IN THE MATTER OF	§	BEFORE THE ELIGIBILITY
	§	
PERMANENT CERTIFICATE	§	AND DISCIPLINARY
	§	
NUMBER 181802	§	COMMITTEE
	§	
ISSUED TO	§	OF THE TEXAS
	§	
TIRA DENISE HENDERSON	§	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

ORDER OF THE BOARD

TO: Tira Denise Henderson
916 N. 13th St.
Corsicana, TX 75110

During open meeting held in Austin, Texas, on August 17, 2010, the Eligibility and Disciplinary Committee (hereinafter "Committee") heard the above-styled case. This case was heard, and based on the failure of the Respondent to appear as required by 22 TEX. ADMIN. CODE Ch. 213.

The Committee of the Texas Board of Nursing finds that notice of the facts or conduct alleged to warrant disciplinary action has been provided to Respondent in accordance with Texas Government Code § 2001.054(c) and Respondent has been given an opportunity to show compliance with all the requirements of the Nursing Practice Act, chapter 301 of the Texas Occupations Code, for retention of Respondent's license to practice vocational nursing in the State of Texas.

The Committee finds that the Formal Charges were properly initiated and filed in accordance with section 301.458, Texas Occupations Code.

The Committee finds that after proper and timely Notice regarding the violations alleged in the Formal Charges was given to Respondent in this matter, Respondent has failed to appear in accordance with 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that the Board is authorized to enter a default order pursuant to Texas Government Code § 2001.056.

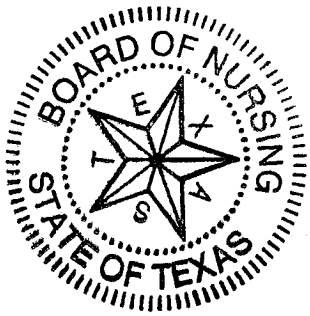
The Eligibility and Disciplinary Committee, after review and due consideration, adopts the proposed findings of fact and conclusions of law as stated in the Formal Charges which are attached hereto and incorporated by reference for all purposes and the Staff's recommended sanction of revocation by default. This Order will be properly served on all parties and all parties will be given an opportunity to file a motion for rehearing (22 TEX. ADMIN.CODE § 213.2(j)). All parties have a right to judicial review of this Order.

All proposed findings of fact and conclusions of law filed by any party not specifically adopted herein are hereby denied.

NOW, THEREFORE, IT IS ORDERED that Permanent Certificate Number 181802, previously issued to TIRA DENISE HENDERSON, to practice vocational nursing in the State of Texas be, and the same is hereby, REVOKED.

IT IS FURTHER ORDERED that Permanent Certificate Number 181802, previously issued to TIRA DENISE HENDERSON, upon receipt of this Order, be immediately delivered to the office of the Texas Board of Nursing.

IT IS FURTHER 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.



Entered this 17th day of August, 2010.

TEXAS BOARD OF NURSING

BY: _____
KATHERINE A. THOMAS, MN, RN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

Re: Permanent Certificate Number 181802
Issued to TIRA DENISE HENDERSON
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 23rd day of August, 2010, a true and correct copy of the foregoing DEFAULT ORDER was served by placement in the U.S. Mail via certified mail, and addressed to the following person(s):

Tira Denise Henderson
916 N. 13th St.
Corsicana, TX 75110

BY: _____
KATHERINE A. THOMAS, MN, RN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

In the Matter of Permanent License	§	**BEFORE THE TEXAS**
Number 181802, Issued to	§	
TIRA DENISE HENDERSON, Respondent	§	**BOARD OF NURSING**

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, TIRA DENISE HENDERSON, is a Vocational Nurse holding license number 181802, which is in current status at the time of this pleading.

Written notice of the facts and conduct alleged to warrant adverse licensure action was sent to Respondent at Respondent's address of record and Respondent was given opportunity to show compliance with all requirements of the law for retention of the license prior to commencement of this proceeding.

CHARGE I.

On or about May 24, 2007, Respondent plead "Guilty/Nolo Contendere" and was convicted of "Driving While Intoxicated," a Class B Misdemeanor, in the Navarro County Court at Law, Corsicana, Texas, under Cause Number 60166. Respondent was sentenced to confinement in Navarro County Jail for a period of one hundred eighty (180) days. The imposition of the confinement was suspended, and Respondent was placed on community supervision for a period of two (2) years and ordered to pay a fine and court costs. On or about April 29, 2009, Respondent's conditions of probation were modified and extended for a period of one (1) year.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(13).

CHARGE II.

On or about May 24, 2007, Respondent plead "Guilty/Nolo Contendere" to the offense of "Theft By Check" a Class B Misdemeanor, in the Navarro County Court at Law, Corsicana, Texas, under Cause Number 60046. An adjudication of guilt was deferred, and Respondent was placed on community supervision for a period of one hundred eighty (180) days and ordered to pay a fine and court costs. On or about November 7, 2007, Respondent's conditions of probation were modified and extended for a period of six (6) months.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(13).

CHARGE III.

On or about June 26, 2008, Respondent submitted an online renewal application to the Texas Board of Nursing in which she provided false, deceptive, and/or misleading information, in that she answered "no" to the following questions:

"Have you, within the past 24 months or since your last renewal, for any criminal offense, including those pending appeal:"
"A. been convicted of a misdemeanor?"
"C. pled nolo contendere, no contest, or guilty"
"D. received deferred adjudication?"
"E. been placed on community supervision or court-ordered probation, whether or not adjudicated guilty?"

On or about May 24, 2007, Respondent plead "Guilty/Nolo Contendere" and was convicted of "Driving While Intoxicated," a Class B Misdemeanor, in the Navarro County Court at Law, Corsicana, Texas, under Cause Number 60166. On or about May 24, 2007, Respondent plead "Guilty/Nolo Contendere" to the offense of "Theft By Check," a Class B Misdemeanor, in the Navarro County Court at Law, Corsicana, Texas, under Cause Number 60046.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(2) & (10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(6)(H) & (6)(I).

NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of up to revocation of Respondent's license to practice nursing in the State of Texas pursuant to the Board's rules, 22 TEX. ADMIN. CODE §§ 213.27 - 213.33. Additionally, staff will seek to impose on Respondent the administrative costs of the proceeding pursuant to § 301.461, TEX. OCC. CODE ANN. The cost of proceedings shall include, but is not limited to, the cost paid by the Board to the State Office of Administrative Hearings and the Office of the Attorney General or other Board counsel for legal and investigative services, the cost of a court reporter and witnesses, reproduction of records, Board staff time, travel, and expenses. These shall be in an amount of at least one thousand two hundred dollars ($1200.00).

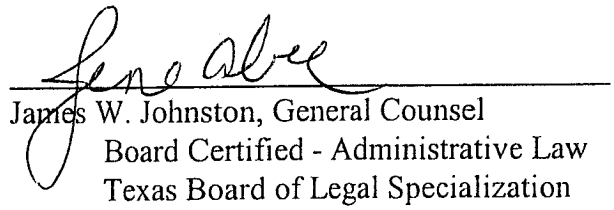
NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, www.bon.state.tx.us.

NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Guidelines for Criminal Conduct and on Adopted Disciplinary Sanction Policies for Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder, for Lying and Falsification, and for Fraud, Theft & Deception, which can be found at the Board's website, www.bon.state.tx.us.

NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, which can be found at www.bon.state.tx.us/disciplinaryaction/discp-matrix.html.

Filed this 29th day of april, 2010.

TEXAS BOARD OF NURSING



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