BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Vocational Nurse	§	AGREED
License Number 134649	§	
issued to ERIC LEE HOLCOMBE	§	ORDER

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

On this day, the Texas Board of Nursing, hereinafter referred to as the Boa accepted the voluntary surrender of Vocational Nurse License Number 134649, issued to ERIC LEE HOLCOMBE, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c) of the Texas Occupations Code.

Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order.

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

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was provided to 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 proceedings, notice and hearing, and agreed 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 San Jancinto College South, Houston, Texas on May 1, 1991. Respondent was licensed to practice vocational nursing in the State of Texas in December 3, 1991.

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

6. On or about September 20, 2003, Respondent was arrested by the Angelina County Sheriff's Office, Lufkin, Texas, and subsequently charged under Cause No. 03-1844 with VIOL OF PROTECTIVE ORDER MA, (a Class A misdemeanor offense). On or about January 24, 2005, Cause No. 03-1844 was dismissed in County Court At Law, Angelina County, Texas, because Respondent was convicted in Cause No. CR-24,111.

7. On or about December 30, 2004, Respondent entered a plea of No Contest and was convicted of AGGRAVATED ASSAULT WITH A DEADLY WEAPON (2 COUNTS), (2nd Degree Felony offenses committed on September 10, 2003), in the 159th Judicial District Court, Angelina County, Texas, under Cause No. 24,111.

8. On or about January 18, 2005, Respondent entered a plea of Guilty and was convicted of SEXUAL PERFORMANCE BY A CHILD (a Second Degree Felony offense committed on March 9, 2003), in the 411th Judicial District Court, Trinity County, Texas, under Cause No. 8680. Respondent was sentenced to confinement in the Institutional Division of the Texas Department of Criminal Justice for a period of two (2) years.

Respondent, by his signature to this Order, expresses his desire to voluntarily surrender his license to practice nursing in the State of Texas.

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)(3)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(13).

4. The evidence received is sufficient cause pursuant to Section 301.453(a), Texas Occupations Code, to take disciplinary action againstVocational License Number 134649, heretofore issued to ERIC LEE HOLCOMBE, including revocation of Respondent's license to practice nursing in the State of Texas.

5. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.

6. Under Section 301.453(d), Texas Occupations Code, as amended, the Board may impose conditions for reinstatement of licensure.

7. Any subsequent reinstatement of this license will be controlled by Section 301.453(d), Texas Occupations Code, and 22 TEX. ADMIN. CODE §213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

ORDER

NOW, THEREFORE, IT IS AGREED and ORDERED that the VOLUNTARY SURRENDER of Vocational License Number 134649, heretofore issued to ERIC LEE HOLCOMBE, to practice nursing in the State of Texas, is accepted by the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL immediately deliver the wallet-sized license, heretofore issued to ERIC LEE HOLCOMBE, to the office of the Texas Board of Nursing.

2. RESPONDENT SHALL NOT practice vocational nursing, use the title "vocational nurse" or the abbreviation""LVN" or wear any insignia identifying himself as a vocational nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a vocational nurse during the period in which the license is surrendered.

3. RESPONDENT SHALL NOT petition for reinstatement of licensure until: one (1) year has elapsed from the date of this Order.

4. 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 privilege, if any, to practice 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 becomes final when accepted by the Executive Director at which time the terms of this Order become effective and a copy will be mailed to me.

Signed this 3 day of June, 2011.

Eric Lee Holcombe

ERIC LEE HOLCOMBE, Respondent

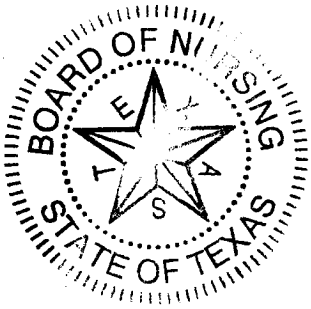
Sworn to and subscribed before me this 3 day of June, 2011.

SEAL

Brandy Welker

Notary Public in and for the State of Texas

WHEREFORE, PREMISES CONSIDERED, the Executive Director on behalf of the Texas Board of Nursing does hereby accept the voluntary surrender of Vocational Nurse License Number 134649, previously issued to ERIC LEE HOLCOMBE.



Effective this 7th day of June, 2011.

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