

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Vocational Nurse § AGREED
License Number 172177 §
issued to LIESHA DALE DAVIS § 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 B considered the matter of LIESHA DALE DAVIS, Vocational Nurse License Number 172177, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(2)&(10), Texas Occupations Code. Respondent waived informal proceedings, notice and hearing, and agreed to the entry of this Order offered on November 16, 2010, 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(s).
2. Respondent is currently licensed to practice vocational nursing in the State of Texas.
3. Respondent received a Certificate in Vocational Nursing from Cisco Junior College, Abilene, Texas, on May 14, 1999. Respondent was licensed to practice vocational nursing in the State of Texas on July 1, 1999.
4. On or about December 2, 2003, Respondent's license to practice vocational nursing was SUSPENDED with the Suspension STAYED and placed on Probation with Stipulations for a period of one (1) year by the Board of Vocational Nurse Examiners for the State of Texas, a Copy of the Findings of Fact, Conclusions of Law, and Agreed Board Order dated December 2, 2003, is attached and Incorporated by reference as part of this Order.

5. On or about March 21, 2005, Respondent submitted a License Renewal Form 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) since the last renewal? This includes expunged offenses and deferred adjudications with or without prejudice of guilt. Please note that DUI's, DWI's must be reported and are not considered minor traffic violations.

On or about July 13, 2004, Respondent entered a plea of Not Guilty, but was convicted by a Jury of DRIVING WHILE INTOXICATED(a Class B misdemeanor offense committed on August 4, 2002), in the County Court at Law No. 4 of Fort Bend County, Texas, under Cause No. 100580. As a result of the conviction, Respondent was sentenced to confinement in the Fort Bend County Jail for a period of forty-five (45) days; however, the imposition of sentence of confinement was suspended, and Respondent was placed on probation for a period of nine (9) months. Additionally, Respondent was ordered and to pay a fine and court costs.

6. In response to Finding of Fact Number Five (5), Respondent states: She admits she was convicted of a DWI on July 13, 2004.

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)(2)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(6)(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 172177, heretofore issued to LIESHA DALE DAVIS, including revocation of Respondent's license(s) to practice nursing in the State of Texas.

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ORDER

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL receive the sanction of REMEDIAL EDUCATION WITH 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 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 State of Texas and the Board of Nursing in the party state where Respondent wishes to work.

IT IS FURTHER AGREED that:

RESPONDENT SHALL pay a monetary fine in the amount of two hundred and fifty dollars (\$250.00). 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 or U.S. money order. Partial payments will not be accepted.

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>.

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.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, RESPONDENT shall be eligible for nurse licensure compact 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 waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation 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(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 19th day of January, 2011.

Liesha Dale Davis
LIESHA DALE DAVIS, Respondent

Sworn to and subscribed before me this 19th day of January, 2011.

[Signature]

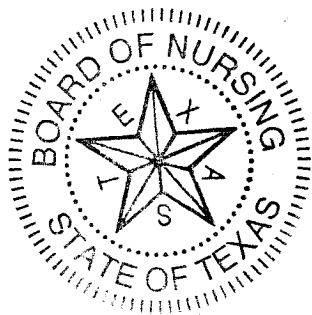
SEAL



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 ratify and adopt the Agreed Order that was signed on the ___ 9th ___ day of January _____, 20 11 ____, by LIESHA DALE DAVIS, Vocational Nurse License Number 172177, and said Order is final.

Effective this 8th day of February _____, 20 11 __.



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