



6. On or about April 21, 1995, Respondent plead "Guilty" and was convicted of the offense, "Theft of Property, \$1500 ≤ \$20,000," (a State Jail Felony committed on October 14, 1994), in the Dallas County, Texas, 194th Judicial District Court, Cause Number F-9444486-IM. Respondent was assessed a punishment of a fine in the amount of three hundred dollars (\$300.00), ordered to pay restitution in the amount of two thousand eighty-two dollars and ninety-five cents (\$2282.95), and sentenced to two (2) years confinement in the State Jail Division of the Texas Department of Criminal Justice. Respondent's confinement sentence was suspended and Respondent was placed on community supervision for a period of five (5) years.

On January 31, 2000, a Motion was filed with the Court due to Respondent's failure to comply with Probation stipulations. The disposition is unknown.

7. On or about December 15, 2000, Respondent plead "Guilty" to the offense, "Theft of Property, \$1500 ≤ \$20,000," (a State Jail Felony committed on May 24, 2000), in the Hale County, Texas, 64th District Court, under Cause Number A13802-0008. Respondent's finding of guilt was deferred and Respondent was placed on community supervision for a period of five (5) years, ordered to pay restitution in the amount of four thousand nine hundred forty-seven dollars and one cent (\$4947.01), and ordered to perform four hundred (400) hours of community service.

On May 28, 2004, Respondent's term of supervision was extended two (2) years and was set to expire on December 15, 2007.

On June 1, 2005, a motion was filed based on the following: Respondent failed to report to community supervision, failed to pay fine and restitution, and failed to perform community service.

On or about February 16, 2007, Respondent was convicted of the offense, "Theft of Property, \$1500 ≤ \$20,000," (a State Jail Felony committed on May 24, 2000), in the Hale County, Texas, 242nd Judicial District Court, Cause Number A13802-0008. Respondent was assessed a punishment of a fine in the amount of ten thousand dollars (\$10,000.00), and sentenced to two (2) years confinement in the State Jail Division of the Texas Department of Criminal Justice.

8. Respondent, by her signature to this Order, expresses her desire to voluntarily surrender her license to practice vocational nursing in the State of Texas.

#### 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(a)(3)&(9), TEX. REV. CIV. STAT. ANN., and 22 TEX. ADMIN. CODE §239.11(1).
4. The evidence received is sufficient to prove violation of Sections 302.402(1)&(9) and 301.452(b)(3)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §239.11(1) and 22 TEX. ADMIN. CODE §217.12(13).
5. The evidence received is sufficient cause pursuant to Section 301.453(d), Texas Occupations Code, to take disciplinary action against Vocational License Number 173567, heretofore issued to BRENDA CHANCE, including revocation of Respondent's license to practice vocational nursing in the State of Texas.
6. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
7. Under Section 301.453(d), Texas Occupations Code, as amended, the Board may impose conditions for reinstatement of licensure.
8. Any subsequent reinstatement of this license will be controlled by Section 301.453(d), Texas Occupations Code, and 22 TEX. ADMIN. CODE §213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

#### ORDER

NOW, THEREFORE, IT IS AGREED and ORDERED that the VOLUNTARY SURRENDER of Vocational License Number 173567, heretofore issued to BRENDA CHANCE, to practice nursing in the State of Texas, is accepted by the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL immediately deliver the wallet-sized license, heretofore issued to BRENDA CHANCE, to the office of the Texas Board of Nursing.
2. RESPONDENT SHALL NOT practice vocational nursing, use the title "vocational nurse" or the abbreviation "LVN" or wear any insignia identifying

herself as a vocational nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a vocational nurse during the period in which the license is surrendered.

3. RESPONDENT SHALL NOT petition for reinstatement of licensure until: one (1) year has elapsed from the date of this Order.
4. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

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

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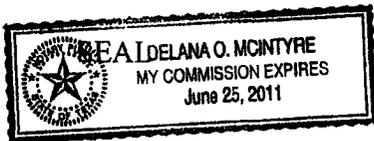
RESPONDENT'S CERTIFICATION

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 this Order becomes final when accepted by the Executive Director at which time the terms of this Order become effective and a copy will be mailed to me.

Signed this 8<sup>th</sup> day of November, 2007.

Brenda Chance  
BRENDA CHANCE, Respondent

Sworn to and subscribed before me this 8 day of November, 2007.



DeLana O. McIntyre  
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 accept the voluntary surrender of Vocational Nurse License Number 173567, previously issued to BRENDA CHANCE.

Effective this 19<sup>th</sup> day of November, 2007.

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

**DISPOSITION FORM**

Date Assigned: 11-19-09

Log #: 1011R015

Investigator Assigned: 204

Name of Nurse: BRENDA CHANCE

License # 173567

Date Referred to TPAPN: \_\_\_\_\_

Date Referred to Other Agency: \_\_\_\_\_

**CHECK IF APPLICABLE AND INCLUDE DATES FOR ALL MARKED RESPONSES**

Informal Conference Date: 01-26-10 Recommendations: \_\_\_\_\_

Charges Filed Date: \_\_\_\_\_ Charges Dismissed: \_\_\_\_\_ Legal initials \_\_\_\_\_

ALJ Hearing Date: \_\_\_\_\_

Voluntary Surrender Effective date: \_\_\_\_\_ (date received in office)

DATE INVESTIGATION WAS COMPLETED 01-26-10

DATE OF RATIFICATION BY BOARD/E & D \_\_\_\_\_

**FINAL DISPOSITION** DENY REINSTATEMENT

**DURATION:** \_\_\_\_\_

(Please complete the following only for cases closed without an Order:)

**FINAL CLOSE DATE:**

Impostor - date referred to DA: \_\_\_\_\_

No Violation - date closed: \_\_\_\_\_

Reminder - date closed: \_\_\_\_\_

Insufficient Evidence - date closed: \_\_\_\_\_

No Action - date closed: \_\_\_\_\_

Closed W/Out Prej date closed: \_\_\_\_\_

EEP referral date closed: \_\_\_\_\_

TPAPN referral date closed: \_\_\_\_\_

Other - date closed: 01-26-10 Reason for closure: DENY REINSTATEMENT

PRIOR DISCIPLINARY ACTION: VOLUNTARY SURRENDER

Date(s): 11-08-07

**FINAL VIOLATIONS:**

4525 (b) \_\_\_\_\_ 4528(c) \_\_\_\_\_ 301.452(b) \_\_\_\_\_ 302.402(a) \_\_\_\_\_

(12) §217.11 \_\_\_\_\_ §239.11 \_\_\_\_\_ (13) §217.11 \_\_\_\_\_ §239.11 \_\_\_\_\_

(09) §217.13 \_\_\_\_\_ (10) §217.12 \_\_\_\_\_

(LVN) §239.11 \_\_\_\_\_

Complaint Narrative

DENY REINSTATEMENT

Date submitted to Supervisor: \_\_\_\_\_ Date Approved by Supervisor: \_\_\_\_\_

Posted on RN FILE: [Signature]

Caselog: [Signature]

NURSYS 2/3/10



## Texas Board of Nursing

333 Guadalupe Street, Ste. 3-460, Austin, Texas 78701  
Phone: (512) 305-7400 Fax: (512) 305-7401 www.bon.state.tx.us

**Katherine A. Thomas, MN, RN**  
*Executive Director*

January 27, 2010

Brenda Chance  
8433 Kingsfield Rd.  
Dallas, TX 75217

Dear Ms. Chance:

Upon review of the information introduced at the Informal Conference held on January 26, 2010, the decision was to deny your petition for reinstatement of your license to practice vocational nursing in the State of Texas. You will not be allowed to petition for reinstatement until one (1) year from the date of your hearing.

The Texas Nursing Practice Act provides in pertinent part that the Board may refuse to issue a license, pursuant to Texas Occupations Code, Sections 301.452(b) and 301.467, and 22 TEX. ADMIN. CODE §213.28.

If you do not agree with this decision, you have a right to request that this matter be set for a public hearing at the State Office of Administrative Hearings. If you want to have this matter heard at a public hearing, please send a written request for a hearing to our office. We will inform you of the date and time set for your hearing.

If you have any questions, please contact the Department of Enforcement at (512) 305-6838.

Sincerely,

Katherine A. Thomas, MSN, RN  
Executive Director

KAT/ch

09/99-J5

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### Members of the Board

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Galveston, *President*

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