



I do hereby certify this to be a complete, accurate, and true copy of the document which is on file or its of record in the offices of the Texas Board of Nursing.
Stephanie P. Thomas
Executive Director of the Board

IN THE MATTER OF PERMANENT
REGISTERED NURSE
LICENSE NUMBER 645284
ISSUED TO
REGINA FLETCHER LUM,
RESPONDENT

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§
BEFORE THE TEXAS
BOARD OF NURSING
ELIGIBILITY AND
DISCIPLINARY COMMITTEE

ORDER OF THE BOARD

TO: REGINA FLETCHER LUM
127 GREY FRIAR DR
HOUSTON, TX 77037

During open meeting held in Austin, Texas, on Tuesday September 12, 2017, 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 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 Registered Nurse License Number 645284, previously issued to REGINA FLETCHER LUM, 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 12th day of September, 2017.

TEXAS BOARD OF NURSING

BY:



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

Attachment: Formal Charge filed August 7, 2017.

d17r(RN)(2016.05.11)


Re: Permanent Registered Nurse License Number 645284
Issued to REGINA FLETCHER LUM
DEFAULT ORDER - REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the ____ day of _____, 20____, 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 FLETCHER LUM
127 GREY FRIAR DR
HOUSTON, TX 77037

Via USPS First Class Mail
REGINA FLETCHER LUM
127 GREY FRIAR DR
HOUSTON, TX 77037

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

REGINA FLETCHER LUM

August 8, 2017

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the Board's quarterly newsletter and will be reported to the National Council of State Boards of Nursing, Inc., and the National Practitioner Data Bank (NPDB).

Should you desire to discuss this matter, contact Herb More, Investigator, at (512) 305-6886.

Sincerely,

A handwritten signature in cursive script that reads "Katherine A. Thomas".

Katherine A. Thomas, MN, RN, FAAN
Executive Director

KAT/263

Enclosure: Formal Charges

DA(2017.05.03)

In the Matter of § **BEFORE THE TEXAS**
Permanent Registered Nurse §
License Number 645284 §
Issued to REGINA FLETCHER LUM, §
Respondent § **BOARD OF NURSING**

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, REGINA FLETCHER LUM, is a Registered Nurse holding License Number 645284, 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 July 25, 2017, Respondent entered a plea of Guilty to and was convicted of AGG ASSAULT W/DEADLY WEAPON, a 2nd Degree Felony Offense committed on May 8, 2016, in the 174th District Court, Harris County, Texas, under Cause No. 1509395. As a result of the conviction, Respondent was sentenced to confinement in the TDCJ Institutional Division for a a period of two (2) years, with one hundred thirty-one (131) days credit given.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(3)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(13).

CHARGE II.

On or about March 10, 2017, Respondent submitted a Timely License Renewal Form to the Texas Board of Nursing in which she provided false, deceptive, and/or misleading information, in that she answered "No" to the question: "Have you, within the past 24 months or since your last renewal, for any criminal offense, including those pending appeal:

- A. been convicted of a misdemeanor?
- B. been convicted of a felony?
- C. pled nolo contendere, no contest, or guilty?
- D. received deferred adjudication?
- E. been placed on community supervision or court-ordered probation, whether or not adjudicated guilty?
- F. been sentenced to serve jail or prison time? court-ordered confinement?
- G. been granted pre-trial diversion?
- H. been arrested or have any pending criminal charges?

- I. been cited or charged with any violation of the law?
- J. been subject of a court-martial; Article 15 violation; or received any form of military judgement/punishment/action?"

Respondent failed to disclose that on or about May 8, 2016, Respondent was arrested by the Houston Police Department, Houston, Texas, and subsequently charged under Cause No. 1509395 with AGGRAVATED ASSAULT, a 2nd Degree felony offense. The court disposition for this matter was pending at the time of renewal.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(1)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(6)(I).

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 and TEX. OCC. CODE Ch. 53.

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.

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 policies related to Behavior Involving Lying and Falsification, which can be found under the "Discipline & Complaints; Board Policies & Guidelines" section of the Board's website, www.bon.texas.gov.

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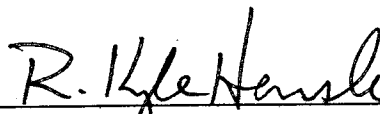
CONTINUED ON NEXT PAGE.

NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, located at 22 TEX. ADMIN. CODE §213.33(b), which can be found under the "Discipline & Complaints; Board Policies & Guidelines" section of the Board's website, www.bon.texas.gov.

NOTICE IS ALSO GIVEN that Respondent's past disciplinary history, as set out below and described in the Order(s) which is/are attached and incorporated by reference as part of these charges, will be offered in support of the disposition recommended by staff: Order dated June 27, 2011.

Filed this 7th day of August, 2017.

TEXAS BOARD OF NURSING



James W. Johnston, General Counsel
Board Certified - Administrative Law
Texas Board of Legal Specialization
State Bar No. 10838300

Jena Abel, Deputy General Counsel
Board Certified - Administrative Law
Texas Board of Legal Specialization
State Bar No. 24036103

John R. Griffith, Assistant General Counsel
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State Bar No. 50511847

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

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State Bar No. 19358600

John Vanderford, Assistant General Counsel
State Bar No. 24086670

333 Guadalupe, Tower III, Suite 460
Austin, Texas 78701
P: (512) 305-8657
F: (512) 305-8101 or (512)305-7401

Attachments: Order of the Board dated June 27, 2011

D(2017.02.13)



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

In the Matter of Registered Nurse § AGREED
License Number 645284 §
issued to REGINA FLETCHER LUM § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of REGINA FLETCHER LUM, Registered Nurse License Number 645284, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated TEX. REV. CIV. STAT. ART. 4525(b)(2)&(9)(effective 9/1/1997), 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, 2011, by Katherine A. Thomas, MN, RN, 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 professional nursing in the State of Texas.
4. Respondent received a Baccalaureate Degree in Nursing from Wagner College School of Nursing, Staten Island, New York, on May 1, 1977. Respondent was licensed to practice professional nursing in the State of Texas on September 11, 1997.
5. Respondent's nursing employment history is unknown.

6. On or about December 10, 1996, Respondent submitted the Temporary License/Endorsement Application to the Board of Nurse Examiners for the State of Texas in which Respondent provided false, deceptive, and/or misleading information, in that Respondent answered "No" to the question:

"Have you ever been convicted of a crime other than minor traffic violations?"

Respondent failed to disclose that on or about August 23, 1991, Respondent entered a plea of Nolo Contendere and was convicted of Count 1-OBSTRUCTION OF LAW ENFORCEMENT OFFICER and Count 2-SIMPLE BATTERY (Misdemeanor offenses committed on June 7, 1991), in the State Court, Gwinnett County, Georgia, under Criminal Action No. 91D-2056-1. Respondent was sentenced to confinement in the Gwinnett County Correctional Institution for a period of twelve (12) months; however, the imposition of sentence of confinement was suspended, and Respondent was placed on probation. Additionally, Respondent was ordered to pay a fine and court costs.

7. In response to Finding of Fact Number Six (6), Respondent states: On June 7, 1991, her estranged husband entered her home and attempted to abduct her, 3 month-old son. In her attempt to restrain him, a struggle and altercation ensued. The Sheriff's department was called and both of them were detained and eventually taken into custody. She was charged with simple battery and obstruction of a law officer. She pleaded nolo contendere and paid a fine, court cost, and the sentence was suspended. In her error, this was not disclosed when she applied for her temporary RN license endorsement on December 6, 1996. She was unaware that she had to disclose this information since the case was suspended and was closed soon after.
8. Formal Charges were filed on January 18, 2011.
9. Formal Charges were mailed to Respondent on January 31, 2011.

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 TEX. REV. CIV. STAT. ART. 4525(b)(2)&(9)(effective 9/1/1997), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.13(17)(effective 9/1/1997).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations

Code, to take disciplinary action against Registered Nurse License Number 645284, heretofore issued to REGINA FLETCHER LUM, 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 a 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, 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.state.tx.us/disciplinaryaction/stipscourses.html>.

(2) RESPONDENT SHALL pay a monetary fine in the amount of five hundred (\$500) dollars. 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.

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.

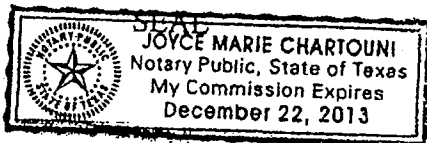
RESPONDENT'S CERTIFICATION

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 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 16th day of June, 2011.

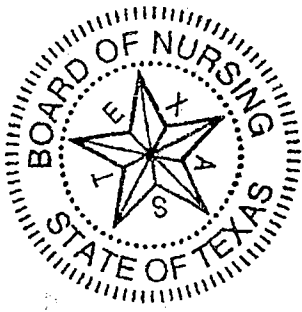
Regina Fletcher Lum
REGINA FLETCHER LUM, Respondent

Sworn to and subscribed before me this 16th day of June, 2011.



Joyce Chartouni
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 16th day of June, 2011, by REGINA FLETCHER LUM, Registered Nurse License Number 645284, and said Order is final.



Effective this 27th day of June, 2011.

Katherine A. Thomas

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