



Board of Nurse Examiners For the State of Texas

Katherine Thomas, MN, RN, Executive Director	Linda Rounds, PhD, RN, President, Galveston	Marcelo Lajjas, Jr., Vice-President, Floresville	Deborah Hughes Bell, CLU, ChFC, Ablene	Virginia Campbell, BSN, RN, CNOR Mesquite	Lawrence Canfield, MS, Ed, RN, CRNA Temple	Thalia Munoz, MS, Rio Grande City	Elizabeth Poster, PhD, RN Arlington	Phyllis Caves Rawley, CPC, El Paso
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April 16, 2003

Certified Mail No. 7001 1940 0000 7581 7309
Return Receipt Requested

David D. Cole
5003 Dickens
Houston, Texas 77021

Dear Ms. Cole:

This office is in receipt of your paid fine, submitted by you in order to comply with the requirements of the proposed Order of the Board recently sent to you. Enclosed, please find a copy of your Order of the Board issued on April 15, 2003. Please keep this copy for your record.

THIS IS A FINAL ORDER OF THE BOARD. READ THE ORDER CAREFULLY. CONTACT THIS OFFICE AT (512) 305-6838 IF YOU HAVE ANY QUESTIONS OR DO NOT UNDERSTAND ANY PART OF THE ORDER.

Sincerely,

Katherine A. Thomas, MN, RN
Executive Director

KAT/sv

Enclosure: Order of the Board

1298-N65



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 BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS**

In the Matter of License Number 450852 § AGREED
Issued to: DAVID DELEE COLE § ORDER

On this day, the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, considered the matter of DAVID DELEE COLE, License Number 450852, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.303 and Section 301.452(b)(1), Texas Occupations Code and 22 Texas Administrative Code, §216.

Respondent waived representation by counsel, informal conference, notice, hearing and agreed to the entry of this Order offered by Katherine A. Thomas, MN, RN, Executive Director, on behalf of the Board.

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.
2. Respondent waived representation by counsel, informal conference, notice and hearing, and consented to the entry of this Order.
3. Respondent is currently licensed to practice professional nursing in the State of Texas.
4. Respondent failed to make full and timely compliance with the Board's requirements for continuing education for the period ending July 2002.

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. Evidence received was sufficient to prove violation of Section 301.303 and Section 301.452(b)(1) Texas Occupations Code, and 22 Texas Administrative Code §216.3.
4. Respondent's failure to comply with Continuing Education requirements is sufficient cause pursuant to Section 301.452(b) Texas Occupations Code to take disciplinary action against License Number 450852, heretofore issued to DAVID DELEE COLE, including revocation of Respondent's professional license to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, that RESPONDENT SHALL receive the sanction of a Fine in the amount of One Hundred Dollars (\$100), and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas, Annotated, as amended, Texas Occupations Code §§301.001 *et seq.*, the Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice, 22 Texas Administrative Code, §211.01 *et seq.*, and this Order.

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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 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 matter. I waive judicial review of this Order. I understand that this Order becomes final and effective when entered by the Executive Director and that 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 to practice professional nursing in the State of Texas, as a consequence of my noncompliance.


Signed this 11 day of April, 2003.



DAVID DELEE COLE, Respondent

WHEREFORE, PREMISES CONSIDERED, the Board of Nurse Examiners for the State of Texas ratifies and acknowledges satisfaction of the requirements of the Agreed Order that was signed on the 11th day of April, 2003, by DAVID DELEE COLE, License Number 450852, and said Order is final.

Signed this 15th day of April, 2003.



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