



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 Chism
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Vocational Nurse §
License Number 145593 and §
Registered Nurse License Number 608208 §
issued to TINA MARIE SMITH §

ORDER OF THE BOARD

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Vocational Nurse License Number 145593, and Registered Nurse License Number 608208, issued to TINA MARIE SMITH, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived representation by counsel, informal proceedings, notice and hearing.

The Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Respondent's licenses to practice vocational and professional nursing in the State of Texas are currently in delinquent status.
2. Respondent waived representation by counsel, informal proceedings, notice and hearing.
3. Respondent received a Certificate in Vocational Nursing from Paris Junior College, Paris, Texas, on August 17, 1993. Respondent was licensed to practice vocational nursing in the State of Texas on December 1, 1993. Respondent received an Associate Degree in Nursing from Paris Junior College, Paris, Texas, on May 1, 1994. Respondent was licensed to practice professional nursing in the State of Texas on July 20, 1994.

4. Respondent's vocational and professional nursing employment history includes:

8/93 - 5/01	Unknown	
6/01 - 9/01	Travel Nurse	Pleasanton Medical Center Pleasanton, Texas
10/01 - 12/01	Travel Nurse	Pampa Regional Hospital Pampa, Texas
1/02	Unknown	
2/02 - 3/02	Travel Nurse	Los Banos Medical Hospital Los Banos, California
4/02 - 8/02	Travel Nurse	Redding Medical Center Redding, California
9/02 - 2/03	Travel Nurse	Mercy Medical Center Redding, California
3/03 - 5/03	Travel Nurse	Edwards Army Community Hospital Colorado Springs, Colorado
6/03 - 11/03	Travel Nurse	Victor Valley Community Hospital Victorville, California
12/03	Unknown	
1/04 - 10/05	Staff Nurse	Presbyterian Hospital Dallas, Texas
11/05 - present	Unknown	

5. On August 1, 2007, Respondent was issued the sanction of Remedial Education by the Texas Board of Nursing. A copy of the August 1, 2007, Agreed Order, Findings of Fact, and Conclusions of Law is attached and incorporated, by reference, as part of this Order.
6. Formal Charges were filed on September 17, 2009. A copy of the Formal Charges is attached and incorporated by reference as part of this Order.
7. Formal Charges were mailed to Respondent on September 24, 2009.

8. On December 31, 2009, Respondent submitted a notarized statement to the Board voluntarily surrendering the right to practice vocational and professional nursing in Texas. A copy of Respondent's notarized statement, dated December 3, 2009, 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 to prove violations of Section 301.452(b)(1) and (10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(11)(B).
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, the Board may impose conditions for reinstatement of licensure.
6. Any subsequent reinstatement of this license will be controlled by Section 301.452 (b), Texas Occupations Code, and 22 TAC §§213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

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ORDER

NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Vocational Nurse License Number 145593, and Registered Nurse License Number 608208, heretofore issued to TINA MARIE SMITH, to practice vocational and professional nursing in the State of Texas, is accepted by the Executive Director on behalf of the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL NOT practice vocational or professional nursing, use the title "vocational nurse/registered nurse" or the abbreviation "LVN/RN" or wear any insignia identifying herself as a vocational/registered nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a vocational/registered nurse during the period in which the license is surrendered.
2. RESPONDENT SHALL NOT petition for reinstatement of licensure until: 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.

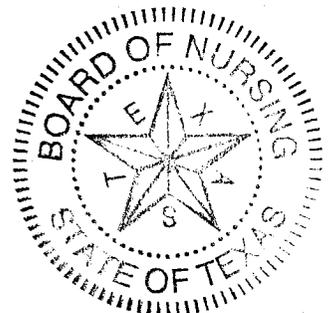
IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's multistate licensure privilege, if any, to practice vocational and professional nursing in compact states.

Effective this 27th day of January, 2010.

TEXAS BOARD OF NURSING

By:


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



In the Matter of Vocational Nurse License § **BEFORE THE TEXAS**
Number 145593, and Registered Nurse §
License Number 608208, Issued to §
TINA MARIE SMITH, Respondent § **BOARD OF NURSING**

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, TINA MARIE SMITH, is a Vocational Nurse holding license number 145593, which is in delinquent status at the time of this pleading, and a Registered Nurse holding license number 608208, 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 August 2, 2008, Respondent failed to comply with the Agreed Order issued to her on August 1, 2007, by the Board of Nurse Examiners for the State of Texas. Noncompliance is the result of her failure to comply with Stipulation Number Two (2) of the Agreed Order which states, in pertinent part:

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in Texas nursing jurisprudence and ethics....

A copy of the August 1, 2007, Agreed Order, Findings of Fact, and Conclusions of Law is attached and incorporated, by reference, as part of this pleading.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(1) and (10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(11)(B).

CHARGE II.

On or about August 2, 2008, Respondent failed to comply with the Agreed Order issued to her on August 1, 2007, by the Board of Nurse Examiners for the State of Texas. Noncompliance is the result of her failure to comply with Stipulation Number Three (3) of the Agreed Order which states, in pertinent part:

(3) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in medication administration....

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(1) and (10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(11)(B).

CHARGE III.

On or about August 2, 2008, Respondent failed to comply with the Agreed Order issued to her on August 1, 2007, by the Board of Nurse Examiners for the State of Texas. Noncompliance is the result of her failure to comply with Stipulation Number Four (4) of the Agreed Order which states, in pertinent part:

(4) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in nursing documentation....

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(1) and (10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(11)(B).

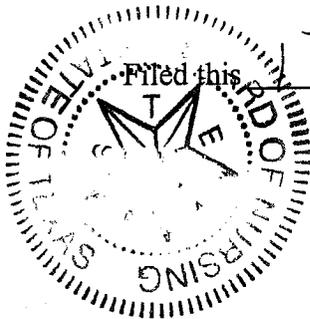
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NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of revocation of Respondent's license to practice nursing in the State of Texas pursuant to the Board's rules, 22 TEX. ADMIN. CODE §§ 213.27 - 213.33. Additionally, staff will seek to impose on Respondent the administrative costs of the proceeding pursuant to § 301.461, TEX. OCC. CODE ANN. The cost of proceedings shall include, but is not limited to, the cost paid by the Board to the State Office of Administrative Hearings and the Office of the Attorney General or other Board counsel for legal and investigative services, the cost of a court reporter and witnesses, reproduction of records, Board staff time, travel, and expenses. These shall be in an amount of at least one thousand two hundred dollars (\$1200.00).

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.state.tx.us.

NOTICE IS ALSO GIVEN that Respondent's past disciplinary history, as set out below and described in the Order which is attached and incorporated by reference as part of these charges, will be offered in support of the disposition recommended by staff: Agreed Order dated August 1, 2007.



Filed this 7th day of September, 20 09.

TEXAS BOARD OF NURSING

Jena Abel
James W. Johnston, General Counsel
Board Certified - Administrative Law
Texas Board of Legal Specialization
State Bar No. 10838300

Jena Renee Koslan Abel, Assistant General Counsel
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TEXAS BOARD OF NURSING
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Austin, Texas 78701
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Attachments: Agreed Order dated August 1, 2007.

0999/D

TINA MARIE SMITH
13618 RD 270
Oregon House, CA 95962
Texas LVN License #145593 and RN License #608208

Voluntary Surrender Statement

December 3, 2009

Dear Texas Board of Nursing:

I no longer desire to be licensed as a vocational nurse or professional nurse. Accordingly, I voluntarily surrender my licenses to practice in Texas. I TINA MARIE SMITH waive representation by counsel and consent to the entry of an Order which outlines requirements for reinstatement of my licenses. I understand that I will be required to comply with the Board's Rules and Regulations in effect at the time I submit any petition for reinstatement.

Signature Tina Marie Smith

Date 12-18-09

Texas Nursing License Number/s 145593
608208

The State of Texas

Before me, the undersigned authority, on this date personally appeared TINA MARIE SMITH who, being duly sworn by me, stated that she executed the above for the purpose therein contained and that she understood same.

Sworn to before me the 18th day of December, 2009.

SEAL

Timmie L. Handy
Notary Public in and for the State of CAIF

