

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Vocational Nurse §
License Number 115537 §
issued to KIRK JAMES PAXSON §



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.
Patricia P. Thomas
Executive Director of the Board

ORDER OF THE BOARD

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Vocational Nurse License Number 115537, issued to KIRK JAMES PAXSON, 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's license to practice vocational nursing in the State of Texas is currently in delinquent status.
2. Respondent waived representation by counsel, informal proceedings, notice and hearing.
3. Respondent received a Certificate in Vocational Nursing from Army Practical Nurse Course, Fort Sam Houston, Texas on February 28, 1985. Respondent was licensed to practice vocational nursing in the State of Texas on November 22, 1986.
4. Respondent's nursing employment history is unknown.
5. On or about December 21, 2000, while holding a license as a Vocational Nurse (delinquent) in the State of Texas, Respondent entered a plea of Guilty to offence of Criminal Sexual Conduct 4th Degree Felony in the 17th Circuit Court, Grand Rapids, Michigan, Case No. 99-08293-FH. As a result of the guilty plea, Respondent was placed on probation and required to register in the Michigan Public Sex Offender Registry until April 24, 2024.

6. On October 26, 2010, the Board received a notarized statement from Respondent voluntarily surrendering the right to practice nursing in Texas. A copy of Respondent's notarized statement, dated October 20, 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 violation of Section 301.452(b)(3)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(13).
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.

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ORDER

NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Vocational Nurse License Number 115537, heretofore issued to KIRK JAMES PAXSON, to practice vocational 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 vocational nursing, use the title of 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.
2. RESPONDENT SHALL NOT petition for reinstatement of licensure until: five (5) years have elapsed from the date Respondent completes court imposed registration requirements in the Michigan Public Sex Offender Registry.
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 vocational nursing in the State of Texas.

Effective this 8th day of November, 2010.



TEXAS BOARD OF NURSING

By:



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

October 20, 2010

Dear Mr. Smelser


I hereby immediately surrender my LVN license in the State of Texas that is currently delinquent. The License was issued on 11-22-1986.

Sincerely

Kirk J. Paxson

1526 Escott Ave NW
Grand Rapids MI 49504
616-458-8408

Signed,

 10/21/10
Name Date

Kirk Paxson
Printed Name

STATE OF MI, COUNTY OF Kent ss.:

On this day, personally appeared before me

Kirk Paxson

to me known to be the person(s) described in and who executed the within and foregoing instrument, and acknowledged that he/she signed the same as his/her voluntary act and deed, for the uses and purposes therein mentioned.

Witness my hand and official seal hereto affixed

this 21st day of October, 2010.



Notary Public in and for the State of MI.

My commission expires 05-06-13.

SHARON G. BLOWER
Notary Public, State of Michigan
County of Kent
My Commission Expires May, 06, 2013
Acting in the County of Kent