



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 § AGREED ORDER
Registered Nurse License Number 608967 §
issued to MAGDALENE B AKHARAMEN §
§

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considers the matter of MAGDALENE B AKHARAMEN, Registered Nurse License Number 608967, 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)(3), Texas Occupations Code. Respondent waived notice and hearing and agreed to the entry of this Agreed Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on January 9, 2019.

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 Agreed Order.
3. Respondent's license to practice as a professional nurse in the State of Texas is in current status.
4. Respondent received an Associate Degree in Nursing from San Jacinto College, Pasadena, Texas, on December 17, 1993. Respondent was licensed to practice professional nursing in the State of Texas on August 10, 1994.
5. Respondent's nursing employment history is unknown.

6. On or about January 20, 2017, Respondent entered a plea of Guilty and was convicted of CONSPIRACY TO COMMIT HEALTH CARE FRAUD violations of 18 U.S.C. § 1349, a felony offense committed from in or around January 2006 through in or around February 2016, in the United States District Court for the Southern District of Texas, Houston, Division, under Case No. 4:16-CR-00263-1. On or about November 29, 2018, Respondent was sentenced to thirty-six (36) months incarceration, three (3) years supervised release and was ordered to pay restitution in the amount of two million nine hundred twenty-six thousand one hundred dollars and twenty-nine cents (2,926,100.29).
7. In response to Findings of Fact Six (6), Respondent states she was charged with conspiracy to defraud Medicare. She has been under government supervision, allowed to work but not allowed to bill Medicare. The case is under seal. She was the administrator and owner of Texas Tender Care. She has since closed the home health agency and has been working in a psychiatric hospital.
8. Formal Charges were filed on June 16, 2017.
9. Respondent by her signature expresses her desire to voluntarily surrender the licenses.

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 cause pursuant to Section 301.452(b)(3), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 608967, heretofore issued to MAGDALENE B AKHARAMEN.
4. 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

NOW, THEREFORE, IT IS AGREED and ORDERED that the VOLUNTARY SURRENDER of Registered Nurse License Number 608967 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 petition for reinstatement of licensure until at least one (1) year has elapsed from the date of this Order.
3. 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 Order. 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 effective upon acceptance by the Executive Director on behalf of the Texas Board of Nursing and 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) and/or privileges to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 28th day of JANUARY 2019.

MAGDALENE BAKHARJAMEN
MAGDALENE BAKHARJAMEN, Respondent

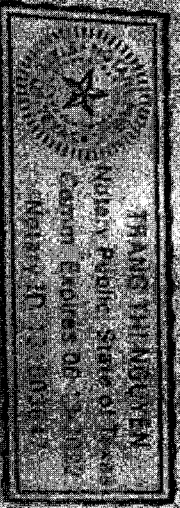
Sworn to and subscribed before me this 28th day of JANUARY, 2019.

SEAL

Notary Public in and for the State of TX

Approved as to form and substance,

Andre D'Souza
Andre D'Souza, Attorney for Respondent



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 28th day of January, 2019, by MAGDALENE B AKHARAMEN, Registered Nurse License Number 608967, and said Agreed Order is final.

Effective this 7th day of February, 2019.



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