



6. On or about October 28, 2005, Respondent entered a plea of Not Guilty and was convicted of TAMPER W/GOVERNMENT RECORDS W/INT MAKE GENUINE, MB (a Class B misdemeanor offense committed on March 16, 2005, reduced to a lesser Class C misdemeanor), in the County Court at Law #3 and Probate Court, Brazoria County, Texas, under Cause No. 142611. As a result of the conviction, Respondent was ordered to pay a fine and court costs.
7. On or about December 18, 2005, Respondent submitted a Texas Online Renewal Document Licensed Vocational Nurse 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: "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 (excluding minor traffic violations) since the last renewal? This includes expunged offenses and deferred adjudications with or without prejudice of guilt. Respondent failed to disclose that on or about October 28, 2005, Respondent was convicted of TAMPER W/GOVERNMENT RECORDS W/INT MAKE GENUINE, MB in Brazoria County, Texas.
8. In response to Findings of Fact Numbers Six (6) and Seven (7), Respondent states that in March of 2005, her son was driving when the Angleton Police stopped him for one of his taillights being out. He received a ticket. At that time he could not show proof of insurance. He was told if he would bring a copy of his insurance in, then he would not have to pay for that offense. The vehicle he was driving was in both his name and Respondent's. He called Respondent and told her about the ticket. Respondent borrowed money to get insurance on his car, and gave him the card which was in a 30-day binder. Sometime between that date and the date he went to the Municipal Court/Police Station, he handed the receptionist a card dated for six months covering the date that he received the ticket. He was told he would need to talk to the Investigator at a later date. When he spoke with the Investigator, he told him that Respondent had given him the card. The Investigator called Respondent several times at her job. She was in fear for herself and her child. The investigator kept drilling her and told her that since she had never been in any trouble before, then she would probably get a pat on the hand and have to pay a fine. So she finally said yes to the questions he asked, in fear for both herself and her son. She ended up in court, not knowing that it was a conviction until she got a copy of it from the courthouse for her job this year. She was never locked up or handcuffed so she didn't know that it was a conviction. She was told the case would be dismissed and not show up on her record, which turned out to be untrue.

### 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)&(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 67667, heretofore issued to LOIS HELMS RICCARD, 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 a WARNING WITH STIPULATIONS, 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 compact states.

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 Texas Board of Nursing 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:*

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 8 day of March, 2010.

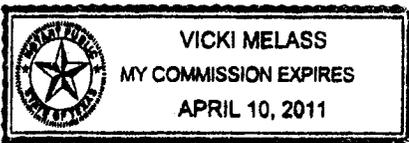
Lois Helms Riccard  
LOIS HELMS RICCARD, Respondent

Sworn to and subscribed before me this 8 day of March, 2010.

SEAL

Vicki Melass

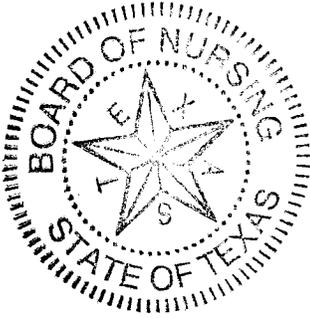
Notary Public in and for the State of Texas



Signed this 8 day of March, 2010.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 8th day of March, 2010, by LOIS HELMS RICCARD, Vocational Nurse License Number 67667, and said Order is final.

Effective this 22nd day of April, 2010.



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