BEFORE THE TEXAS BOARD OF NURSING
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TEXAS BOARD OF NURSING
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.
Executive Director of the Board

In the Matter of Vocational Nurse	§	
License Number 199420	§	AGREED
issued to RHONDA KAY PALLESEN	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Bo: considered the matter of RHONDA KAY PALLESEN, Vocational Nurse License Number 199420, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(1) &(10), Texas Occupations Code. Respondent waived representation by counsel, informal conference, notice and hearing, and agreed to the entry of this Order offered on August 3, 2011, 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.

2. Respondent waived representation by counsel, notice and hearing, and consented to the entry of this Order.

3. Respondent holds a license to practice vocational nursing in the State of Texas which is in delinquent status.

4. Respondent received a Certificate in Vocational Nursing from Texas Careers, San Antonio, Texas, on April 28, 2005. Respondent was licensed to practice vocational nursing in the State of Texas on July 21, 2005.

5. Respondent's complete vocational nursing employment history is unknown.

6. On June 4, 2009, Respondent was issued an Agreed Order by the Texas Board of Nursing. A copy of the June 4, 2009, Agreed Order, Findings of Fact and Conclusions of Law is attached and incorporated, by reference, as part of this Order.

7. On or about July 19, 2009, Respondent failed to comply with the Order issued to her on June 4, 2009, by the Texas Board of Nursing. Non-compliance is the result of Respondent's failure to comply with Stipulation Number Three (3) of the Order which states, in pertinent part:

> (3) RESPONDENT SHALL pay a monetary fine in the amount of five hundred dollars ($500.00). RESPONDENT SHALL pay this fine within forty-five (45) days of entry of this Order....

8. On or about June 5, 2010, Respondent failed to comply with the Order issued to her on June 4, 2009, by the Texas Board of Nursing. Non-compliance is the result of Respondent's failure to comply with Stipulation Number Two (2) of the 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....

9. Formal charges were filed on February 1, 2011.

10. Formal charges were mailed to Respondent on February 4, 2011.

11. In response to Findings of Fact Numbers Seven (7) and Eight (8), Respondent states that she has been unemployed since June of 2009 and subsequently lost her condo due to inability to pay her rent. Respondent states that she went through a bad divorce and was unable to secure employment and was not able to follow the Order by the Board.

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)(1) & (10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(11)(B).

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 199420, heretofore issued to RHONDA KAY PALLESEN, including revocation of Respondent's license to practice vocational 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 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 §211.1 *et seq.* and this Order.

IT IS FURTHER AGREED and ORDERED that, while under the terms of this Order, this Order SHALL apply to any and all future licenses issued to Respondent to practice nursing in the State of Texas.

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

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

IT IS FURTHER AGREED that:

(1) RESPONDENT SHALL pay a monetary fine in the amount of seven hundred fifty dollars ($750.00). 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.

(2) The Order of the Board issued to RESPONDENT on June 4, 2009, is still in effect in its entirety and RESPONDENT SHALL be responsible for completing the terms of that Order.

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

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RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. 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 to practice vocational nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 8th day of February, 2012.

Rhonda K Pallesen

RHONDA KAY PALLESEN, Respondent

Sworn to and subscribed before me this 8th day of February, 2012.

SEAL

STACI L. EVANS
Notary Public, State of Texas
My Commission Expires
April 15, 2013

Staci L Evans

Notary Public in and for the State of TX

WHEREFORE, PREMISES CONSIDERED, the Board of Nurse Examiners for the State of Texas does hereby ratify and adopt the Agreed Order that was signed on the 8th day of February, 2012, by RHONDA KAY PALLESEN, Vocational Nurse License Number 199420, and said Order is final.

Effective this 20th day of March, 2012.

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

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Vocational Nurse	§	AGREED
License Number 199420	§	
issued to RHONDA KAY PALLESEN	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of RHONDA KAY PALLESEN, Registered Nurse License Number 199420, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(10), Texas Occupations Code. Respondent waived representation by counsel, informal conference, notice and hearing, and agreed to the entry of this Order offered on October 14, 2008, 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.

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 Texas Careers, San Antonio, Texas, on April 28, 2005. Respondent was licensed to practice vocational nursing in the State of Texas on July 21, 2005.

5. Respondent's vocational nursing employment history includes:

05/05 - 08/05	GVN/LVN	HCR Manor Care/Heartland San Antonio, Texas
07/05 - 09/06	Staff Nurse ICU Burn Unit	Brooke Army Medical Center San Antonio, Texas
08/05 - Present	Agency Nurse	OMV Medical, Inc. San Antonio, Texas
10/06 - 11/06	Agency Nurse	Intelistaff Healthcare San Antonio, Texas
12/06 - 05/08	Agency Nurse	MSN Medical Staffing Network San Antonio, Texas

6. At the time of the initial incident, Respondent was employed as an Agency Nurse (LVN) with OMV Medical, Inc., San Antonio, Texas, and had been in this position for one (1) year.

7. On or about August 2006, while employed with OMV Staffing, San Antonio, Texas, and on assignment with Brooke Army Medical Center, Fort Sam Houston, Texas, Respondent held herself out as a registered nurse in that while on duty, Respondent wore a name badge that had "RN" after her name and she told several staff members that she was a registered nurse. Respondent's conduct was likely to deceive Brooke Army Medical Center and the public regarding Respondent's credentials and could have affected their decision to continue her contract.

8. At the time of the incident in Finding of Fact Number Nine (9), Respondent was employed as an Agency Nurse (LVN) with Medical Staffing Network, Inc., San Antonio, Texas, and had been in this position for one (1) year and five (5) months.

9. On or about May 16, 2008, while employed with Medical Staffing Network, Inc., San Antonio, Texas, and on assignment with North Central Baptist Hospital, San Antonio, Texas, Respondent held herself out as a registered nurse in that while on duty, she wore a name badge that had "RN" after her name and she told staff members that she was a registered nurse. Respondent's conduct was likely to deceive North Central Baptist Hospital and the public regarding Respondent's credentials and could have affected their decision to continue her contract.

10. Respondent states that the department who makes the badges made a mistake and placed RN after her name. She did use the badge for a few days prior to discovering the error. However, when she realized they had made a mistake, she returned the badge for correction.

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), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(6)(H)(I).

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 199420, heretofore issued to RHONDA KAY PALLESEN, including revocation of Respondent's license to practice vocational 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 REMEDIAL EDUCATION AND A FINE, 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 multistate licensure privilege, if any, to practice vocational nursing in compact states.

IT IS FURTHER AGREED and ORDERED that while Respondent's license is 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 license issued to RHONDA KAY PALLESEN, to the office of the Texas Board of Nursing within ten (10) days from the date of ratification of this Order.

(2) 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 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.*

(3) 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.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, RESPONDENT SHALL be issued an unencumbered license and multistate licensure privileges, if any, to practice 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 when this Order becomes final and the terms of this Order become effective, 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 vocational nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 3 day of June, 2009.

Rhonda K Pallesen

RHONDA KAY PALLESEN, Respondent

Sworn to and subscribed before me this ____ day of _____, 20____.

SEAL

_____

Notary Public in and for the State of _____

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 3rd day of June, 2009, by RHONDA KAY PALLESEN, Vocational Nurse License Number 199420, and said Order is final.

Effective this **4th** day of **June**, **2009**.

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