



6. On or about May 24, 2005, Respondent submitted a License Renewal Form (Delinquent over 90 days) to the Board of Nurse Examiners for the State of Texas in which Respondent provided false, deceptive, and/or misleading information, in that Respondent answered "No" to the question which reads, "Have you been convicted, adjudged guilty by a court, plead guilty, no contest or nolo contendere to any crime in any state, territory or country, whether or not a sentence was imposed, including any pending criminal charges or unresolved arrest?"

Respondent failed to disclose that on or about May 17, 2004, Respondent entered a plea of Guilty and Respondent was convicted of THEFT BY CHECK (a Class B misdemeanor offense), in the County Court, Andrews County, Texas, under Cause No. 03-0216. As a result of the conviction, Respondent was ordered to pay a fine and court costs.

In addition, Respondent failed to disclose that on or about July 8, 2004, Respondent entered a plea of Guilty and Respondent was convicted of ISSUANCE OF A BAD CHECK (a Misdemeanor offense), in the County Court At Law No. 2, Ector County, Texas, under Cause No. 03-4264. Additionally, Respondent was ordered to pay a fine and court costs.

7. In response to Findings of Fact Numbers Six (6), Respondent states, the other two concerns are about bad checks, she was in the process of trying to take care of before it became an offense. The one in Andrews County, Respondent had so much trouble with due to an incorrect address in the computer. Notice to an incorrect address, not the address on the check. Respondent states she was not aware that she needed to report this to the board. Respondent further states, "I have definitely learned my lesson. My apologies."

#### 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 violations of Section 301.452(b)(2)&(10), Texas Occupations Code and 22 Tex. Admin Code §217.12 (6)(I).
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 178822, heretofore issued to HOPE ELAINE MENDOZA, 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 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 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, 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, 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>.

(2) RESPONDENT SHALL pay a monetary fine in the amount of two hundred fifty (\$250.00) dollar amount. 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.

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.

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RESPONDENT'S CERTIFICATION

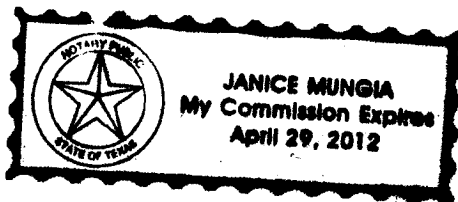
I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and 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 license to practice vocational nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 27 day of April, 2010.  
Hope Elaine Mendoza  
HOPE ELAINE MENDOZA, Respondent

Sworn to and subscribed before me this 27<sup>th</sup> day of April, 2010.


SEAL

Janice Mungia  
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 27<sup>th</sup> day of April, 2010, by HOPE ELAINE MENDOZA, Vocational Nurse License Number 178822, and said Order is final.

Effective this 10<sup>th</sup> day of May, 2010.

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

