. Home study courses and video programs will not be approved.
- B. The course **"Sharpening Critical Thinking Skills,"** a 3.6 contact hour online program provided by the National Council of State Boards of Nursing (NCSBN) Learning Extension.

In order to receive credit for completion of this/these course(s), Petitioner SHALL CAUSE the instructor to submit a Verification of Course Completion form or SHALL submit the continuing education certificate, as applicable, to the attention of Monitoring at the Board's office. Petitioner SHALL first obtain Board approval of any course prior to enrollment if the course is not being offered by a pre-approved provider. *Information about Board-approved courses and Verification of Course Completion forms are available from the Board at www.bon.texas.gov/compliance.*

IV. EMPLOYMENT REQUIREMENTS

In order to complete the terms of this Order, Petitioner must work as a nurse in the State of Texas, providing direct patient care in a clinical healthcare setting, for a minimum of sixty-four (64) hours per month for four (4) quarterly periods [one (1) year] of employment. This requirement will not be satisfied until four (4) quarterly periods of employment as a nurse have elapsed. Any quarterly period without continuous employment with the same employer for all three (3) months will not count towards completion of this requirement. Periods of unemployment or of employment that do not require the use of a registered nurse (RN) or a vocational nurse (LVN) license, as appropriate, will not apply to this period and will not count towards completion of this requirement.

- A. **Notifying Present and Future Employers:** Petitioner SHALL notify each present employer in nursing and present each with a complete copy of this Order, including all attachments, if any, within five (5) days of receipt of this Order. While under the terms of this Order, Petitioner SHALL notify all future employers in nursing and present each with a complete copy of this Order, including all attachments, if any, prior to accepting an offer of employment.
- B. **Notification of Employment Forms:** Petitioner SHALL CAUSE each present employer in nursing to submit the Board's "Notification of Employment" form to the Board's office within ten (10) days of receipt of this Order. Petitioner SHALL CAUSE each future employer to submit the Board's "Notification of Employment form" to the Board's office within five (5) days of employment as a nurse.
- C. **Nursing Performance Evaluations:** Petitioner SHALL CAUSE each employer to submit, on forms provided to the Petitioner by the Board, periodic reports as to Petitioner's capability to practice nursing. These reports shall be completed by the nurse who supervises the Petitioner and these reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) month quarterly period for four (4) quarters [one (1) year] of employment as a nurse.

V. RESTORATION OF UNENCUMBERED LICENSE(S)

Upon full compliance with the terms of this Order, all encumbrances will be removed from PETITIONER'S license(s) to practice nursing in the State of Texas and PETITIONER may be eligible for nurse licensure compact privileges, if any.

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PETITIONER'S CERTIFICATION

I am the Petitioner in this matter. I have fully and truthfully disclosed all of my past conduct which could constitute grounds for licensure ineligibility, and I have caused a complete and accurate criminal history to be submitted to the Texas Board of Nursing from each jurisdiction in which I have been adjudged guilty by way of conviction or deferred order. I certify that my past behavior, except as disclosed in my petitions, has been in conformity with the Board's character rule. I have provided the Board with complete and accurate documentation of my past conduct in violation of the penal law of any jurisdiction which was disposed of through any procedure short of conviction, such as: conditional discharge, deferred adjudication or dismissal. I have no criminal prosecution pending in any jurisdiction.

In connection with my application, I acknowledge that I have read and I understand Sections 301.157(d), 301.252, 301.253, 301.257, 301.258, 301.260, 301.452, 301.453, and 301.467, Texas Occupations Code, and Chapter 53, Section 53.001 *et seq.*, Texas Occupations Code, and 22 TEX. ADMIN. CODE §§213.27, 213.26, 213.28, 213.29, and 213.30. I agree with all terms of this Order, including the Findings of Fact and Conclusions of Law and any stipulations as set out in this Order. I acknowledge that this Order is stipulated and I understand that I am not eligible to receive a Temporary Permit to practice nursing. I agree to inform the Board of any other fact or event that could constitute a ground for denial of licensure prior to accepting any license from the Texas Board of Nursing.

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) and nurse licensure compact privileges, if any, to practice nursing in the State of Texas, as a consequence of my noncompliance.

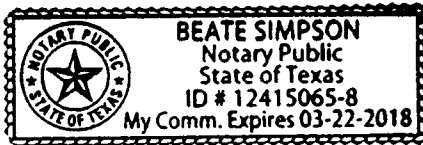
I understand that I can be represented by an attorney in this matter. I waive representation by counsel, notice, administrative hearing, and judicial review of this Order and request that the Texas Board of Nursing ratify this Order.

Signed this 26 day of October, 2016.

Regina Yolanda Warren
REGINA YOLANDA WARREN, PETITIONER

Sworn to and subscribed before me this 26th day of October, 2016.

SEAL



[Signature]
Notary Public in and for the State of Texas

WHEREFORE PREMISES CONSIDERED, the Texas Board of Nursing does hereby accept and enter the Agreed Order for Reinstatement and Eligibility that was signed on the 26th day of October, 2016, by REGINA YOLANDA WARREN, Vocational Nurse License Number 179176 and PETITIONER for Eligibility for Licensure, and said Order is final.

Effective this 13th day of December, 2016.



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

IN THE MATTER OF
PERMANENT VOCATIONAL NURSE
LICENSE NUMBER 179176
ISSUED TO
REGINA YOLANDA WARREN

§
§
§
§
§

BEFORE THE TEXAS
BOARD OF NURSING
ELIGIBILITY AND
DISCIPLINARY COMMITTEE

ORDER OF THE BOARD

TO: REGINA YOLANDA WARREN
2611 SSE LOOP 323, #242
TYLER, TX 75701

During open meeting held in Austin, Texas, on Tuesday, September 10, 2013, 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



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Patricia A. Thomas
Executive Director of the Board

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 179176, previously issued to REGINA YOLANDA WARREN, 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 September, 2013.

TEXAS BOARD OF NURSING

BY:



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

Attachment: Formal Charge filed July 11, 2013.

In the Matter of § BEFORE THE TEXAS
Permanent Vocational Nurse §
License Number 179176 §
Issued to REGINA YOLANDA WARREN, §
REGINA WARREN, Respondent § BOARD OF NURSING

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, REGINA YOLANDA WARREN, a/k/a, REGINA WARREN, is a Vocational Nurse holding License Number 179176, 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 October 1, 2009, Respondent submitted a License Renewal Form to the Board of Nurse Examiners for the State of Texas, in which 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)? 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 2, 2009, Respondent was arrested by the Constables Office, Precinct 2, Tyler, Texas, and subsequently charged under Cause No. 001-83398-09 for HINDER SECURED CREDITORS >=\$500<\$1500, a Class A misdemeanor offense, and that the charge was still pending at the time Respondent submitted her Renewal to the Board.

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).

CHARGE II.

On or about October 2, 2009, Respondent pled guilty to and was convicted of HINDER SECURED CREDITORS >=\$500<\$1500, a Class A misdemeanor offense committed on February 26, 2009, in the County Court at Law of Smith County, Texas, under Cause No. 001-83398-09. As a result of the

conviction, Respondent was sentenced to confinement in the Smith County Jail for a period of one (1) year; however, imposition of the sentence of confinement was suspended, and Respondent was placed on probation for a period of two (2) years, and ordered to pay restitution in the amount of three hundred fifty-eight dollars (\$358.00), along with a fine and court costs. On or about October 1, 2011, Respondent completed her probation.

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).

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.

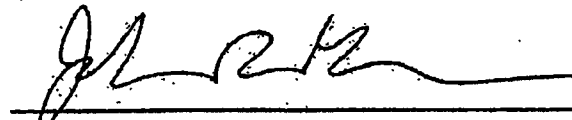
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NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Guidelines for Criminal Conduct and on Adopted Disciplinary Sanction Policies for Lying and Falsification, which can be found at 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.

Filed this 11 day of July, 2013.

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

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State Bar No. 24066924

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State Bar No. 50511847

Nikki Hopkins, Assistant General Counsel
State Bar No. 24052269

John F. Legris, Assistant General Counsel
State Bar No. 00785533

TEXAS BOARD OF NURSING

333 Guadalupe, Tower III, Suite 460

Austin, Texas 78701

P: (512) 305-6811

F: (512) 305-8101 or (512)305-7401

Re: Permanent Vocational Nurse License Number 179176
Issued to REGINA YOLANDA WARREN
DEFAULT ORDER - REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 12 day of September, 2013, 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

REGINA YOLANDA WARREN
2611 SSE LOOP 323, #242
TYLER, TX 75701

Via USPS First Class Mail

REGINA YOLANDA WARREN
2611 SSE LOOP 323, #242
TYLER, TX 75701



BY:

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