



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 Vocational Nurse §
License Number 71744 §
issued to MARY ANN LECOUNT §

ORDER OF THE BOARD

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Vocational Nurse License Number 71744, issued to MARY ANN LECOUNT, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived representation by counsel, informal proceedings, notice and hearing.

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

FINDINGS OF FACT

1. Respondent is currently licensed to practice vocational nursing in the State of Texas.
2. Respondent waived representation by counsel, informal proceedings, notice and hearing.
3. Respondent received a Certificate in Vocational Nursing from Bay City ISD, Bay City, Texas, on January 17, 1977. Respondent was licensed to practice vocational nursing in the State of Texas on May 19, 1977.
4. Respondent's complete vocational nursing employment history is unknown.
5. On or about April 3, 1986, Respondent entered a plea of "Guilty" to FELONY THEFT, in the District Court of Matagorda County, Texas, 23rd Judicial District, under Cause No. 6877. 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 five (5) years. Additionally Respondent was ordered to pay restitution.

6. On or about November 30, 1993, Respondent entered a plea of "Guilty" to UNLAWFULLY CARRYING WEAPON ON ALCOHOL PREMISES (a Third Degree Felony offense committed on September 4, 1993), in the 130th District Court, Bay City, Texas, under Cause No. 93-M-349. As a result of the plea, the proceedings against Respondent were deferred without entering an adjudication of guilt, and she was placed on probation for a period of two (2) years. Additionally, she was ordered to pay a fine and court costs.
5. On or about January 7, 2009, Respondent entered a plea of "Guilty" to AGGRAVATED ASSAULT W/DEADLY WEAPON (a Second Degree Felony offense committed on November 11, 2007), in the 130th District Court, Matagorda County, Texas, under Case No. 08141. 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 five (5) years. Additionally, Respondent was ordered to pay a fine and court costs.
6. On November 3, 2009, Respondent submitted a signed statement to the Board voluntarily surrendering the right to practice vocational nursing in Texas, along with a copy of the Order of Deferred Adjudication for Case No. 08-141. A copy of the statement is attached and incorporated, by reference, as part of this Order.

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)(3)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(13).
4. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
5. Under Section 301.453(d), Texas Occupations Code, the Board may impose conditions for reinstatement of licensure.
6. Any subsequent reinstatement of this license will be controlled by Section 301.452 (b), Texas Occupations Code, and 22 TAC §§213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

ORDER

NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Vocational Nurse License Number 71744, heretofore issued to MARY ANN LECOUNT, to practice vocational nursing in the State of Texas, is accepted by the Executive Director on behalf of the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL immediately deliver the wallet-size license, heretofore issued to MARY ANN LECOUNT, to the office of the Texas Board of Nursing.
2. RESPONDENT SHALL NOT practice vocational nursing, use the title of "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 registered 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 licensure privilege, if any, to practice vocational nursing in compact states.

Effective this 14th day of December, 2009.



TEXAS BOARD OF NURSING

By: Katherine A. Thomas

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

11/01/2009

Attention: Board of Nursing
Attention: Board of Nursing Investigation

I Mary LeCount, would like to inform the Board of Nursing, that I have not been working since my altercation that occurred through a marital separation that has left me under the care of my PCP, my house was set a fire by my legal husband and significant other female companion , phone harassment, stalking etc. I have been informed by my lawyer and probation officer to write to the Board of Nursing in relation to my deferred probation. My probation was deferred and it has been listed at the Matagorda County Court House as Deferred, so I felt that their was no need to report it since I have decided to voluntarily Retire from Nursing. Additional, papers have been enclosed in this letter that has been file at the County Courthouse. Please accept this as my voluntarily resignation from a License Vocational Nurse.

Thank you,

Mary A. LeCount
SS# 467-92-8410