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 Registered Nurse	§
License Number 225144	§
issued to LILLIAN J. W. SMITH	§

ORDER OF THE BOARD

On this day, the Texas Board of Nursing, hereinafter referred to as the Boa accepted the voluntary surrender of Registered Nurse License Number 225144, issued to LILLIAN J. W. SMITH, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived representation by counsel, informal proceedings, notice and hearing.

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

FINDINGS OF FACT

1. Respondent is currently licensed to practice professional nursing in the State of Texas.

2. Respondent waived representation by counsel, informal proceedings, notice and hearing.

3. Respondent received a Baccalaureate Degree in Nursing from Texas Christian University Harris College, Fort Worth, Texas, on December 19, 1970. Respondent was licensed to practice professional nursing in the State of Texas on August 4, 1971.

4. Respondent's nursing employment history includes:

1971 - 1972	Staff/Charge Nurse	Fort Worth Children's Hospital Fort Worth, Texas
1973 - 1974	Surgical ICU	St. Joseph's Hospital Bryan, Texas
1975	Staff/Charge Nurse	Snyder, Texas
1976 - 1989	Staff/Charge Nurse, ICU	Cape Coral Hospital Cape Coral, Florida

Respondent's nursing employment history continued:

1990 - 2000	Critical Care Charge/Director	Longview Regional Medical Center Longview, Texas
2001 - Unknown	Treatment/Wound Care Nurse	Highland Pines Nursing and Rehabilitation Center Longview, Texas

5. On or about September 14, 2009, the Board provided Respondent with notice of alleged violations of the Nursing Practice Act of the State of Texas, which included that:

   On or about June 11, 2009, and June 21, 2009, while employed with Highland Pines Nursing and Rehabilitation Center, Longview, Texas, Respondent exceeded her scope of nursing practice when she performed wound treatments on the leg of Resident Medical Record Number 501 without first obtaining wound treatment orders from the physician.

   Respondent's conduct, as alleged, was likely to injure the resident from wound treatments performed without the benefit of a physician's expertise.

6. On November 22, 2010, Respondent submitted a statement to the Board voluntarily surrendering the right to practice professional nursing in Texas due to health concerns. A copy of Respondent's statement, dated November 15, 2010, is attached and incorporated herein by reference as part of this Order.

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 a violation of Section 301.452(b)(10)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §§217.11(1)(A),(1)(C)&(3) and 217.12(1)(A)&(4).

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

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

6. Any subsequent reinstatement of this license will be controlled by Section 301.452 (b), Texas Occupations Code, and 22 TAC§§213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

ORDER

NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Registered Nurse License Number 225144, heretofore issued to LILLIAN J. W. SMITH, to practice professional nursing in the State of Texas, is accepted by the Executive Director on behalf of the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

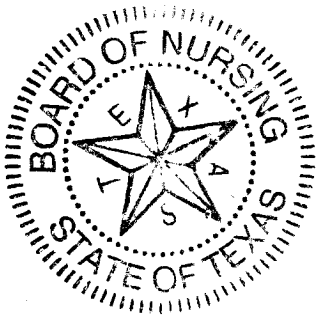
1. RESPONDENT SHALL NOT practice professional nursing, use the title of "registered nurse" or the abbreviation "RN" or wear any insignia identifying herself as a registered nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a registered nurse during the period in which the license is surrendered.

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

3. 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 nurse licensure compact privileges, if any, to practice professional nursing in the State of Texas.

Effective this 22nd day of November, 2010.



TEXAS BOARD OF NURSING

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

Lillian Judy W. Smith
105 Hallie
Longview, Tx. 75605

Texas Board of Nursing
Austin, Tx

Katherine Thomas,MN,RN

I am writing to voluntarily surrender my Texas nursing license # 225144 due to health concerns. I stopped working August 6, 2010 . I have enjoyed my nursing years and appreciate the professional nursing services I am now receiving.

This surrender may or may not affect my pending investigation. See copy attached of pending investigation for reference.

Sincerely
Lillian Judy W. Smith

Lillian Judy W. Smith
November 15, 2010