



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

## BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of	§	AGREED
Vocational Nurse License Number 197359	§	
issued to JOSHUA D. IVY	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of JOSHUA D. IVY, Vocational Nurse License Number 197359, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may be subject to discipline pursuant to Section 301.452(b)(10), Texas Occupations Code. Respondent waived notice and hearing and agreed to the entry of this Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on April 3, 2017.

### 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 Army Practical Nurse Course, Fort Sam Houston, Texas, on December 17, 2004. Respondent was licensed to practice vocational nursing in the State of Texas on February 3, 2005.
5. Respondent's nursing employment history is unknown.

6. On or about March 6, 2007, Respondent was charged under Case No. 2007CM000147 for Count 1-RESISTING OR OBSTRUCTING OFFICER and Count 2-TRESPASSING ON RAILROAD. On or about November 7, 2007, Respondent entered a plea of No Contest to and was found guilty of RESISTING OR OBSTRUCTING OFFICER, a forfeiture U offense, committed on March 3, 2007, in the Circuit Court, Monroe County, Wisconsin, under Case No. 2007CM000147. As a result of the conviction, Respondent was order to pay a fine. On or about November 9, 2007, Count-2 was dismissed in Circuit Court, Monroe County, Wisconsin, for the reason: Dismissed on Prosecutor's Motion.
7. On or about September 12, 2007, Respondent was charged under Case No. 2007CF000356 for Count 1-CHILD ABUSE-RECKLESSLY CAUSE HARM, Felony I offense, and Count 2-BAIL JUMPING-MISDEMEANOR, Class A misdemeanor. On or about January 10, 2008, Respondent entered a plea of No Contest to Count 1-CHILD ABUSE-RECKLESS CAUSE HARM, a Felony I offense, committed on September 8, 2007, in the Circuit Court, Monroe County, Wisconsin, under Case No. 2007CF000356. As a result of the plea, the proceedings against Respondent were deferred, without entering an adjudication of guilt, and Respondent was placed on probation for a period of eighteen (18) months, beginning January 10, 2008. On or about July 9, 2009, Count 1-CHILD ABUSE-RECKLESSLY CAUSE HARM of Case No. 2007CF000356 was dismissed in the Circuit Court, Monroe County, Wisconsin, after Respondent successfully fulfilled the Diversion Agreement.
8. On or about July 23, 2008, Respondent's license to practice licensed practical nursing in the State of Oklahoma was SEVERELY REPRIMANDED under a Stipulated Disposition and Order entered into between Respondent and the Oklahoma Board of Nursing. A copy of the Stipulation, Settlement and Order dated July 23, 2008, 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(6)(H)&(13).
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 197359, heretofore issued to JOSHUA D. IVY.

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.

### **TERMS OF ORDER**

#### **I. SANCTION AND APPLICABILITY**

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL receive the sanction of **REMEDIAL EDUCATION** in accordance with the terms of this Order.

- A. This Order SHALL apply to any and all future licenses issued to Respondent to practice nursing in the State of Texas.
- B. This Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.
- C. Respondent 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 Respondent wishes to work.

#### **II. COMPLIANCE WITH LAW**

While under the terms of this Order, RESPONDENT 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.

#### **III. REMEDIAL EDUCATION COURSE(S)**

In addition to any continuing education requirements the Board may require for licensure renewal, RESPONDENT 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), RESPONDENT 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. RESPONDENT 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](http://www.bon.texas.gov/compliance).*

#### IV. RESTORATION OF UNENCUMBERED LICENSE(S)

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 may be eligible for nurse licensure compact privileges, if any.

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RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order.

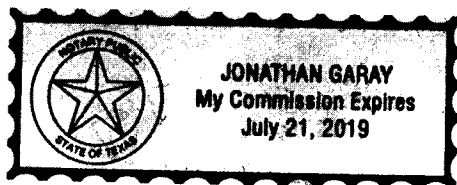
I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the entry of this Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that 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 possible revocation of my license(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

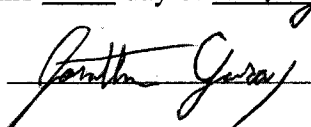
Signed this 5<sup>th</sup> day of May, 2017.

  
\_\_\_\_\_  
JOSHUA D. IVY, Respondent

Sworn to and subscribed before me this 5<sup>th</sup> day of May, 2017.

SEAL



  
\_\_\_\_\_  
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 5th day of May, 2017, by JOSHUA D. IVY, Vocational Nurse License Number 197359, and said Order is final.

Effective this 9th day of May, 2017.

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

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

**BEFORE THE OKLAHOMA BOARD OF NURSING**

**IN THE MATTER OF JOSHUA DANIEL IVY  
L.P.N. ENDORSEMENT APPLICANT**

**STIPULATION, SETTLEMENT AND ORDER**

This matter comes on for hearing before the Oklahoma Board of Nursing on the 23rd day of July, 2008, at the Holiday Inn Conference Center, 2101 South Meridian Avenue, Oklahoma City, Oklahoma.

Jan Sinclair, R.N., a Nurse Investigator with the Board, and Joshua Daniel Ivy, L.P.N., (hereinafter, "Applicant") participated in a telephonic conference on June 23, 2008 and both subsequently consented to this Order.

**STIPULATION**

Applicant and the Board hereby stipulate and agree to the following joint stipulation and proposed Order of the Board incorporating this stipulation and agreement in the above-styled matter.

1. Applicant has filed an Application for Licensure by Endorsement in the State of Oklahoma, copies of which are attached as Exhibit "A" and made a part hereof.
2. On or about March 3, 2007, Applicant was arrested in Tomah, WI., for suspicion of driving under the influence of alcohol. On March 6, 2007, Applicant was charged in Wisconsin Circuit Court Access (WCCA), County of Monroe vs. Joshua D Ivy, Monroe County Case Number 2007TR000798 charging Applicant with: Count 1: Operating while under the influence; Count 2: Parking on Private Property w/o Consent; Count 3: Refuse/Breathalyzer Test After Arrest; and Count 4: Operating with a PAC 0.1 or more. On November 8, 2007, all counts

were dismissed on prosecutor's motion, copies of which are attached as Exhibit "B" and made a part hereof.

3. In September, 2007, Applicant was arrested for bail jumping and child abuse. On September 12, 2007, Applicant was charged in Wisconsin Circuit Court Access (WCCA), County of Monroe vs. Joshua D Ivy, Monroe County Case Number 2007CF000356 with: Count 1: Child Abuse-Recklessly Cause Harm, Felony 1; and Count 2: Bail Jumping-Misdemeanor, On January 10, 2008 Applicant entered a plea of no contest and received an eighteen (18) month deferred sentence, twenty five (25) hours community services and ordered to comply with the conditions of the Diversion Agreement, fees and fines, copies of which are attached as Exhibit "C" and made a part hereof.

4. This stipulation is executed by the Applicant for the purpose of avoiding further administrative action with respect to this cause. In this regard, Applicant authorizes the Board to review and examine all investigative file materials concerning Applicant prior to or in conjunction with consideration of this stipulation. Furthermore, should this joint stipulation not be accepted by the Board, it is agreed that presentation to and consideration of this stipulation and other documents and matters by the Board shall not unfairly or illegally prejudice the Board or any of its members from further participation, consideration or resolution of these proceedings.

5. Applicant fully understands that this joint stipulation and subsequent Final Order incorporating same will in no way preclude additional proceedings by the Board against Applicant for acts or omissions not specifically made a part of this stipulation.

6. It is expressly understood that this stipulation is subject to approval of the Board and has no force and effect until approved and Ordered by the Board.

7. This Stipulation, Settlement, and Order does constitute formal disciplinary action.

### **STIPULATED DISPOSITION AND ORDER**

IT IS THEREFORE ORDERED by the Oklahoma Board of Nursing that the Application for Licensure by Endorsement by Applicant to practice licensed practical nursing in the State of Oklahoma be, and the same is hereby granted, upon the following terms and conditions:

1. Applicant shall, within ninety (90) days from the receipt of this Order, successfully complete a course on Nursing Jurisprudence. Applicant shall obtain Board approval of the course prior to enrollment. Home study courses, Internet and video programs will not be approved. In order for the course to be approved, the target audience must include licensed nurses. It must be a minimum of four (4) contact hours in length. The course must include an examination of the scope of nursing practice from the Oklahoma Nursing Practice Act and Rules of the Board, other laws, policies, and accreditation guidelines that govern the practice of nursing, the role of delegation and supervision, and an exploration of the ethical basis of nursing practice. Courses focusing on malpractice issues will not be accepted. The course description must indicate goals and objectives for the course, resources to be utilized, and the methods to be used to determine successful completion of the course. Applicant shall cause the sponsoring institution to submit verification of Applicant's successful completion of the course to the Board office.

2. Within thirty (30) days from receipt of this Order, Applicant shall pay an administrative penalty to the Oklahoma Board of Nursing in the amount of \$500.00. The administrative penalty shall be paid only by certified check, money order or cash.

IT IS FURTHER ORDERED that the license to practice licensed practical nursing

held by Applicant is hereby severely reprimanded.

IT IS FURTHER ORDERED that any failure to comply with submission of the administrative penalty or written documentation by the due date, including but not limited to educational courses, will result in a three (3) month suspension of license. At the completion of the three month suspension, any application for reinstatement may be submitted for processing by Board Staff for approval in accordance to the agency approval process or for referral to the Board. Administrative penalties for any such failure to comply shall be assessed and paid prior to reinstatement by certified check, money order, or cash pursuant to statute, 59 O.S. §567.8.J.1. and 2, and §485:10-11-2(d) of the Rules promulgated by the Board.

IT IS FURTHER ORDERED that the parties agree that both (all) parties have participated in the drafting of this Stipulation, Settlement and Order and that no presumption or construction against any party as the drafter of this Stipulation, Settlement and Order, shall apply or be applied in the event of a claim of ambiguity of the document or a provision thereof.

IT IS FURTHER ORDERED that this stipulation and endorsement shall not be effective until the fully executed Order is received in the Board office.

IT IS FURTHER ORDERED that upon successful completion of all of the terms and conditions of this Order, no further Order of the Board shall be deemed necessary.

IT IS FURTHER ORDERED that this Order constitutes disciplinary action by the Board and may be used in any subsequent hearings by the Board. In the event other misconduct is reported to the Board, this Order may be used as evidence against Applicant to establish a pattern of behavior and for the purpose of proving additional acts of misconduct.

  
Applicant

Approved and ordered this 23<sup>rd</sup> day of July, 2008.

OKLAHOMA BOARD OF NURSING

By:   
President

JS:sr

Date 11/26/08  
I certify this to be a true and correct copy of the record on  
file with the Oklahoma Board of Nursing.  
Signed 