



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 307939 §
issued to BRENDA LEE TALKINGTON § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of BRENDA LEE TALKINGTON, Vocational Nurse License Number 307939, 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.
4. Respondent's nursing employment history is unknown.
5. On or about June 26, 2012, Respondent failed to report to the Texas Board of Nursing that she did not meet the requirements for graduation from the US Army Practical Nurse Course, Fort Sam Houston, Texas, which was a condition to be eligible to sit for the National Council Licensure Examination for Practical Nurses (NCLEX-PN Examination). Respondent sat for the NCLEX-PN Examination, and upon passing the test became licensed as a Licensed Vocational Nurse in the State of Texas on June 28, 2012.

6. In response to Finding of Fact Number Five (5) January 2, 2018, Respondent states that after she failed the medication administration and question portion of a test, she was allowed to remain in the class. Respondent states she subsequently completed all of the remaining course requirements with a passing score. Respondent states the school house submitted all of this information to the Army Medical Department (AMEDD), who sent the information to the National Council of State Boards of Nursing (NCSBN), and she received her Authorization to Test (ATT). Upon receiving the ATT, Respondent talked with the student liaison and asked if she was allowed to sit for the NCLEX. At this time, she was informed that she had met all the requirements to sit for the exam, but the portion that she had failed would prevent her from receiving a Military Identifier.
7. Formal Charges were filed on May 19, 2017.
8. Formal Charges were mailed to Respondent on May 23, 2017.
9. Respondent, by her signature to this Order, expresses her desire to voluntarily surrender 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)(H)&(6)(I).
4. The evidence received is sufficient cause pursuant to Sections 301.252 and 301.452(b)(2)&(10), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 307939, heretofore issued to BRENDA LEE TALKINGTON, 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 Vocational Nurse License Number 307939, heretofore issued to BRENDA LEE TALKINGTON, 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 condition:

RESPONDENT SHALL NOT practice vocational nursing, use the title "vocational nurse" or the abbreviation "LVN" or wear any insignia identifying herself 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.

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.

BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK.
CONTINUED ON NEXT PAGE.

RESPONDENT'S CERTIFICATION

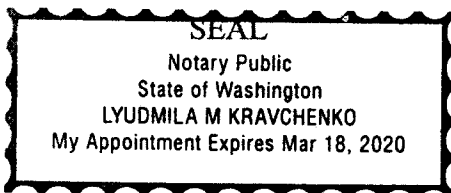
I understand that I have the right to legal counsel prior to signing this Agreed Order.

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 20th day of Dec, 2017.

Brenda Talkington
BRENDA LEE TALKINGTON, Respondent

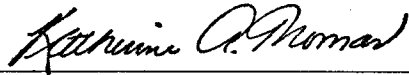
Sworn to and subscribed before me this 20th day of December, 2017.



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

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 307939, previously issued to BRENDA LEE TALKINGTON.

Effective this 22nd day of December, 2017.



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