

7. On or about March 16, 2007, Respondent entered a plea of Guilty to THEFT \$50-\$500 (a Class B misdemeanor offense committed on March 10, 2007), entered in the Criminal Court at Law No. 10 of Harris County, Houston, Texas, under Cause No. 1440277. As a result of the guilty plea, Respondent was sentenced to confinement for a period of ten (10) days in the Harris County Jail with credit for seven (7) days time served. Also, Respondent's driver's license was suspended for a period of six (6) months, and she was ordered to pay court costs.
8. On or about June 5, 2007, Respondent failed to comply with the Agreed Order issued to her on April 20, 2007, by the Board of Nurse Examiners for the State of Texas. Respondent's non-compliance is the result of her failure to comply with Stipulation Number One (1) of the Order which reads, in pertinent part:

(1) "Respondent shall, within forty-five (45) days following the date of entry of this final Order, apply to and be accepted into the TPAPN,"

Respondent was declared ineligible for TPAPN due to the Delinquent status of her State of Texas Vocational Nurse License.

A copy of the Findings of Fact, Conclusions of Law, and Agreed Order dated April 20, 2007 is attached and incorporated, by reference, as part of this pleading.

9. On or about December 12, 2007, Respondent submitted a License Renewal Form for Vocational Nurses to the Board of Nursing in which she provided false, deceptive, and/or misleading information, in that Respondent answered "No" to the question: "Have you, within the past 24 months or since your last renewal, for any criminal offense, including those pending appeal:
 - 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?"

Respondent failed to disclose that on or about March 16, 2007, she entered a plea of Guilty to two counts of POSS OF A CONTROLLED SUBSTANCE PG 3 < 28 G (a Class A misdemeanor offenses committed on March 10, 2007), entered in the Criminal Court at Law No. 10 of Harris County, Houston, Texas, under Cause No. 1440275 and Cause No. 1440276 and on or about March 16, 2007, she entered a plea of Guilty to THEFT \$50-\$500 (a Class B misdemeanor offense committed on March 10, 2007), entered in the Criminal Court at Law No. 10 of Harris County, Houston, Texas, under Cause No. 1440277. Respondent's conduct was likely to deceive the Board and could have affected the decision to issue a license.

10. On or about August 12, 2008, Respondent was adjudged Guilty of DELIVERY OF COCAINE LESS THAN 1 GRAM (a State Jail felony offense committed on May 8, 2008), entered in the 185th District Court of Harris County, Houston, Texas, under Cause No. 1166232. As a result of the conviction, Respondent was sentenced to confinement in the Texas Department of Criminal Justice for a period of seven (7) months.
11. Formal Charges were filed on February 20, 2008.
12. Formal Charges were mailed to Respondent on February 26, 2008.
13. Amended Formal Charges were filed on October 19, 2009.
14. Amended Formal Charges were mailed to Respondent on November 5, 2009.
15. Respondent, by her signature to this Order, expresses her desire to voluntarily surrender her license to practice nursing in the State of Texas.
16. The Board policy implementing Rule 213.29 in effect on the date of this Agreed Order provides discretion by the Executive Director for consideration of conditional reinstatement after proof of twelve (12) consecutive months of abstinence from alcohol and drugs followed by licensure limitations/stipulations and/or peer assistance program participation.
17. The Board finds that there exists serious risks to public health and safety as a result of impaired nursing care due to intemperate use of controlled substances or chemical dependency.

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)(1),(2),(3)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(6)(I),(9),(11)(B)&(13).
4. The evidence received is sufficient cause pursuant to Section 301.453(a), Texas Occupations Code, to take disciplinary action against Vocational License Number 170106, heretofore issued to VONSHA RENEE WILEY, 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 Vocational License Number 170106, heretofore issued to VONSHA RENE WILEY, 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 VONSHA RENEE WILEY, 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; and, RESPONDENT has obtained objective, verifiable proof of twelve (12) consecutive months of sobriety immediately preceding the petition.
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 nursing in the State of Texas.

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RESPONDENT'S CERTIFICATION

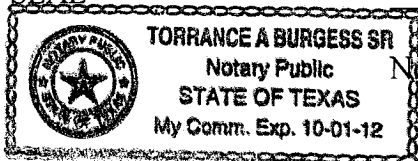
I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and 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 30 day of November 2009.

Vonsha Renee Wiley
VONSHA RENEE WILEY, Respondent

Sworn to and subscribed before me this 30 day of November, 2009.

SEAL



Torb
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 170106, previously issued to VONSHA RENEE WILEY.



Effective this 10th day of December, 2009.

A handwritten signature in cursive script, appearing to read 'Katherine A. Thomas', is written over a horizontal line.

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