



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.  
*Katherine A. Thomas*  
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Vocational Nurse           §       AGREED  
License Number 182565                       §  
issued to ANDREA LEE RUSSELL           §       ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the E considered the matter of ANDREA LEE RUSSELL, Vocational Nurse License Number 182565, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 302.402(a)(3)&(10), Texas Occupations Code (effective through February 1, 2004), and Section 301.452(b)(2)&(10), Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on April 10, 2009, by Katherine A. Thomas, MN, RN, Executive Director.

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was served on 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 vocational nursing in the State of Texas.
4. Respondent received a Certificate in Vocational Nursing from Grayson County College, Denison, Texas, on August 13, 2001. Respondent was licensed to practice vocational nursing in the State of Texas on October 25, 2001.
5. Respondent's vocational nursing employment history is unknown.

6. On or about August 24, 2003, Respondent was arrested by the Texas Highway Patrol, Garland, Texas, and subsequently charged under Cause No. 2003-2-212 for THEFT PROP >=\$20 <\$500 BY CHECK - COUNT I (a Class B misdemeanor offense) and ISSUANCE OF A BAD CHECK - COUNT II (a Class C misdemeanor offense). Additionally, Respondent was charged under Cause No. 2003-2-1290 for DRIVING WHILE INTOXICATED (a Class B misdemeanor offense).

A. On or about September 9, 2004, Respondent entered a plea of Guilty and was convicted of ISSUANCE OF A BAD CHECK - COUNT II (a Class C misdemeanor offense committed on July 25, 2002), in the County Court at Law of Grayson County, Texas, under Cause No. 2003-2-212. As a result of the conviction, Respondent was ordered to pay a fine and court costs.

On or about September 9, 2004, Count I, THEFT BY CHECK was dismissed in the County Court at Law of Grayson County, Texas, under Cause No. 2003-2-212, for the reason: Full Restitution Made.

B. On or about November 2, 2004, Respondent entered a plea of Guilty and was convicted of DRIVING WHILE INTOXICATED (a Class B misdemeanor offense committed on August 24, 2003), in the County Court at Law, Grayson County, Texas, under Cause No. 2003-2-1290. As a result of the conviction, Respondent was sentenced to confinement in the Grayson County Jail for a period of one hundred eighty (180) days; however, the imposition of sentence of confinement was suspended, and Respondent was placed on probation for a period of two (2) years. Additionally, Respondent was ordered to pay a fine.

7. On or about December 18, 2003, Respondent was arrested by the Van Alstyne Police Department, Van Alstyne, Texas, for DRIVING WHILE LIC SUSPENDED/INVALID (a misdemeanor offense).

On or about June 11, 2004, Respondent entered a plea of Guilty and was convicted of DRIVING WHILE LICENSE SUSPENDED (a Class B misdemeanor offense committed on December 18, 2003), in the County Court at Law, Grayson County, Texas, under Cause No. 2004-2-230. As a result of the conviction, Respondent was sentenced to confinement in the Grayson County Jail for a period of three (3) days. Additionally, Respondent was ordered to pay a fine.

8. On or about November 27, 2005, Respondent submitted a Texas Online Renewal Document Licensed Vocational Nurse to the Board of Nurse Examiners 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. Please note DUI's, DWI's, PI's must be reported . . ."

1. On or about September 9, 2004, Respondent entered a plea of Guilty and was convicted of ISSUANCE OF A BAD CHECK - COUNT II in the County Court at Law of Grayson County, Texas.
2. On or about November 2, 2004, Respondent entered a plea of Guilty and was convicted of DRIVING WHILE INTOXICATED in the County Court at Law, Grayson County, Texas.
3. On or about June 11, 2004, Respondent entered a plea of Guilty and was convicted of DRIVING WHILE LICENSE SUSPENDED in the County Court at Law, Grayson County, 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 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 182565, heretofore issued to ANDREA LEE RUSSELL, 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 REMEDIAL EDUCATION WITH A FINE, 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 the State of Texas.

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 State of Texas and the Board of Nursing in the party state where Respondent wishes to work.

IT IS FURTHER AGREED that:

(1) RESPONDENT SHALL deliver the wallet-sized license issued to ANDREA LEE RUSSELL to the office of the Texas Board of Nursing within ten (10) days of the date of ratification of this Order.

(2) RESPONDENT SHALL pay a monetary fine in the amount of two hundred fifty dollars (\$250). 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.

(3) 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:* <http://www.bon.state.tx.us/disciplinaryaction/stipscourses.html>.

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.

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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 when this Order becomes final and the terms of this Order become effective, 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 10 day of November 2009.  
Andrea Lee Russell  
ANDREA LEE RUSSELL, Respondent

Sworn to and subscribed before me this 10<sup>th</sup> day of November, 2009.



Noemi Leal  
Notary Public in and for the State of TX

WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby ratify and adopt the Agreed Order that was signed on the 10th day of November, 2009, by ANDREA LEE RUSSELL, Vocational Nurse License Number 182565, and said Order is final.

Effective this 10th day of November, 2009.



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

