

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Registered Nurse	§	AGREED
License Number 751836 and	§	
Vocational Nurse License	§	
Number 188017 issued to	§	
CHRISTINA LUANNE GONZALEZ	§	ORDER



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

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of CHRISTINA LUANNE GONZALEZ, Registered Nurse License Number 751836 and Vocational Nurse License Number 188017, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(10)&(13), Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on October 29, 2010, by Katherine A. Thomas, MN, RN, Executive Director, subject to ratification by 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(s).
2. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice professional nursing in the State of Texas. Respondent holds a license to practice vocational nursing in the State of Texas which is currently in delinquent status.
4. Respondent received a Certificate in Vocational Nursing from St. Philip's College, San Antonio, Texas, on December 12, 2002. Respondent was licensed to practice vocational nursing in the State of Texas on February 13, 2003. Respondent received an Associate Degree in Nursing from St. Philip's College, San Antonio, Texas, on December 14, 2007. Respondent was licensed to practice professional nursing in the State of Texas on February 26, 2008.

5. Respondent's nursing employment history includes:

02/03 - 05/05	Unknown	
06/05 - 01/07	LVN	All About Staffing San Antonio, Texas
05/06 - 10/07	LVN	Medical Staffing Network San Antonio, Texas
03/07 - 10/09	LVN/RN	North East Methodist Hospital San Antonio, Texas
11/09 - Present	Unknown	

6. On or about December 31, 2007, Respondent's license to practice vocational nursing in the State of Texas was issued the sanction of Remedial Education with a Fine through an Agreed Order and Agreed Order of Conditional Eligibility from the Texas Board of Nursing, Austin, Texas. A copy of the Findings of Fact, Conclusions of Law, and Order, dated December 31, 2007, is attached and incorporated, by reference, as part of this order.

7. At the time of the initial incident, Respondent was employed as a registered nurse with North East Methodist Hospital, San Antonio, Texas, and had been in this position for two (2) years and five (5) months.

8. On or about August 4, 2009, while employed with Northeast Methodist Hospital, San Antonio, Texas, Respondent obtained a urine drug screen for a patient without a valid physician's order. Respondent's conduct was likely to defraud the resident of the cost of the laboratory studies

9. In response to the incident in Finding of Fact Number Eight (8), Respondent states:

"August 2009, I accidentally put in a wrong lab order into the computer, I put in for a urine drug screen. I did collect the urine from the patient and the next day was written up by my manager because the patient was discharged and was charged with the drug screen. According to my manager she took it off his bill."

10. On or about October 25, 2009, while employed with Northeast Methodist Hospital, San Antonio, Texas, Respondent failed to adequately supervise a Registered Nurse Intern who placed a rectal tube in Patient Medical Record Number 00321799, without a valid physician's order. Respondent was acting as the Registered Nurse Intern's preceptor at the time. Respondent's conduct was likely to injure the resident under her supervision and unnecessarily exposed the resident to risk of harm.

11. In response to the incident in Finding of Fact Number Ten (10), Respondent states:

"(She) is the one who put in the rectal tube on her own free will; I did not instruct her to do anything. I happened to be with her to help but that was her patient."

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 violation of Section 301.452(b)(10)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §§217.11(1)(A),(B),(C)&(U) and 217.12(1)(A),(B)&(F).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 751836 and Vocational Nurse License Number 188017, heretofore issued to CHRISTINA LUANNE GONZALEZ, including revocation of Respondent's license(s) to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that RESPONDENT SHALL receive the sanction of a WARNING WITH STIPULATIONS, and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Texas Occupations Code, §§301.001 *et seq.*, the Rules and Regulations Relating to Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.1 *et seq.* and this Order.

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.

IT IS FURTHER AGREED and ORDERED that while Respondent's license(s) is/are encumbered by this Order, Respondent may not work outside the State of Texas pursuant to a nurse

licensure compact privilege without the written permission of the Texas Board of Nursing and the Board of Nursing in the party state where Respondent wishes to work.

IT IS FURTHER AGREED that:

(1) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in Texas nursing jurisprudence and ethics. RESPONDENT SHALL obtain Board approval of the course prior to enrollment only if the course is not being offered by a pre-approved provider. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include nurses. It shall be a minimum of six (6) hours in length. The course's content shall include the Nursing Practice Act, standards of practice, documentation of care, principles of nursing ethics, confidentiality, professional boundaries, and the Board's Disciplinary Sanction Policies regarding: Sexual Misconduct; Fraud, Theft and Deception; Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder; and Lying and Falsification. Courses focusing on malpractice issues will not be accepted. RESPONDENT SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to the Office of the Board to verify RESPONDENT'S successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure. *Board-approved courses may be found at the following Board website address:*
<http://www.bon.state.tx.us/disciplinaryaction/stipscourses.html>

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete the course "Sharpening Critical Thinking Skills," a 3.6 contact hour online program provided by the National Council of State Boards of Nursing (NCSBN) Learning Extension. In order

to receive credit for completion of this program, RESPONDENT SHALL SUBMIT the continuing education certificate of completion for this program to the Board's office, to the attention of Monitoring. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure. *Information regarding this workshop may be found at the following web address: <http://ncsbn.hivelive.com/hives/a0f6f3e8a0/summary>.*

IT IS FURTHER AGREED, SHOULD RESPONDENT PRACTICE AS A NURSE IN THE STATE OF TEXAS, RESPONDENT WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING AND RESPONDENT MUST WORK IN SUCH SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING STIPULATIONS FOR ONE (1) YEAR OF EMPLOYMENT. THE LENGTH OF THE STIPULATION PERIOD WILL BE EXTENDED UNTIL SUCH TWELVE (12) MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE THE USE OF A REGISTERED NURSE (RN) OR VOCATIONAL NURSE (LVN) LICENSE WILL NOT APPLY TO THIS STIPULATION PERIOD:

(3) RESPONDENT SHALL notify each present employer in nursing of this Order of the Board and the stipulations on RESPONDENT'S licenses. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each present employer within five (5) days of receipt of this Order. RESPONDENT SHALL notify all future employers in nursing of this Order of the Board and the stipulations on RESPONDENT'S licenses. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each future employer prior to accepting an offer of employment.

(4) RESPONDENT SHALL CAUSE each present employer in nursing to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within five (5) days of employment as a nurse.

(5) RESPONDENT SHALL be supervised by a Registered Nurse who is on the premises. The supervising nurse is not required to be on the same unit or ward as RESPONDENT, but should be on the facility grounds and readily available to provide assistance and intervention if necessary. The supervising nurse shall have a minimum of two (2) years experience in the same or similar practice setting to which the Respondent is currently working. RESPONDENT SHALL work only regularly assigned, identified and predetermined unit(s). RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(6) RESPONDENT SHALL CAUSE each employer to submit, on forms provided to the Respondent by the Board, periodic reports as to RESPONDENT'S capability to practice nursing. These reports shall be completed by the Registered Nurse who supervises the RESPONDENT. These reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) month period for one (1) year(s) of employment as a nurse.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT'S license(s) to practice nursing in the State of Texas and RESPONDENT shall be eligible for nurse licensure compact privileges, if any.

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 violations 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 is subject to ratification by the Board. When this Order is ratified, the terms of this Order become effective, 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 revocation of my license(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 29th day of July, 2011.

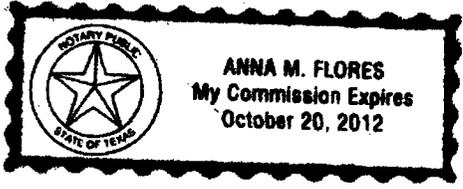
Christina Luanne Gonzalez RN BSN
CHRISTINA LUANNE GONZALEZ, Respondent

Sworn to and subscribed before me this 29 day of July, 2011.

SEAL

Anna M. Flores

Notary Public in and for the State of Texas



WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 29th day of July, 2011, by CHRISTINA LUANNE GONZALEZ, Registered Nurse License Number 751836 and Vocational Nurse License Number 188017, and said Order is final.

Effective this 13th day of September, 2011.



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

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Petitioner for Eligibility	§	AGREED	AGREED ORDER
of RN Licensure and Vocational License	§		OF CONDITIONAL
Number 188017 issued to CHRISTINA	§	ORDER	ELIGIBILITY
LU ANNE GONZALEZ	§		

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of CHRISTINA LU ANNE GONZALEZ, Vocational Nurse License Number 188017, and Petition for Declaratory Order for CHRISTINA LU ANNE GONZALEZ regarding licensure as a Registered Nurse. CHRISTINA LU ANNE GONZALEZ is hereinafter referred to as Respondent or Petitioner.

Information received by the Board produced evidence that Respondent may have violated Article 4528c, Sec. 10(3), Revised Civil Statutes of Texas, as amended; Section 301.452(b)(2),(3)&(10), Texas Occupations Code; and Section 302.402(a)(2),(3)&(10), Texas Occupations Code. Respondent waived representation by counsel, informal conference, notice and hearing, and agreed to the entry of this Order offered on December 27, 2007, by Katherine A. Thomas, MN, RN, Executive Director.

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 agreed to the entry of this Order.
3. Respondent is currently licensed to practice vocational nursing in the State of Texas.

4. Respondent received a Certificate in Vocational Nursing from St. Philips College, San Antonio, Texas, on December 12, 2002. Respondent was licensed to practice vocational nursing in the State of Texas on February 13, 2003.
5. Respondent's complete vocational nursing employment history is unknown.
6. On or about October 2, 2002, Respondent submitted an Application for Licensure by Examination to the Board of Vocational 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 of a misdemeanor other than a minor traffic violation?"

On or about August 23, 1982, Respondent was found Guilty of CRIMINAL CONTEMPT OF COURT (a misdemeanor offense), in the Honolulu District Court of Honolulu, Hawaii, under Case No. 7453, and ordered to pay a twenty dollar (\$20) fine, and Respondent was also found Guilty of THEFT 2 (a misdemeanor offense), under Case No. 6943, and ordered to pay a one hundred seventy (\$170) fine.

On or about March 28, 1983, Respondent was found Guilty of CRIMINAL CONTEMPT OF COURT (a misdemeanor offense), in the Honolulu District Court of Honolulu, Hawaii, under Case No. PS83-2750, and ordered to pay a twenty-five dollar (\$25) fine.

7. On or about June 19, 2005, while employed as a Licensed Vocational Nurse with Southwest Mental Health Center, San Antonio, Texas, Respondent advised a mental health worker to place PRC #4137 in seclusion without a physician's order and/or authorization from a Registered Nurse. PRC #4137 was placed in a seclusion room with the mental health worker from 1857 until 1918. Respondent's conduct was likely to expose the patient unnecessarily to risk of harm.
8. In response to Finding of Fact Number Seven (7), Respondent states: It was a common practice by Southwest Mental Health Center employees to use the "seclusion room" for purposes other than seclusion. During this incident the doors to the seclusion room were kept open and a mental health worker was with the patient at all times. Therefore, I felt what I did was not seclusion.
9. On or about May 2, 2006, Respondent submitted an Application by NCLEX-RN® Examination for Registered Nurses 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 been convicted, adjudged 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 arrest (excluding minor traffic violations)? . . ."

On or about August 23, 1982, Respondent was found Guilty of CRIMINAL CONTEMPT OF COURT (a misdemeanor offense), in the Honolulu District Court of Honolulu, Hawaii, under Case No. 7453, and ordered to pay a twenty dollar (\$20) fine, and Respondent was also found Guilty of THEFT 2 (a misdemeanor offense), under Case No. 6943, and ordered to pay a one hundred seventy (\$170) fine.

On or about March 28, 1983, Respondent was found Guilty of CRIMINAL CONTEMPT OF COURT (a misdemeanor offense), in the Honolulu District Court of Honolulu, Hawaii, under Case No. PS83-2750, and ordered to pay a twenty-five dollar (\$25) fine.

10. In Response to Finding of Fact Number Nine (9), Respondent states: I was in Hawaii at the time. I was nineteen years-old and living alone. I wanted to see if I would get caught trying to steal a \$60.00 dress out of a store. I put a dress, folded up, in a very small purse and headed for the door. An undercover policeman arrested me. I went to court and since it was my first offense, I had to pay a \$170.00 fine. I truly do not remember being arrested for contempt of court in Hawaii.

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 Article 4528c, Sec. 10(3), TEX. REV. CIV. STAT. ANN.; Section 302.402(a)(2),(3)&(10), Texas Occupations Code; Section 301.452(b)(2),(3)&(10), Texas Occupations Code; 22 TEX. ADMIN. CODE §239.11(8)&(29)(A)(iii); 22 TEX. ADMIN. CODE §217.11(1)(B); and 22 TEX. ADMIN. CODE §217.12(1)(A),(4),(6)(I)&(13).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 188017, heretofore issued to CHRISTINA LU ANNE GONZALEZ, including revocation of Respondent's license to practice vocational nursing in the State of Texas.
5. Respondent has submitted a Petition for Declaratory Order regarding application for RN licensure in compliance with Section 301.257 *et seq.*, Texas Occupations Code.
6. Respondent's criminal history and omission of information related to her LVN Application for Licensure by Examination and Application by NCLEX-RN Examination for Registered Nurses reflect criminal conduct and unprofessional conduct which may be grounds for denial of a license under Section 301.452 *et seq.*, Texas Occupations Code.

7. Respondent shall immediately notify the Board of any fact or event that could constitute a ground of ineligibility for licensure under Section 301.452, Texas Occupations Code.
8. The Board may license an individual who has been previously convicted, adjudged guilty by a court, pled guilty or pled nolo contendere to any crime whether or not a sentence was imposed upon consideration of the factors set out in 22 Texas Administrative Code §213.28 and evaluating the direct relationship to nursing according to Chapter 53, Section 53.001 *et seq.*, Texas Occupations Code.
9. The Board may license an individual with prior behaviors inconsistent with the Board's character requirements if, upon evaluation of the factors in 22 Texas Administrative Code §213.27, the Board is satisfied that the individual is able to consistently conform his conduct to the requirements of the Nursing Practice Act, the Board's Rules and Regulations, and generally accepted standards of nursing practice.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that RESPONDENT'S current vocational nurse license SHALL receive the sanction of REMEDIAL EDUCATION WITH A FINE, and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas as amended, Texas Occupations Code, §§301.001 *et seq.*, the Rules and Regulations Relating to Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.01 *et seq.* and this Order.

IT IS FURTHER AGREED and ORDERED that upon meeting the requirements for graduation and payment of any required fees, CHRISTINA LU ANNE GONZALEZ, PETITIONER for RN licensure, is CONDITIONALLY ELIGIBLE to sit for the National Council Licensure Examination for Registered Nurses (NCLEX-RN® Examination). RESPONDENT SHALL NOT be eligible for temporary authorization to practice as a Graduate Nurse in the State of Texas.

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

IT IS FURTHER AGREED and ORDERED that while Respondent's licenses are encumbered by this Order, Respondent may not work outside the State of Texas pursuant to a multistate licensure privilege without the written permission of the Texas Board of Nursing and the Board of Nursing in the party state where Respondent wishes to work.

IT IS FURTHER AGREED that:

(1) RESPONDENT SHALL deliver the wallet-sized vocational license issued to CHRISTINA LU ANNE GONZALEZ, to the office of the Texas Board of Nursing within ten (10) days from the date of ratification of this Order for appropriate notation.

IT IS FURTHER ORDERED that RESPONDENT, upon attaining a passing grade on the NCLEX-RN®, shall be issued a license to practice professional nursing in the State of Texas which shall bear the appropriate notation and RESPONDENT SHALL be subject to the following stipulations:

(2) RESPONDENT SHALL pay a monetary fine in the amount of five hundred dollars (\$500). RESPONDENT SHALL pay this fine within forty-five (45) days of entry of this Order. Payment is to be made directly to the Texas Board of Nursing in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

(3) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in Texas nursing jurisprudence and ethics. RESPONDENT SHALL obtain Board approval of the course prior to enrollment only if the course is not being offered by a pre-approved provider. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include nurses. It shall be a minimum of six (6) contact hours in length. The course's content shall include the Nursing Practice Act, standards of practice, documentation of care, principles of nursing ethics, confidentiality, professional boundaries, and the

Board's Disciplinary Sanction Policies regarding Sexual Misconduct, Fraud, Theft and Deception, Nurses with Chemical Dependency, and Lying and Falsification. Courses focusing on malpractice issues will not be accepted. RESPONDENT SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to the Office of the Board to verify RESPONDENT's successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure. *Board-approved courses may be found at the following Board website address: <http://www.bon.state.tx.us/about/stipscourses.html>.*

(4) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete the course "Sharpening Critical Thinking Skills," a 3.6 contact hour online program provided by the National Council of State Boards of Nursing (NCSBN) Learning Extension. In order to receive credit for completion of this program, RESPONDENT SHALL SUBMIT the continuing education certificate of completion for this program to the Board's office, to the attention of Monitoring. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure. *Information regarding this workshop may be found at the following web address: <http://www.learningext.com/products/generalce/critical/ctabout.asp>.*

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, RESPONDENT SHALL be issued unencumbered licenses and multistate licensure privileges, if any, to practice professional and/or vocational 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 Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violations 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 is subject to ratification by the Board. When this Order is ratified, the terms of this Order become effective, 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 revocation of my licenses to practice professional and/or vocational nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 28th day of December, 2007.

Christina Lu Anne Gonzalez
CHRISTINA LU ANNE GONZALEZ, Respondent

Sworn to and subscribed before me this 28th day of December, 2007.

Noe Reyes

Notary Public in and for the State of Texas



WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 28th day of December, 2007, by CHRISTINA LU ANNE GONZALEZ, Petitioner for Eligibility and Vocational Nurse License Number 188017, and said Order is final.

Effective this 31st day of December, 2007.


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

