

6. On or about March 25, 1999, Respondent submitted an Application for Initial Licensure by Examination to the Board of Nurse Examiners for the State of Texas in which she attested to the truth of the statement: (I) "have never been convicted of any crime other than a minor traffic violation."
 - A. Respondent failed to disclose that on or about December 19, 1986, Respondent entered a plea of Guilty and was convicted of ISSUANCE OF A WORTHLESS CHECK in Liberty County, Texas.
 - B. On or about July 9, 1993, Respondent entered a plea of Guilty and was convicted of THEFT in Liberty County, Texas.
 - C. On or about February 2, 1995, Respondent entered a plea of Nolo Contendere and was convicted of ISSUANCE OF A WORTHLESS CHECK in Liberty County, Texas.
7. In response to Finding of Fact Number Six (6), Respondent states that in her original licensure application disclosure, absolutely no intent of falsification existed. Through ignorance on her part she did not understand at that time the true and full definition of convicted of a crime as it applied. Disposition of check issues meant going to the County Clerk and paying fines, which was a very simple procedure and she did not equate that as a "conviction". She has always in the past answered "No" in response to the question, and was surprised that it has only created an issue 15-25 years later. Following eleven years of licensure in Texas, and in multi-state licensure, including California, Colorado and Alaska, where she has enjoyed practicing nursing for years without incident and with no intent to defraud. She apologizes for the problem.
8. Formal Charges were filed on April 30, 2010.
9. Formal Charges were mailed to Respondent on May 3, 2010.

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 Article 4525(b)(2)&(9), TEX. REV. CIV. STAT. (eff. date 07/01/1997), and 22 TEX. ADMIN. CODE §217.13(1) (eff. date 07/1997).

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 660036, heretofore issued to DARLENE ADELLA STOUT, including revocation of Respondent's license(s) to practice nursing in the State of Texas.

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:

(1) RESPONDENT SHALL pay a monetary fine in the amount of two hundred fifty dollars (\$250). 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.

(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>.

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.

BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK.

CONTINUED ON NEXT PAGE.

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(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 10th day of November, 2010.

Darlene Adella Stout
DARLENE ADELLA STOUT, Respondent

Sworn to and subscribed before me this 10th day of November, 2010.

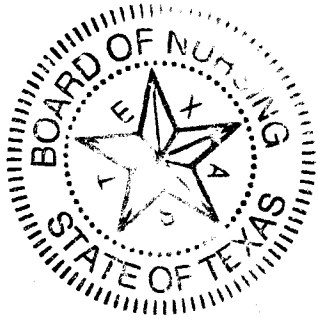
SEAL

Johnnie Harness


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 10th day of November, 2010, by DARLENE ADELLA STOUT, Registered Nurse License Number 660036, and said Order is final.



Effective this 17th day of November, 2010.


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