



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.
William D. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of	§	AGREED
Registered Nurse License Number 628291	§	
& Vocational Nurse License Number 97704	§	
issued to MARY A BOULEY	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of MARY A BOULEY, Registered Nurse License Number 628291 and Vocational Nurse License Number 97704, 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 delinquent status. Respondent's license to practice as a professional nurse in the State of Texas is in delinquent status.
4. Respondent received a Certificate in Vocational Nursing from Lamar School of Vocational Nursing, Beaumont, Texas on August 19, 1982, and received an Associate Degree in Nursing from Lamar State College, Orange, Texas on December 22, 1995. Respondent was licensed to practice vocational nursing in the State of Texas on December 13, 1982, and was licensed to practice professional nursing in the State of Texas on May 21, 1996.

5. Respondent's nursing employment history includes:

1982 - 1985	Staff Nurse	St. Elizabeth's Hospital Beaumont, Texas
1985 - 1987	Staff Nurse	Jones Nursing Home Orange, Texas
9/1987 - 9/1992	Staff Nurse	Orange Memorial Hospital Orange, Texas
9/1990 - 4/2005	Staff Nurse	Christus St. Mary's Hospital Port Arthur, Texas
4/2005 - 7/2016	Registered Nurse	The Medical Center of Southeast Texas Port Arthur, Texas

6. At the time of the incident, Respondent was employed as a Registered Nurse with The Medical Center of Southeast Texas, Port Arthur, Texas, and had been in that position for eleven (11) years and three (3) months.
7. On or about June 7, 2016, while employed as a Registered Nurse with The Medical Center of Southeast Texas, Port Arthur, Texas, Respondent lacked fitness to practice professional nursing in that she was suffering mild cognitive decline, memory loss, and hearing loss while on duty to care for patients. Respondent's condition/conduct could have affected her ability to recognize subtle signs, symptoms or changes in patients' conditions, and could have affected her ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patients in potential danger.
8. In response to the incident in Finding of Fact Number Seven (7), Respondent states that she went to see a physician for her hearing loss and a behavioral physician. Respondent states that she was told that she would need hearing aids to help with her hearing. Additionally, Respondent states that she was informed that she had moderate dementia and due to this, she should not be administering patient medications. Respondent states that she was not aware of these conditions at the time. Respondent states that she does not intend to return to nursing practice.
9. 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 § 217.11(1)(A), (1)(B) & (1)(T) and 22 TEX. ADMIN. CODE § 217.12(1)(A), (1)(B), (1)(E), (4) & (5).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10), (12) & (13), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 628291 and Vocational Nurse License Number 97704, heretofore issued to MARY A BOULEY, including revocation of Respondent's license(s) to practice nursing in the State of Texas.
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 Registered Nurse License Number 628291 and Vocational Nurse License Number 97704, heretofore issued to MARY A BOULEY, 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 professional/registered nursing, use

the title "registered nurse" or the abbreviation "RN" or wear any insignia identifying herself/himself as a registered nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a registered nurse during the period in which the license is surrendered.

2. 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.
3. RESPONDENT SHALL NOT petition for reinstatement of licensure until at least one (1) year has elapsed from the date of this Order.
4. 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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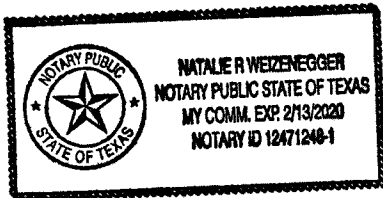
RESPONDENT'S CERTIFICATION

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 8 day of December, 2016.
Mary A Bouley
MARY A BOULEY, Respondent

Sworn to and subscribed before me this 8 day of December, 2016.

SEAL



Natalie R Weizenegger
Notary Public in and for the State of TX

WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby accept the voluntary surrender of Registered Nurse License Number 628291 and Vocational Nurse License Number 97704, previously issued to MARY A BOULEY.

Effective this 19th day of December, 2016.

A handwritten signature in cursive script, appearing to read "Katherine A. Thomas".

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