



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.
Patricia P. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Professional Nurse § AGREED
License Number 563072 §
issued to KATHERINE L. JERNIGAN § ORDER

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Registered Nurse License Number 563072, issued to KATHERINE L. JERNIGAN, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c) of the Texas Occupations Code.

Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order.

The Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was provided to 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 professional nursing in the State of Texas.
4. Respondent graduated with an Associate Degree in Nursing from San Antonio College, San Antonio, Texas, on May 1, 1990. Respondent was licenced to practice Professional Nursing in the State of Texas on August 31, 1990.
5. Respondent's employment history includes:

5/1990 - 5/1995	Staff Nurse/ Med/Surg Unit	CHRISTUS Santa Rosa Northwest CHRISTUS Santa Rosa Hospital Downtown San Antonio, Texas
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5/1995 - 9/2001	Staff Nurse Labor & Delivery	Southwest General Hospital San Antonio, Texas
9/2001	Unknown	Staff Search
6/2002 - 8/2002	Staff Nurse	Dr. Bernadette Peters
8/2002 - 3/2003	Staff Nurse Labor & Delivery	Round Rock Medical Center Round Rock, Texas
3/2003 - 7/2006	Staff Nurse Labor & Delivery	Midland Memorial Hospital Midland, Texas
7/2006 - Present	Staff Nurse	Palestine Regional Medical Center Palestine, Texas

6. On or about May 16, 2007, Respondent submitted to a random criminal background audit check which revealed a criminal history.
7. On or about April 14, 1979, Respondent was arrested for the offense of THEFT, a Class A misdemeanor, by the Corpus Christi Police Department, Corpus Christi, Texas. On or about April 27, 1979, Respondent was convicted for THEFT, (a Class A misdemeanor committed on April 14, 1979) in the County Court of Nueces County, Texas. Respondent was convicted and sentenced to six (6) months probation.
8. On or about May 13, 1991, Respondent was arrested for the offense of WELFARE FRAUD \$750 - \$20000, by the Bexar County Sheriff's Office, San Antonio, Texas. Respondent was granted a deferred sentence for WELFARE FRAUD, Cause No. 91-CR-2155, in the 175th Judicial District Court of Bexar County, Texas. On June 3, 1992, Respondent was granted an Order to Terminate Probation Supervision Unsatisfactory.
9. On or about June 26, 2009, Respondent submitted a License Renewal Form for Registered Nurses to the Board of Nurse Examiners for the State of Texas in which she answered "Yes" to the question:
"For any criminal offense, including those pending appeal, have you:
 - A. *been convicted of a misdemeanor?*
 - B. *been convicted of a felony?*
 - 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?*
 - F. *been sentenced to serve jail or prison time? court-ordered confinement?*
 - G. *been granted pre-trial diversion?*

- H. *been arrested or any pending criminal charges?*
- I. *been cited or charged with any violation of the law?*
- J. *been subject of a court-martial; Article 15 violation, or received any form of military judgment/punishment/action?"*

On or about October 16, 2007, Respondent entered a plea of "Guilty" to POSSESSION OF A CONTROLLED SUBSTANCE IN A PENAL INSTITUTION (a Third Degree felony offense committed on June 25, 2006), in the 259th Judicial District Court, Jones County, Texas, under Cause No. 9921. As a result of the plea, the proceedings against Respondent were deferred without entering an adjudication of guilt, and Respondent was placed on probation for a period of four (4) years. Additionally, Respondent was ordered to pay a fine and court costs.

- 10. In response to Finding of Fact Number Nine (9), Respondent stated that she was contacted by a person in prison who is known to be involved with a gang member and was told if she did not bring them drugs, in prison, her fiance who was also in jail would be hurt. The people told her how to do it and kept threatening her. Finally, she agreed, and was caught.
- 11. Respondent, by her signature to this Order, expresses his/her desire to voluntarily surrender her license to practice 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 violations of Article 4525(a)(2)&(9), TEX. REV. CIV. STAT. ANN., Section 301.452(b)(3)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(13).
- 4. The evidence received is sufficient cause pursuant to Section 301.453(a), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 563072, heretofore issued to KATHERINE L. JERNIGAN, including revocation of Respondent's license to practice nursing in the State of Texas.
- 5. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
- 6. Under Section 301.453(d), Texas Occupations Code, as amended, the Board may impose conditions for reinstatement of licensure.

7. 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 Registered License Number 563072, heretofore issued to KATHERINE L. JERNIGAN, 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 NOT practice professional nursing, use the title "registered nurse" or the abbreviation "RN" or wear any insignia identifying herself as a registered nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a registered nurse during the period in which the license is surrendered.
2. RESPONDENT SHALL NOT petition for reinstatement of licensure until: one (1) year has elapsed from the date of this Order.
3. 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 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 25 day of March, 20 10



KATHERINE L. JERNIGAN, Respondent

Sworn to and subscribed before me this 25 day of March, 20 10.

SEAL



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 Registered Nurse License Number 563072, previously issued to KATHERINE L. JERNIGAN.

Effective this 30th day of March, 2010.



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

