



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.
Stephanie O'Hanrahan
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of
RACHEL A GONZALES,
Vocational Nurse License Number 176865

§
§
§
§

ORDER OF THE BOARD

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of RACHEL A GONZALES, Vocational Nurse License Number 176865, 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. Respondent's license to practice as a vocational nurse in the State of Texas is in delinquent status.
2. Respondent waived notice and hearing, and agreed to the entry of this Order.
3. Respondent received a Certificate in Vocational Nursing from Baptist Memorial Hosp Syst, San Antonio, Texas, on June 1, 2000. Respondent was licensed to practice vocational nursing in the State of Texas on August 24, 2000.
4. Respondent's nursing employment history is unknown.
5. Formal Charges were filed on August 13, 2020. A copy of the Formal Charges, dated August 13, 2020, is attached and incorporated herein by reference as part of this Order.
6. On September 2, 2020, the Board received a statement from Respondent voluntarily surrendering the right to practice nursing in Texas. A copy of Respondent's statement, dated September 2, 2020, 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 cause pursuant to Sections 301.452(b)(3) and 301.4535, Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 176865, heretofore issued to RACHEL A GONZALES, including revocation of Respondent's license(s) to practice nursing in the State of Texas.
4. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
5. Under Section 301.453(d), Texas Occupations Code, as amended, the Board may impose conditions for reinstatement of licensure.
6. 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 ORDERED that the VOLUNTARY SURRENDER of Vocational Nurse License Number 176865 is accepted by the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. 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.
2. Pursuant to Tex. Occ. Code section 301.4535(c), RESPONDENT SHALL NOT petition for reinstatement of licensure until at least five (5) years from the date the Respondent

successfully completes and is dismissed from community supervision or parole has elapsed.

3. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

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.

Effective this 2nd day of September, 2020

A handwritten signature in black ink, reading "Katherine A. Thomas". The signature is written in a cursive, flowing style.

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

**In the Matter of
Permanent Vocational Nurse
License Number 176865
Issued to RACHEL A GONZALES,
Respondent**

§ **BEFORE THE TEXAS**
§
§
§ **BOARD OF NURSING**
§

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, RACHEL A GONZALES, is a Vocational Nurse holding license number 176865 which is in delinquent 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 June 19, 2019, Respondent entered a plea of Guilty and was convicted of ONLINE SOLICITATION OF MINOR, a 2nd Degree Felony offense committed on December 13, 2017, in the 130th District court of Matagorda County, Texas, under Cause No. 18-215. As a result of the conviction, Respondent was sentenced to confinement in the Institutional Division of the Texas Department of Criminal Justice for a period of ten (10) years; however, imposition of the sentence was suspended, and Respondent was placed on probation for a period of ten (10) years, required to register as a sex offender, and ordered to pay a fine and court costs.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(3), Texas Occupations Code. Moreover, the above offense mandates revocation of Respondent's license(s) and/or privilege(s) to practice nursing in accordance with Section 301.4535 of the Texas Occupations Code.

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) and/or privilege(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.

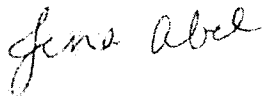
NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on adopted Disciplinary Guidelines for Criminal Conduct, and on adopted Disciplinary Sanction Policies for

Sexual Misconduct, which can be found under the "Discipline & Complaints; Board Policies & Guidelines" section of the Board's website, www.bon.texas.gov.

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.

Filed this 13th day of August, 2020.

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

Helen Kelley, Assistant General Counsel
State Bar No. 24086520

Brian L. Miller, Jr., Assistant General Counsel
State Bar No. 24117478

JoAnna Starr, Assistant General Counsel
State Bar No. 24098463

Jacqueline A. Strashun, Assistant General Counsel
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

From: Rachel Gonzales [REDACTED]
Sent: Wednesday, September 2, 2020 8:11 PM
To: Abel, Jena [REDACTED]
Subject: Gonzales LVN 176865

I, Rachel Gonzales, am notifying you on this day, September 2, 2020, that I am voluntarily surrendering my license.

Thank you,
Rachel Gonzales
LVN 176865

Sent from Mail for Windows 10