### BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Vocational Nurse License Number 193842 issued to TABITHA LYNN GRISSOM AGREED ORDER

xecutive Director of the Board

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of TABITHA LYNN GRISSOM, Vocational Nurse License Number 193842, 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 July 22, 2021.

# 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 vocational nurse in the State of Texas has been in delinquent status since December 1, 2009.
- 4. Respondent received a Certificate in Vocational Nursing from Concorde Career College, Grand Prairie, Texas, on April 3, 2004. Respondent was licensed to practice vocational nursing in the State of Texas on June 29, 2004.
- 5. Respondent's nursing employment history is unknown.
- 6. On or about May 25, 2021, Respondent submitted a LVN Delinquent Online License Renewal Form to the Texas Board of Nursing in which she answered "Yes" to the question:

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"Have you, within the past 24 months or since your last renewal, for any criminal offense, including those pending appeal

- A. been arrested and have any pending criminal charges?
- B. been convicted of a Misdemeanor?
- C. been convicted of a felony?
- D. pled nolo contender, no contest, or guilty?
- E. received deferred adjudication?
- F. been placed on community supervision or court-ordered probation, whether or not adjudicated guilty?

# Respondent disclosed the following:

On or about December 14, 2016, Respondent entered a plea of Guilty to MAN/DEL CS PG 1>=1G<4G. 2nd degree felony offense committed on July 28, 2015, in the Criminal District Court No. 4 of Dallas County, Texas, under Cause No. F-1534675. 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 eight (8) years, to run concurrent with Cause# F1658329 and ordered to pay a fine and court costs.

On or about December 14, 2016, Respondent entered a plea of Guilty to MAN/DEL CS PG 1>=4G<200G, 1st degree felony offense committed on September 22, 2016, in the Criminal District Court No. 4 of Dallas County, Texas, under Cause No. F-1658329. 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 eight (8) years, to run concurrent with Cause# F1534675 and ordered to pay a fine

- 7. In response to Findings of fact Number Six, Respondent states she is currently on probation in the Dallas County with a current discharge date of December 13, 2024. Obviously, in the past she made some poor choices and she has definitely learned from the mistakes. Respondent states her sobriety date is April 13, 2018, and she has successfully completed 20 months of substance abuse treatment programs, including intensive and supportive outpatient care while working the 12 step program and attending AA/NA meetings.
- 8. Respondent by her signature expresses her desire to voluntary surrender the license.

#### 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 Vocational Nurse License Number 193842, heretofore issued to TABITHA LYNN GRISSOM.
- 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 Vocational Nurse License Number 193842 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. RESPONDENT SHALL NOT petition for reinstatement of licensure until:
  - A. At least one (1) year has elapsed from the date of this Order; and
  - B. RESPONDENT has objective, verifiable proof of twelve (12) consecutive months of sobriety immediately preceding the petition.
- 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 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 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 8th day of Upterbow, 2021.

TABITHA LYNN GRISSOM, RESPONDENT

Sworn to and subscribed before me this

LISA ZAVALA FLORES Notary ID #131453489 My Commission Expires February 15, 2022

SEAL

Notary Public in and for the State of **TOXUS** 

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 8th day of September, 2021, by TABITHA LYNN GRISSOM, Vocational Nurse License Number 193842, and said Agreed Order is final.

Effective this 13th day of September, 2021.

Katherine A. Thomas, MN, RN, FAAN

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Executive Director on behalf

of said Board

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