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

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Registered Nurse License Number 647851	§	AGREED
and Vocational Nurse License Number 153446	§	
issued to VICKI LOUISE YANEZ	§	ORDER
a/k/a VICKI LOUISE ADAMS	§	

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of VICKI LOUISE YANEZ, a/k/a VICKI LOUISE ADAMS, Registered Nurse License Number 647851, and Vocational Nurse License Number 153446, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Article 4528c, sec. 10(2)&(9), Tex. Rev. Civ. Stat. Ann.(eff. 09/01/1993), Article 4528c, sec. 10(2)&(9), Tex. Rev. Civ. Stat. Ann.(eff. 09/01/1997), Article 4525(b)(2)&(9), Tex. Rev. Civ. Stat., (eff. 09/01/1997). Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on July 14, 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 licenses.

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

3. Respondent is currently licensed to practice professional nursing in the State of Texas. Respondent holds a license to practice vocational nursing in the State of Texas, which is in delinquent status.

4. Respondent received an Certificate in Vocational Nursing from El Centro College, Dallas, Texas, on August 15, 1995, and an Associate Degree in Nursing from El Centro, College, Dallas, Texas, on December 1, 1997. Respondent was licensed to practice vocational nursing in the State of Texas on September 11,1995, and Respondent was licensed to practice professional nursing in the State of Texas on February 3 ,1998.

5. Respondent's nursing employment history is unknown.

6. On or about August 1, 1995, Respondent submitted an Application For Licensure By Examination to the Board of Vocational 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 that reads: "*Have you ever been convicted of a felony of misdemeanor other than a minor traffic violation?*" Respondent failed to disclose the following conviction:

   A. Respondent failed to disclose that subsequent to her arrest on November 24, 1976, she was convicted of THEFT $20-$200 in Dallas County, Texas.

   B. Respondent failed to disclose that on or about October 5, 1978, Respondent entered a plea of Guilty and was convicted of POSSESSION OF A CONTROLLED SUBSTANCE, in the Dallas County Court, Dallas, Texas, under Case No. MB-7802537C.

7. On or about October 17, 1997, Respondent submitted an Application For Initial Licensure for Graduates of Schools in the United States 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 that reads: "*Have you ever been convicted of a crime other than a minor traffic violation?*" Respondent failed to disclose the following conviction:

   A. Respondent failed to disclose that subsequent to her arrest on November 24, 1976, she was convicted of THEFT $20-$200 in Dallas County, Texas.

   B. Respondent failed to disclose that on or about October 5, 1978, Respondent entered a plea of Guilty and was convicted of POSSESSION OF A CONTROLLED SUBSTANCE, in the Dallas County Court, Dallas, Texas, under Case No. MB-7802537C.

8. In response to Findings of Fact Numbers Six (6) and Seven (7), Respondent states that to her knowledge the charge was deferred and would not display as a conviction pending her completion of thirty (30) days incarceration and five (5) years probation. Since that period she went back to school twice and earned a nursing degree. There is no way she would have knowingly been dishonest on her nurse application.

9. Formal Charges were filed on June 15, 2010.

~~10. Formal Charges were mailed to Respondent on June 15, 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 4528c, sec. 10(2)&(9), Tex. Rev. Civ. Stat. Ann.(eff. 09/01/1993), Article 4528c, sec. 10(2)&(9), Tex. Rev. Civ. Stat. Ann.(eff. 09/01/1997), Article 4525(b)(2)&(9), Tex. Rev. Civ. Stat., (eff. 09/01/1997), 22 TEX. ADMIN. CODE §239.11(8)&(28)(A)&(B)(eff. 5/1/1995), 22 TEX. ADMIN. CODE §239.11(8)(eff. 1/1/1996), and 22 TEX. ADMIN. CODE §217.13(17)(eff. 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 647851 and Vocational Nurse License Number 153446, heretofore issued to VICKI LOUISE YANEZ, including revocation of Respondent's licenses to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, 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 multistate licensure privileges, if any, to practice nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that while Respondent's licenses are encumbered by this Order, Respondent may not work outside the State of Texas pursuant to a multistate licensure 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 five hundred dollars ($500). 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 licenses and RESPONDENT shall be eligible for multistate licensure privileges, 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 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 licenses to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 14TH day of September, 2010.

Vicki Louise Yanez

VICKI LOUISE YANEZ, Respondent

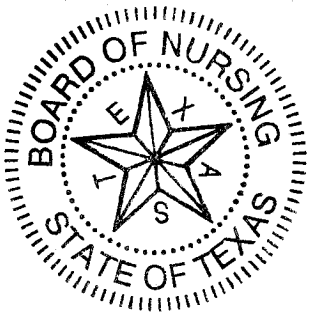
Sworn to and subscribed before me this 14TH day of September, 2010.

SEAL EMILY K. WILKIN MY COMMISSION EXPIRES August 12, 2012

Emily K. Wilkin

Notary Public in and for the State of 08-12-2012

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 14th day of September, 2010, by VICKI LOUISE YANEZ, Registered Nurse License Number 647851 and Vocational Nurse License Number 153446, and said Order is final.



Effective this 22nd day of September, 2010.

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