



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.  
*Patricia Thomas*  
Executive Director of the Board

IN THE MATTER OF	§	BEFORE THE ELIGIBILITY
PERMANENT CERTIFICATE	§	AND DISCIPLINARY
NUMBER 76571	§	COMMITTEE
ISSUED TO	§	OF THE TEXAS
MARILYN STANDLEY	§	BOARD OF NURSING

**ORDER OF THE BOARD**

TO: Marilyn Standley  
8298 Blackforest Drive #241  
Spring, Texas 77389

During open meeting held in Austin, Texas, on August 18, 2009, the Eligibility and Disciplinary Committee (hereinafter "Committee") heard the above-styled case. This case was heard, and based on the failure of the Respondent to appear as required by 22 TEX. ADMIN. CODE Ch. 213.

The Committee of the Texas Board of Nursing finds that notice of the facts or conduct alleged to warrant disciplinary action has been provided to Respondent in accordance with Texas Government Code § 2001.054(c) and Respondent has been given an opportunity to show compliance with all the requirements of the Nursing Practice Act, chapter 301 of the Texas Occupations Code, for retention of Respondent's license to practice vocational nursing in the State of Texas.

The Committee finds that the Formal Charges were properly initiated and filed in accordance with section 301.458, Texas Occupations Code.

The Committee finds that after proper and timely Notice regarding the violations alleged in the Formal Charges was given to Respondent in this matter, Respondent has failed to appear in accordance with 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that the Board is authorized to enter a default order pursuant to Texas Government Code § 2001.056.

The Eligibility and Disciplinary Committee, after review and due consideration, adopts the proposed findings of fact and conclusions of law as stated in the Formal Charges which are attached hereto and incorporated by reference for all purposes and the Staff's recommended sanction of revocation by default. This Order will be properly served on all parties and all parties will be given an opportunity to file a motion for rehearing (22 TEX. ADMIN.CODE § 213.2(j)). All parties have a right to judicial review of this Order.

All proposed findings of fact and conclusions of law filed by any party not specifically adopted herein are hereby denied.

NOW, THEREFORE, IT IS ORDERED that Permanent Certificate Number 76571, previously issued to MARILYN STANDLEY, to practice vocational nursing in the State of Texas be, and the same is hereby, REVOKED.

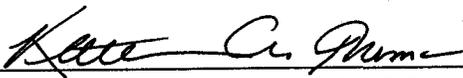
IT IS FURTHER ORDERED that Permanent Certificate Number 76571, previously issued to MARILYN STANDLEY, upon receipt of this Order, be immediately delivered to the office of the Texas Board of Nursing.

IT IS FURTHER ORDERED that this Order SHALL be applicable to Respondent's multi-state privilege, if any, to practice vocational nursing in the State of Texas.

Entered this 18th day of August, 2009.

TEXAS BOARD OF NURSING

BY:

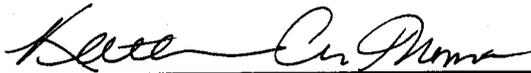
  
KATHERINE A. THOMAS, MN, RN  
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

Re: Permanent Certificate Number 76571  
Issued to MARILYN STANDLEY  
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 26<sup>th</sup> day of August, 2008, a true and correct copy of the foregoing DEFAULT ORDER was served by placement in the U.S. Mail via certified mail, and addressed to the following person(s):

Marilyn Standley  
8298 Blackforest Drive #241  
Spring, Texas 77389

BY:   
KATHERINE A. THOMAS, MN, RN  
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

In the Matter of Permanent License § BEFORE THE TEXAS  
Number 76571, Issued to §  
MARILYN STANDLEY, Respondent § BOARD OF NURSING

### FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, **MARILYN STANDLEY**, is a Vocational Nurse holding license number 76571, which is in current 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 February 10, 2000, Respondent entered a plea of "Guilty" and was convicted of DRIVING WHILE INTOXICATED (a Class B misdemeanor offense committed on November 26, 1999), in the County Criminal Court at Law No. 8, Harris County, Texas, under Cause Number 9951815. As a result, Respondent was placed on probation for one (1) year and ordered to pay a fine and court costs.

The above action constitutes grounds for disciplinary action in accordance with Section 302.402(a)(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §239.11(29)(A)(iv).

#### CHARGE II

On or about April 6, 2005, Respondent entered a plea of "Guilty" and was convicted of DRIVING WHILE INTOXICATED 2<sup>ND</sup> (a Class A misdemeanor offense committed on February 11, 2005), in the County Court at Law # 1, Montgomery County, Texas, under Cause Number 05-204819. As a result, Respondent was placed on probation for one (1) year. Additionally Respondent was ordered to pay a fine and court costs, serve three (3) days of confinement, and to install an interlocking device on her vehicle.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(13).

### CHARGE III

On or about March 5, 2006, Respondent submitted a Texas Online Renewal Document to the Board of Nurse Examiners for the State of Texas in which she provided false, deceptive, and/or misleading information, in that she answered "No" to the question:

"Have you ever been convicted, adjudicated guilty by a court, plead guilty, no contest or nolo contendere to any crime in any state, territory or country, whether or not a sentence was imposed, including any pending criminal charges or unresolved arrests (excluding minor traffic violations) since your last renewal? This includes expunged offenses and deferred adjudications with or without prejudice of guilt. Please note that DUIs, DWIs, and PI's must be reported and are not considered minor traffic violations. One time minor in possession [MIP] or minor in consumption [MIC] does not need to be disclosed; therefore, you may answer "No." If you have two or more MIPs or MICs, you must answer "yes"."

On or about February 10, 2000, Respondent entered a plea of "Guilty" and was convicted of DRIVING WHILE INTOXICATED (a Class B misdemeanor offense committed on November 26, 1999), in the County Criminal Court at Law No 8, Harris County, Texas, under Cause Number 9951815.

On or about April 6, 2005, Respondent entered a plea of "Guilty" and was convicted of DRIVING WHILE INTOXICATED 2ND (a Class A misdemeanor offense committed on February 11, 2005), in the County Court at Law # 1, Montgomery County, Texas, under Cause Number 05-204819.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(2)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(6)(I).

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).

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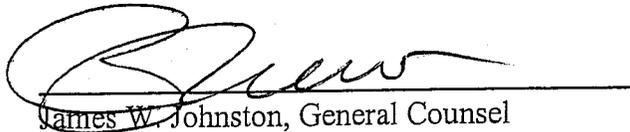
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NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, [www.bon.state.tx.us](http://www.bon.state.tx.us).

NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Sanction Policies for Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder and Lying and Falsification which can be found at the Board's website, [www.bon.state.tx.us](http://www.bon.state.tx.us).

Filed this 16th day of April, 2009.

TEXAS BOARD OF NURSING



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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