BEFORE THE TEXAS BOARD OF NURSING

****

In the Matter of Vocational Nurse	§	
License Number 192596	§	AGREED
issued to ROSHUNDA ALEXANDER JOHNSON	§	ORDER

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

On this day the Texas Board of Nursing, hereinafter referred to as the Boa considered the matter of ROSHUNDA ALEXANDER JOHNSON, Vocational Nurse Lice Number 192596 hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(3),(10)&(13), Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on January 14, 2010, by Katherine A. Thomas, MN, RN, Executive Director, subject to ratification by the Board.

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 license.

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 vocational nursing in the State of Texas.

4. Respondent received a Certificate in Vocational Nursing from McLennan Community College, Waco, Texas on August 14, 2003. Respondent was licensed to practice vocational nursing in the State of Texas on February 13, 2004.

5. Respondent's nursing employment history includes:

8/2003 - 3/2006	GVN/LVN - full and part-time Woodland Spring Waco, Texas

Respondent's nursing employment history continued:

12/2003 - 11/2005	GVN & Assistant Director of Nurses Centerbury Villa of Hillsboro Hillsboro, Texas
5/2005 - 02/2007	LVN Medical Staffing Network Ft. Worth, Texas
2/2007 - 12/2007	LVN Healthcrest Baptist Medical Center Waco, Texas
1/2008 - Present	Unknown

6. On April 22, 2005, Respondent was issued an Agreed Order by the Board of Nurse Examiners for the State of Texas. A copy of the April 22, 2005, Agreed Order, Findings of Fact and Conclusions of Law, is attached and incorporated, by reference, as part of this order.

7. On April 20, 2005, Respondent pled guilty and was convicted of DRIVING WHILE LICENSE INVALID (a misdemeanor B offense committed on January 7, 2005) in the County Court of Hill County. As a result of the conviction, Respondent was sentenced to three (3) days in the County Jail and ordered to pay a fine.

8. On July 25, 2007, Respondent was convicted of DRIVING WHILE LICENSE INVALID (a misdemeanor offense committed on November 28, 2006) in the McLennan County Court. As a result of the conviction, Respondent was sentenced to ninety (90) days confinement in the County Jail and placed on community supervision for twelve (12) months.

9. On May 3, 2007, Respondent provided false and deceptive information on the renewal of her license to practice vocational nursing in the State of Texas in that she answered "no" to the following question:

   Have you ever been convicted, placed on community supervision whether or not adjudicated guilty, sentenced to serve jail or prison time or granted pre-trial diversion, or plead guilty, no contest or nolo contendere to any crime in any state, territory or county, or received a court order whether or not a sentenced was imposed, including any pending criminal or unresolved arrests whether or not on appeal...?

   On April 20, 2005, Respondent pled guilty and was convicted of DRIVING WHILE LICENSE INVALID (a misdemeanor B offense committed on January 7, 2005) in the County Court of Hill County. As a result of the conviction, Respondent was sentenced to three (3) days in the County Jail and ordered to pay a fine.

On July 25, 2007, Respondent was convicted of DRIVING WHILE LICENSE INVALID (a misdemeanor offense committed on November 28, 2006) in the McLennan County Court. As a result of the conviction, Respondent was sentenced to ninety (90) days confinement in the County Jail and placed on community supervision for twelve (12) months.

Respondent's conduct was deceiving and may have affected the Board's decision to license her.

10. At the time of the incident in Finding of Fact Number Eleven (11), Respondent was employed as a LVN with Healthcrest Baptist Medical Center, Waco, Texas and had been in this position for ten (10) months.

11. On or about December 18, 2007 through December 19, 2007, while employed with Hillcrest Baptist Medical Center, Waco, Texas, Respondent failed to give report to the on-coming shift about a newly admitted patient. Respondent's conduct deprived subsequent caregivers of essential information on which to base ongoing medical care.

12. On or about December 18, 2007 through December 19, 2007, while employed with Hillcrest Baptist Medical Center, Waco, Texas, Respondent failed to timely document her nursing care in the medical records of six (6) patients assigned to her care. Respondent left her nursing assignment without documenting assessments, interventions or treatments provided to her assigned patients and then returned approximately eight (8) to ten (10) hours later to document her nursing care in the patients' medical records. Additionally, Respondent failed to designate this documentation as "late entries". Respondent's conduct was deceiving and deprived subsequent caregivers of essential information to base on going medical care.

13. In response to Findings of Fact Numbers Eleven (11) and Twelve (12), Respondent denies that she jeopardized the safety of her patients or that she was deceitful in her documentation by not indicating these as late entries. Respondent asserts that the system always "time marked" these entries when they were input, which would indicate "late entry." Respondent reports that the act of not documenting prior to giving report was a common act at the facility. Furthermore, the documentation was done within a 24-hour window. Respondent states that the person receiving the new patient was not an on-coming nurse, but had been on the shift and was made aware that she was to pick up the patient. Additionally, this nurse was given information regarding the patient by the supervisor prior to the beginning of the next shift.

14. On or about May 27, 2009, Respondent defaulted on her Texas Guaranteed Student Loan, as provided in Section 57.491 of the Texas Education Code. Respondent exhibited unprofessional conduct in her failure to repay a Texas Guaranteed Student Loan, which may have deprived other students of funds necessary for their educational programs.

15. In response to Finding of Fact Number Fourteen (14), Respondent states that she made arrangements several months ago to establish a repayment plan and since, timely monthly payments have been made.

16. Formal charges were filed and mailed to Respondent on March 10, 2010.

17. On April 27, 2010, the Board received correspondence from the Texas Guaranteed Student Loan Corporation verifying that Respondent was current in repayment of her loan.

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) & (13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §§217.11(1) (B) & (D) and 217.12(1)(A)& (B), (4), (6)(A), (10)(B) & (13).

4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 192596, heretofore issued to ROSHUNDA ALEXANDER JOHNSON, including revocation of Respondent's license to practice vocational nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that Vocational Nurse License Number 192596, previously issued to ROSHUNDA ALEXANDER JOHNSON, to practice vocational nursing in Texas is hereby SUSPENDED for a period of two (2) years with the suspension STAYED and Respondent is hereby placed on PROBATION for two (2) years with the following agreed terms of probation:

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's multistate privilege, if any, to practice nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that while Respondent's license is encumbered by this order the Respondent may not work outside the State of Texas pursuant to a

multistate licensure privilege without the written permission of the Texas Board of Nursing and the Board of Nursing in the party state where Respondent wishes to work.

(1) 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.

(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) 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.*

(3) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully

complete a course in physical assessment. RESPONDENT SHALL obtain Board approval of the course prior to enrollment. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include Nurses. The didactic portion of this course shall be a minimum of six (6) hours in length. RESPONDENT SHALL perform physical assessments on live patients in a clinical setting for a minimum of twenty-four (24) hours. The clinical component SHALL focus on tasks of physical assessment only and shall be provided by the same Registered Nurse who provides the didactic portion of this course. To be approved, the course shall cover all systems of the body. Performing assessments on mock patients or mannequins WILL NOT be accepted. The course description shall indicate goals and objectives for the course, resources to be utilized, and the methods to be used to determine successful completion of the course. RESPONDENT SHALL successfully complete both the didactic and clinical portions of the course to satisfy this stipulation. RESPONDENT SHALL CAUSE the instructor 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.*

(4) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in nursing documentation. 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. The course shall be a minimum of six (6) hours in length of classroom time. In order for the course to be approved, the target audience shall

include Nurses. The course shall include content on the following: nursing standards related to accurate and complete documentation; legal guidelines for recording; methods and processes of recording; methods of alternative record-keeping; and computerized documentation. RESPONDENT SHALL cause the instructor to submit a Verification of Course Completion form, provided by the Board, to the Board's office 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.*

(5) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete the course "Sharpening Critical Thinking Skills," a 3.6 contact hour online program provided by the National Council of State Boards of Nursing (NCSBN) Learning Extension. In order to receive credit for completion of this program, RESPONDENT SHALL SUBMIT the continuing education certificate of completion for this program to the Board's office, to the attention of Monitoring. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure. *Information regarding this workshop may be found at the following web address: http://ncsbn.hivelive:com/hives/a0f6f3e8a0/summary.*

(6) RESPONDENT SHALL pay a monetary fine in the amount of one thousand dollars ($1,000). RESPONDENT SHALL pay this fine within ninety (90) 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.

IT IS FURTHER AGREED, SHOULD RESPONDENT PRACTICE AS A NURSE IN THE STATE OF TEXAS, RESPONDENT WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING AND RESPONDENT MUST WORK IN SUCH SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING PROBATION CONDITIONS FOR TWO (2) YEARS OF EMPLOYMENT. THE LENGTH OF THE PROBATIONARY PERIOD WILL BE EXTENDED UNTIL SUCH TWENTY-FOUR (24) MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE THE USE OF A VOCATIONAL NURSE (LVN) LICENSE WILL NOT APPLY TO THIS PROBATIONARY PERIOD:

(7) RESPONDENT SHALL notify each present employer in nursing of this Order of the Board and the stipulations on RESPONDENT's license. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each present employer within five (5) days of receipt of this Order. RESPONDENT SHALL notify all future employers in nursing of this Order of the Board and the stipulations on RESPONDENT's license. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each future employer prior to accepting an offer of employment.

(8) RESPONDENT SHALL CAUSE each present employer in nursing to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Notification of Employment form, which is provided to the Respondent by

the Board, to the Board's office within five (5) days of employment as a nurse.

(9) For the first year of employment as a Nurse under this Order, RESPONDENT SHALL be directly supervised by a Registered Nurse or a Licensed Vocational Nurse. Direct supervision requires another professional vocational nurse to be working on the same unit as RESPONDENT and immediately available to provide assistance and intervention. RESPONDENT SHALL work only on regularly assigned, identified and predetermined unit(s). The RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(10) For the remainder of the probation period, RESPONDENT SHALL be supervised by a Registered Nurse or a Licensed Vocational Nurse who is on the premises. The supervising nurse is not required to be on the same unit or ward as RESPONDENT, but should be on the facility grounds and readily available to provide assistance and intervention if necessary. The supervising nurse shall have a minimum of two (2) years experience in the same or similar practice setting to which the Respondent is currently working. RESPONDENT SHALL work only regularly assigned, identified and predetermined unit(s). RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(11) RESPONDENT SHALL CAUSE each employer to submit, on forms provided to the Respondent by the Board, periodic reports as to RESPONDENT's capability to practice nursing. These reports shall be completed by the Registered Nurse or Licensed Vocational Nurse who supervises the RESPONDENT. These reports shall be submitted by the supervising nurse to the

office of the Board at the end of each three (3) month period for two (2) years of employment as a nurse.

IT IS FURTHER AGREED and ORDERED that if during the period of probation, an additional allegation, accusation, or petition is reported or filed against the Respondent's license, the probationary period shall not expire and shall automatically be extended until the allegation, accusation, or petition has been acted upon by the Board.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT's license and RESPONDENT shall be eligible for multistate licensure privileges, if any, to practice nursing in the State of Texas.

RESPONDENT'S CERTIFICATION

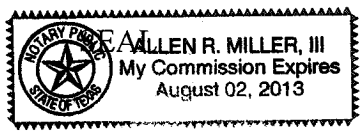
I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that this Order is subject to ratification by the Board. When this Order is ratified, the terms of this Order become effective, and 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 to practice vocational nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 1st day of June, 2010.

X R. Johnson

ROSHUNDA ALEXANDER JOHNSON, Respondent

Sworn to and subscribed before me this 1st day of June, 2010.



Allen R. Miller III

Notary Public in and for the State of Texas

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 22nd day of July, 2010, by ROSHUNDA ALEXANDER JOHNSON, Vocational Nurse License Number 192596, and said Order is final.

Effective this 22nd day of July, 2010.

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

In the Matter of Permanent License	§	**BEFORE THE TEXAS**
Number 192596, Issued to	§	
ROSHUNDA R. JOHNSON, Respondent	§	**BOARD OF NURSING**

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, ROSHUNDA R. JOHNSON, is a Vocational Nurse holding license number 192596, 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 April 20, 2005, Respondent pled guilty and was convicted of DRIVING WHILE LICENSE INVALID (a misdemeanor B offense committed on January 7, 2005) in the County Court of Hill County. As a result of the conviction, Respondent was sentenced to three (3) days in the County Jail and ordered to pay a fine.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(3) & (10), Texas Occupations Code, and is a violation of and 22 TEX. ADMIN. CODE §217.12(13).

CHARGE II.

On July 25, 2007, Respondent was convicted of DRIVING WHILE LICENSE INVALID (a misdemeanor offense committed on November 28, 2006) in the McLennan County Court. As a result of the conviction, Respondent was sentenced to ninety (90) days confinement in the County Jail and placed on community supervision for twelve (12) months.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(3) & (10), Texas Occupations Code, and is a violation of and 22 TEX. ADMIN. CODE §217.12(13).

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CHARGE III.

On May 3, 2007, Respondent provided false and deceptive information on the renewal of her license to practice vocational nursing in the State of Texas in that she answered "no" to the following question:

> Have you ever been convicted, placed on community supervision whether or not adjudicated guilty, sentenced to serve jail or prison time or granted pre-trial diversion, or plead guilty, no contest or nolo contendere to any crime in any state, territory or county, or received a court order whether or not a sentenced was imposed, including any pending criminal or unresolved arrests whether or not on appeal...?

On April 20, 2005, Respondent pled guilty and was convicted of DRIVING WHILE LICENSE INVALID (a misdemeanor B offense committed on January 7, 2005) in the County Court of Hill County. As a result of the conviction, Respondent was sentenced to three (3) days in the County Jail and ordered to pay a fine.

On July 25, 2007, Respondent was convicted of DRIVING WHILE LICENSE INVALID (a misdemeanor offense committed on November 28, 2006) in the McLennan County Court. As a result of the conviction, Respondent was sentenced to ninety (90) days confinement in the County Jail and placed on community supervision for twelve (12) months.

Respondent's conduct was deceiving and may have affected the Board's decision to license her.

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 and 22 TEX. ADMIN. CODE §217.12(6)(H) & (I).

CHARGE IV.

On or about December 18, 2007 through December 19, 2007, while employed with Hillcrest Baptist Medical Center, Waco, Texas, Respondent failed to give report to the on-coming shift about a newly admitted patient. Respondent's conduct deprived subsequent caregivers of essential information on which to base ongoing medical care.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(10) & (13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §§217.11(1)(D)and §217.12(1)(B) & (4).

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CHARGE V.

On or about December 18, 2007 through December 19, 2007, while employed with Hillcrest Baptist Medical Center, Waco, Texas, Respondent failed to timely document her nursing care in the medical records of six (6) patients assigned to her care. Respondent left her nursing assignment without documenting assessments, interventions or treatments provided to her assigned patients and then returned approximately eight (8) to ten (10) hours later to document her nursing care in the patients' medical records. Additionally, Respondent failed to designate this documentation as "late entries". Respondent's conduct was deceiving and deprived subsequent caregivers of essential information to base on going medical care.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(10) & (13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §§217.11(1)(D)and §217.12(1)(B), (4) & (6)(A).

CHARGE VI.

On or about May 27, 2009, Respondent defaulted on her Texas Guaranteed Student Loan, as provided in Section 57.491 of the Texas Education Code. Respondent exhibited unprofessional conduct in her failure to repay a Texas Guaranteed Student Loan, which may have deprived other students of funds necessary for their educational programs.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(10) Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(7).

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 Lying and Falsification, 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.

NOTICE IS ALSO GIVEN that Respondent's past disciplinary history, as set out below and described in the Order which is attached and incorporated by reference as part of these charges, will be offered in support of the disposition recommended by staff: Agreed Order dated April 22, 2004.

Filed this 10th day of March, 2010.

TEXAS BOARD OF NURSING

R. Kyle Hensley

James W. Johnston, General Counsel
Board Certified - Administrative Law
Texas Board of Legal Specialization
State Bar No. 10838300
Jena Renee Koslan Abel, Assistant General Counsel
State Bar No. 24036103
Lance Robert Brenton, Assistant General Counsel
State Bar No. 24066924
Robert Kyle Hensley, Assistant General Counsel
State Bar No. 50511847
John F. Legris, Assistant General Counsel
State Bar No. 00785533
TEXAS BOARD OF NURSING
333 Guadalupe, Tower III, Suite 460
Austin, Texas 78701
P: (512) 305-6824
F: (512) 305-8101 or (512)305-7401

Attachments: Agreed Order dated April 22, 2004 issued by the Board of Nurse Examiners for the State of Texas

0999/D

BOARD OF NURSE EXAMINERS	§	STATE OF TEXAS
	§	
VS.	§	
	§	
ROSHUNDA ALEXANDRA JOHNSON	§	COUNTY OF TRAVIS

AGREED BOARD ORDER

On this day came to be considered by the Board of Nurse Examiners the matter of ROSHUNDA ALEXANDRA JOHNSON, an Applicant for Licensure by, examination hereinafter called Applicant.

By letter, the Board of Nurse Examiners sent preliminary notice to Applicant of its intent to take disciplinary action with respect to said Application for Licensure, as a result of a subsequent investigation. Said investigation produced evidence indicating that Applicant has been convicted of a crime of the grade of a misdemeanor that relates to the practice of vocational nursing and/or involves moral turpitude, in violation of the Texas Occupations Code, Chapter 302, Section 302.402 (a) (3) (B), in the following manner:

I.

a. On or about October 10, 2003, Applicant submitted her Application for Licensure by Examination to the Board of Vocational Nurse Examiners for the State of Texas. On said Application, Applicant answered "yes" to the question asking: "Have you ever been convicted of a misdemeanor other than a minor traffic violation?"

b. On or about December 6, 2001, Applicant was convicted of the Misdemeanor Offense of Fictitious License Plate Registration in the County Court at Law of Mclennan County Texas, under cause number 2001-3602CR2. As a result of said conviction, Applicant was sentenced to one year probation, twenty (20) hours of community supervision, and $2000 in court costs and fines.

c. On or about February 21, 2003, Applicant was convicted of Driving While License Suspended in the County Court at Law in Mclennan County Texas, under cause number 20030787CR1. As a result of said conviction, Applicant was continued on probation and extended to two years.

d. Applicant has been convicted of crimes, which the Board considers to be directly related to the duties and responsibilities of a Licensed Vocational Nurse. Said convictions are inconsistent with the basic duties and responsibilities inherent in the occupation of vocational nursing in that said occupation requires the maintenance of accurate and complete records, and safeguarding personal property of the patient, client, and employer.

By Applicant's signature on this Order, Applicant neither admits nor denies the truth of the matters previously set out in this Order with respect to the above mentioned investigation. By Applicant's signature on this Order, Applicant acknowledges that they have read and understood this Order and have approved it for consideration by the Board.

By their notarized signature on this Order, Applicant does hereby waive the right to a formal Complaint, Notice of Hearing, and a Public Hearing held before an Administrative Law Judge with the State Office of Administrative Hearings, and to judicial review of this disciplinary action. Notice of this disciplinary action will appear in the Board's newsletter sent to Texas employers.

ORDER OF THE BOARD

NOW THEREFORE, IT IS ORDERED, subject to ratification by the Board of Nurse Examiners that ROSHUNDA ALEXANDRA JOHNSON is hereby allowed to take the

examination for licensure, and upon obtaining a passing score, be issued a license to practice vocational nursing in the State of Texas. Said license shall be suspended, with said suspension stayed and placed on probation for a period of one (1) year.

The probation of said license is subject to the following stipulations, to wit:

1. That if Applicant's place of employment, name, address or telephone number changes, Applicant is to notify the Board office immediately, or no later than ten (10) days after said change has occurred. Said Notification shall be in the form of a written letter or report.

2. That Applicant shall comply with Federal, State, and local laws, and all the provisions of the Texas Occupations Code and Rules and Regulations of the Board.

3. That applicant shall be responsible for causing his/her immediate nursing supervisor(s) to submit satisfactory reports directly to the Board office on a quarterly basis, throughout the term of probation. The receipt of an unfavorable and/or untimely report shall be considered a violation of probation.

4. That if Applicant is discharged from court ordered probation prior to the completion of this probationary term, Applicant shall be responsible for causing his/her probation officer to submit a final satisfactory report directly to the Board office.

5. That Applicant pay a Probation Monitoring fee in the amount of thirty ($30.00) dollars in the form of a cashier's check order, payable to the Board of Vocational Nurse Examiners. Said fee shall be paid quarterly, due on the 15th of each quarter, commencing the quarter following the date of the Board's ratification of the Order, and continuing thereafter until the successful completion of Applicant's probation. Said fee shall be sent to the Board office, addressed to the "Board of Vocational Nurse Examiners", 333 Guadalupe, Suite 3-400, Austin, TX 78701. Failure by Applicant to make any quarterly payment on time shall constitute a violation of Probation.

6. That Applicant shall return their license to the Board office for a replacement license marked **"PROBATION"** and pay a license re-issue fee in the amount of twenty ($20.00) dollars in the form of a cashier's check or money order, payable to the Board of Vocational Nurse Examiners. Said return of license and fee shall be made not later than thirty (30) days following the date of the Board's ratification of the Agreed Board Order. Said license and fee shall be sent to the Board office, addressed to the "Board of Nurse Examiners", 333 Guadalupe, Suite 3-460, Austin, TX 78701. Failure by Applicant to return said license or pay said fee shall constitute a violation of probation.

This Agreed Order shall not be effective or take effect and become enforceable in accordance with its terms until ratified by a majority of the Board present and voting, at its next regularly called session.

Dated this the 12th day of JANUARY, 2004.

Roshunda Johnson
Signature of Applicant

PO Box 20933
Current Address

Waco, TX 76702
City, State and Zip

/
Area Code and Telephone Number

The State of Texas
County of McLennan

Before me, the undersigned authority, on this day personally appeared ROSHUNDA ALEXANDRA JOHNSON, who being duly sworn by me stated that he or she executed the above for the purpose therein contained, and that he or she understood same.

SWORN TO AND SUBSCRIBED before me on this the 12th day of JANUARY, 2004.

MARILYN P. DOUGHTY
MY COMMISSION EXPIRES
April 26, 2006

Marilyn P. Doughty
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

Katherine A. Thomas, MN, RN
Agent for the Board of
Vocational Nurse Examiners

SWORN TO AND SUBSCRIBED before me, the undersigned authority, on this the _____ day of _____, 2004.

NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

WHEREFORE, PREMISES CONSIDERED, the Board of Nurse Examiners for the State of Texas does hereby ratify and adopt the Agreed Board Order, notarized on the 12th day of January, 2004 by ROSHUNDA ALEXANDRA JOHNSON, Applicant and that Said Order is Final.

Effective this 22nd day of April, 2004.

Katherine A. Thomas, MN, RN
Executive Director
On Behalf of Said Board