BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS
**********

In the Matter of Vocational Nurse License Number 177544 §
issued to CHANDRA LORRAINE RONEY §

TEXAS BOARD OF NURSING
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.
Executive Director of the Board

ORDER OF THE BOARD

On this day, the Board of Nurse Examiners for the State of Texas, hereinafter referre to as the Board, accepted the voluntary surrender of Vocational Nurse License Number 177544, issued to CHANDRA LORRAINE RONEY, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived informal conference, notice and hearing.

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

FINDINGS OF FACT

1. Respondent's license to practice vocational nursing in the State of Texas is currently in delinquent status.

2. Respondent waived informal conference, notice and hearing.

3. Respondent received a Certificate in Vocational Nursing from Kilgore College-Longview Center, Longview, Texas, on August 4, 2000. Respondent was licensed to practice vocational nursing in the State of Texas on September 28, 2000.

4. Respondent's complete vocational nursing employment history is currently unknown.

5. On November 13, 2006, the Board of Nurse Examiners for the State of Texas notified the Respondent of the following allegations:

   a. On or about October 17, 1988, Respondent entered a plea of Guilty to THEFT BY CHECK (a Class B Misdemeanor offense committed on August 5, 1987), in the County Court at Law of Smith County, Texas, under Cause No. 79,071. As a result of the Guilty plea, the proceedings against Respondent were deferred without entering an adjudication of guilt, and in addition, Respondent was placed on

probation for a period of one hundred eighty (180) days and ordered to pay a fine.

b. On or about December 19, 1995, Respondent entered a plea of Guilty and was convicted of THEFT BY WORTHLESS CHECK (a Class B Misdemeanor offense committed on July 25, 1994), in the County Court of Gregg County, Texas, under Cause No. 0090428. As a result of the conviction, Respondent was sentenced to one (1) year of confinement in the Gregg County Jail; however, the imposition of the sentence of confinement was suspended and Respondent was placed on probation for a period of two (2) years, and ordered to pay a fine; court costs; and two thousand, two hundred twenty-three dollars and thirty-three cents ($2,223.33) in Restitution.

c. On or about May 18, 2000, Respondent submitted an Application for Licensure by Examination to the Board of Vocational Nurse Examiners for the State of Texas, in which she provided false, deceptive and/or misleading information, in that she answered "No" to the question: "Have you ever been convicted of a misdemeanor other than a minor traffic violation?"

On or about December 19, 1995, Respondent was convicted of THEFT BY WORTHLESS CHECK (a Misdemeanor offense), in the County Court of Gregg County, Texas, under Cause No. 0090428.

d. On or about June 29, 2000, Respondent entered a plea of Guilty and was convicted of THEFT BY CHECK reduced to the lesser included offense of CLASS C ISSUANCE OF BAD CHECK (a Misdemeanor offense committed on September 3, 1998), in the County Court at Law of Smith County, Texas, under Cause No. 001-86958-99. As a result of the conviction, Respondent was ordered to pay a fine and court costs.

e. On or about August 14, 2001, Respondent entered a plea to FORGERY (a Class A Misdemeanor offense committed on August 1, 1999), in the County Court at Law In and For Gregg County, Texas, under Cause No. 2001-3017. As a result of the plea, the proceedings against Respondent were deferred without entering an adjudication of guilt, and in addition, Respondent was placed on probation for a period of two (2) years and ordered to pay court costs.

On or about December 3, 2003, A Judgment Adjudicating Guilt was entered in the County Court at Law In and For Gregg County, Texas, under Cause No. 2001-3017, based on Findings by the Court that Respondent had violated the terms and conditions of the deferred adjudication probation that she had been previously granted on August 14, 2001. As a result, Respondent was adjudged Guilty of the Class A Misdemeanor offense of FORGERY and her probation was revoked. Additionally, Respondent was sentenced to confinement in the Gregg County Jail for a period of one (1) year; however, the imposition of sentence of confinement

was suspended, and Respondent was placed on probation for a period of ninety (90) days and ordered to pay a fine.

g. On or about October 20, 2003, Respondent submitted a Texas Online Renewal Document for Licensed Vocational Nurses to the Board of Nurse Examiners for the State of Texas, in which she provided false, deceptive and/or misleading information, in that she answered "No" to the question: "Were you convicted of a misdemeanor other than a minor traffic violation since your last renewal?"

On or about June 29, 2000, Respondent was convicted of THEFT BY CHECK reduced to the lesser included offense of CLASS C ISSUANCE OF BAD CHECK (a Misdemeanor offense), in the County Court at Law of Smith County, Texas, under Cause No. 001-86958-99.

h. On or about December 19, 2003, Respondent entered a plea of Guilty and was convicted of THEFT BY CHECK (a Class B Misdemeanor offense committed on November 20, 2002), in the County Court at Law No. 3 of Smith County, Texas, under Cause No. 003-82287-03. As a result of the conviction, Respondent was placed on community supervision for a period of six (6) months, and in addition, Respondent was ordered to pay a fine; court costs; and ninety-eight dollars and thirty-five cents ($98.35) in Restitution.

i. On or about December 22, 2004, Respondent entered a plea of Guilty and was convicted of THEFT OVER $1,500 (a State Jail Felony offense committed on December 23, 2003), in the 188th District Court of Gregg County, Texas, under Cause No. 31980-A. As a result of the conviction, Respondent was sentenced to confinement in a State Jail for a period of two (2) years; however, the imposition of the sentence of confinement was suspended, and Respondent was placed on probation for a period of five (5) years. Additionally, Respondent was ordered to pay court costs and three thousand, three hundred fifty-six dollars and one cent ($3,356.01) in Restitution.

j. On or about December 22, 2004, Respondent entered a plea of Guilty and was convicted of THEFT > = $1,500 < $20K (a State Jail Felony Offense committed on November 23, 2004), in the 188th District Court of Gregg County, Texas, under Cause No. 32,496-A. As a result of the conviction, Respondent was sentenced to confinement in a State Jail for a period of two (2) years; however, the imposition of the sentence of confinement was suspended, and Respondent was placed on probation for a period of five (5) years. Additionally, Respondent was ordered to pay court costs.

k. On or about October 30, 2006, Respondent entered a plea of Guilty and was convicted of THEFT BY CHECK (a Class B Misdemeanor offense committed on

August 20, 2003), in the County Court at Law No. 2 of Smith County, Texas, under Cause 002-82979-06. As a result of the conviction, Respondent was sentenced to confinement in the Smith County Jail for a period of one (1) day, with credit given for time already served, and ordered to pay a fine.

6. Formal Charges were filed on July 13, 2007. A copy of the Formal Charges is attached and incorporated by reference as part of this Order.

7. Formal Charges were mailed to Respondent on July 17, 2007.

8. On August 1, 2007, Respondent submitted a notarized statement to the Board voluntarily surrendering the right to practice vocational nursing in Texas. A copy of this 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 Article 4528c,sec.10(a)(3)&(9), TEX. REV. CIV. STAT. ANN., as amended, Section 302.402(a)(2),(3)(B)&(10), Texas Occupations Code, Section 301.452(b)(3)&(10), Texas Occupations Code, 22 TEX. ADMIN. CODE §239.11(8), 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.

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## ORDER

NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Vocational Nurse License Number 177544, heretofore issued to CHANDRA LORRAINE RONEY, to practice vocational nursing in the State of Texas, is accepted by the Executive Director on behalf of the Board of Nurse Examiners. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL NOT practice vocational nursing, use the title of "Licensed 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.

2. RESPONDENT SHALL NOT petition for reinstatement of licensure until: Respondent has completed felony probation or at least one (1) year from the date of this Order, whichever occurs later.

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 licensure privilege, if any, to practice vocational nursing in compact states.

Effective this 3rd day of August, 2007.

BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

By: Katherine A. Thomas

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

CHANDRA LORRAINE RONEY
c/o Attorney Joyce Stamp Lilly
1177 W. Loop South, Suite 720
Houston, TX 77027
Texas RN License #177544

July 13, 2007

Dear Board of Nurse Examiners:

I no longer desire to be licensed as a vocational nurse. Accordingly, I voluntarily surrender my license to practice in Texas. I consent to the entry of an Order which outlines requirements for reinstatement of my license. I understand that I will be required to comply with the Board's Rules and Regulations in effect at the time I submit any petition for reinstatement.

Signature Chandra Roney

Date 7-23-07

Texas LVN License Number NK

The State of Texas

Before me, the undersigned authority, on this date personally appeared CHANDRA LORRAINE RONEY who, being duly sworn by me, stated that she executed the above for the purpose therein contained and that she understood same.

Sworn to before me the 23rd day of July, 2007.

SEAL

Courtney Bradshaw
Notary Public in and for the State of Texas

COURTNEY BRADSHAW
MY COMMISSION EXPIRES
March 7, 2010

# Law Offices of Joyce Stamp Lilly R.N., J.D., P.C.

1177 West Loop South, Suite 720
Houston, TX 77027
Tel: 713-759-6430
Fax: 713-759-9650
www.nurse-lawyer.com

The Packet Building
155 South Main Street Ste 304
Providence, RI 02903
Tel: 401-207-3768
Fax: 401-273-8543
www.registerednurse-lawyer.com

Toll Free: 888-439-6430
e-mail: jslilly@nurse-lawyer.com

August 1, 2007

Kevin G. Freemyer
Investigator Board of Nurse Examiners
William P. Hobby Building, Ste 3-460
333 Guadalupe St
Austin, TX 78701

*Via Fax 512 305-7401*

Re: Chandra Roney, LVN

Dear Mr. Freemyer:

Please find attached the signed and notarized voluntary surrender statement from Chandra Roney. As we discussed last week, we were waiting for correspondence from you regarding Ms. Roney's options and instructions with regards to surrender of her license. We received this correspondence from you dated July 13th and shortly thereafter received formal charges dated July 16th. Formal charges were sent due to a communication misunderstanding and according to your statement were sent only to keep the process going forward. Ms. Roney never had any intention of disputing the fact that she needed to surrender her license.

As we discussed, because her license lapsed and she did not renew, she does not have her license in her physical possession to return to the board as she destroyed it upon its expiration. Finally, as we discussed, Ms. Roney plans to return to school and will be filing for reinstitution of her license upon completion of her probation in 2009.

Please feel free to contact me if you have any questions or comments regarding this correspondence.

Yours truly,

Joyce Stamp Lilly

JSL/ar
cc: Chandra Roney
X:\CASES\Roney, Chandra LVN\Correspondence\License Surrender to BNE final.doc

To whom it may concern: 7-23-07

I Chandra Roney have surrendard my nursing lincense. I do not have a ~~a~~ nursing lincense to turn in. My lincense expired in 2005 and I lost it and did not attemp to renew it.

Sincerly
Chandra Roney

# Board of Nurse Examiners For the State of Texas

Location Address: William P. Hobby Building, Ste. 3-460, 333 Guadalupe Street, Austin, Texas 78701
Phone: (512) 305-7400 Fax: (512) 305-7401 Web: www.bne.state.tx.us

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


July 16, 2007

Certified Mail No. 7006 2760 0001 9422 4994
Return Receipt Requested

Chandra Lorraine Roney
c/o Attorney Joyce Stamp Lilly
1177 W. Loop South, Suite 720
Houston, TX 77027

Dear Ms. Roney:

Enclosed are Formal Charges which have been filed against you alleging one or more violations of Section 301.452(b) of the Nursing Practice Act, Texas Occupations Code. Within three weeks of the date of this letter, you must file a written answer to each charge admitting or denying each allegation. If you intend to deny only part of an allegation, you must specify so much of it as is true and deny only the remainder. Your answer shall also include any other matter, whether of law or fact, upon which you intend to rely for your defense. Please send your written answer to the attention of Kevin G. Freemyer, Investigator. You may obtain legal counsel at your own expense.

FAILURE TO FILE A WRITTEN ANSWER TO THE FORMAL CHARGES, EITHER PERSONALLY OR BY LEGAL REPRESENTATIVE, WILL RESULT IN THE ALLEGATIONS CONTAINED IN THE FORMAL CHARGES BEING ADMITTED AS TRUE AND THE PROPOSED RECOMMENDATION OF STAFF WILL BE GRANTED BY DEFAULT.

Please be advised that should you fail to file a written answer, the case will proceed on a default basis and it will be staff's recommendation that a default order be entered revoking your license or multistate privilege to practice professional nursing in the State of Texas.

The results of any default order or formal disposition (Board Order) are public information. Results of informal and formal dispositions will appear in the Board's newsletter under the heading of "Disciplinary Action."

Should you desire to discuss this matter, you may contact Kevin G. Freemyer, Investigator, Enforcement Division, at the above address, or at (512) 305-8314.

Sincerely,

Katherine A. Thomas, MN, RN
Executive Director

KAT/kgf

Enclosure: Formal Charges


09/99-DA

**Members of the Board**

Joyce Adams, PhD, RN, Houston; Deborah Bell, CLU, ChFC, Abilene; George Buchenau, Jr., BSN, RN, MBA, Amarillo; Virginia Campbell, BSN, RN, CNOR, Mesquite; Blanca Rosa Garcia, PhD, RN, Corpus Christi; Richard Gibbs, LVN, Mesquite; Rachel Gomez, LVN, Harlingen; Brenda Jackson, PhD, RN, San Antonio; Beverley Jean Nutall, LVN, Bryan; Anita Palmer, ME, MA, Olney; Phyllis Rawley, CPC, *Vice-President*; Linda Rounds, PhD, FNP, RN, *President*; Frank Sandoval, Jr., J.D., San Antonio

| | | |
|---|---|---|
| **In the Matter of Permanent License** | § | **BEFORE THE BOARD** |
| **Number 177544, Issued to** | § | **OF NURSE EXAMINERS** |
| **CHANDRA LORRAINE RONEY, Respondent** | § | **FOR THE STATE OF TEXAS** |

## FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, CHANDRA LORRAINE RONEY, is a Vocational Nurse holding license number 177544, which is in delinquent status at the time of this pleading.

Written notice of the facts and conduct alleged to warrant adverse licensure action was sent to Respondent at Respondent's address of record and Respondent was given opportunity to show compliance with all requirements of the law for retention of the license prior to commencement of this proceeding.

## CHARGE I.

On or about October 17, 1988, Respondent entered a plea of Guilty to THEFT BY CHECK (a Class B Misdemeanor offense committed on August 5, 1987), in the County Court at Law of Smith County, Texas, under Cause No. 79,071. As a result of the Guilty plea, the proceedings against Respondent were deferred without entering an adjudication of guilt, and in addition, Respondent was placed on probation for a period of one hundred eighty (180) days and ordered to pay a fine.

The above action constitutes grounds for disciplinary action in accordance with Article 4528c, sec.10(a)(9), TEX. REV. CIV. STAT. ANN, as amended.

## CHARGE II.

On or about December 19, 1995, Respondent entered a plea of Guilty and was convicted of THEFT BY WORTHLESS CHECK (a Class B Misdemeanor offense committed on July 25, 1994), in the County Court of Gregg County, Texas, under Cause No. 0090428. As a result of the conviction, Respondent was sentenced to one (1) year of confinement in the Gregg County Jail; however, the imposition of the sentence of confinement was suspended and Respondent was placed on probation for a period of two (2) years, and ordered to pay a fine; court costs; and two thousand, two hundred twenty-three dollars and thirty-three cents ($2,223.33) in Restitution.

The above action constitutes grounds for disciplinary action in accordance with Article 4528c, sec.10(a)(3), TEX. REV. CIV. STAT. ANN, as amended.

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## CHARGE III.

On or about May 18, 2000, Respondent submitted an Application for Licensure by Examination to the Board of Vocational Nurse Examiners for the State of Texas, in which she provided false, deceptive and/or misleading information, in that she answered "No" to the question: "Have you ever been convicted of a misdemeanor other than a minor traffic violation?"

On or about December 19, 1995, Respondent was convicted of THEFT BY WORTHLESS CHECK (a Misdemeanor offense), in the County Court of Gregg County, Texas, under Cause No. 0090428.

The above action constitutes grounds for disciplinary action in accordance with Section 302.402(a)(2)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §239.11(8).

## CHARGE IV.

On or about June 29, 2000, Respondent entered a plea of Guilty and was convicted of THEFT BY CHECK reduced to the lesser included offense of CLASS C ISSUANCE OF BAD CHECK (a Misdemeanor offense committed on September 3, 1998), in the County Court at Law of Smith County, Texas, under Cause No. 001-86958-99. As a result of the conviction, Respondent was ordered to pay a fine and court costs.

The above action constitutes grounds for disciplinary action in accordance with Section 302.402(a)(3)(B), Texas Occupations Code.

## CHARGE V.

On or about August 14, 2001, Respondent entered a plea to FORGERY (a Class A Misdemeanor offense committed on August 1, 1999), in the County Court at Law In and For Gregg County, Texas, under Cause No. 2001-3017. As a result of the plea, the proceedings against Respondent were deferred without entering an adjudication of guilt, and in addition, Respondent was placed on probation for a period of two (2) years and ordered to pay court costs.

On or about December 3, 2003, A Judgment Adjudicating Guilt was entered in the County Court at Law In and For Gregg County, Texas, under Cause No. 2001-3017, based on Findings by the Court that Respondent had violated the terms and conditions of the deferred adjudication probation that she had been previously granted on August 14, 2001. As a result, Respondent was adjudged Guilty of the Class A Misdemeanor offense of FORGERY and her probation was revoked. Additionally, Respondent was sentenced to confinement in the Gregg County Jail for a period of one (1) year; however, the imposition of sentence of confinement was suspended, and Respondent was placed on probation for a period of ninety (90) days and ordered to pay a fine.

The above action constitutes grounds for disciplinary action in accordance with 302.402(a)(3)(B), Texas Occupations Code.

## CHARGE VI.

On or about October 20, 2003, Respondent submitted a Texas Online Renewal Document for Licensed Vocational Nurses to the Board of Nurse Examiners for the State of Texas, in which she provided false, deceptive and/or misleading information, in that she answered "No" to the question: "Were you convicted of a misdemeanor other than a minor traffic violation since your last renewal?"

On or about June 29, 2000, Respondent was convicted of THEFT BY CHECK reduced to the lesser included offense of CLASS C ISSUANCE OF BAD CHECK (a Misdemeanor offense), in the County Court at Law of Smith County, Texas, under Cause No. 001-86958-99.

The above action constitutes grounds for disciplinary action in accordance with Section 302.402(a)(2)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §239.11(8).

## CHARGE VII.

On or about December 19, 2003, Respondent entered a plea of Guilty and was convicted of THEFT BY CHECK (a Class B Misdemeanor offense committed on November 20, 2002), in the County Court at Law No. 3 of Smith County, Texas, under Cause No. 003-82287-03. As a result of the conviction, Respondent was placed on community supervision for a period of six (6) months, and in addition, Respondent was ordered to pay a fine; court costs; and ninety eight dollars and thirty-five cents ($98.35) in Restitution.

The above action constitutes grounds for disciplinary action in accordance with Section 302.402(a)(3)(B), Texas Occupations Code.

## CHARGE VIII.

On or about December 22, 2004, Respondent entered a plea of Guilty and was convicted of THEFT OVER $1,500 (a State Jail Felony offense committed on December 23, 2003), in the 188th District Court of Gregg County, Texas, under Cause No. 31980-A. As a result of the conviction, Respondent was sentenced to confinement in a State Jail for a period of two (2) years; however, the imposition of the sentence of confinement was suspended, and Respondent was placed on probation for a period of five (5) years. Additionally, Respondent was ordered to pay court costs and three thousand, three hundred fifty-six dollars and one cent ($3,356.01) in Restitution.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(3)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(13).

## CHARGE IX.

On or about December 22, 2004, Respondent entered a plea of Guilty and was convicted of THEFT > = $1,500 < $20K (a State Jail Felony Offense committed on November 23, 2004), in the 188th District Court of Gregg County, Texas, under Cause No. 32,496-A. As a result of the conviction, Respondent was sentenced to confinement in a State Jail for a period of two (2) years; however, the imposition of the sentence of confinement was suspended, and Respondent was placed on probation for a period of five (5) years. Additionally, Respondent was ordered to pay court costs.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(3)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(13).

## CHARGE X.

On or about October 30, 2006, Respondent entered a plea of Guilty and was convicted of THEFT BY CHECK (a Class B Misdemeanor offense committed on August 20, 2003), in the County Court at Law No. 2 of Smith County, Texas, under Cause 002-82979-06. As a result of the conviction, Respondent was sentenced to confinement in the Smith County Jail for a period of one (1) day, with credit given for time already served, and ordered to pay a fine.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(3)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(13).

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NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of revocation of Respondent's license to practice nursing in the State of Texas pursuant to the Board's rules, 22 TEX. ADMIN. CODE §§ 213.27 - 213.33. Additionally, staff will seek to impose on Respondent the administrative costs of the proceeding pursuant to § 301.461, TEX. OCC. CODE ANN. The cost of proceedings shall include, but is not limited to, the cost paid by the board to the State Office of Administrative Hearings and the Office of the Attorney General or other Board counsel for legal and investigative services, the cost of a court reporter and witnesses, reproduction of records, board staff time, travel, and expenses. These shall be in an amount of at least one thousand two hundred dollars ($1,200.00).

NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, www.bne.state.tx.us.

NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Sanction Policies for Lying and Falsification and Fraud, Theft & Deception which can be found at the Board's website, www.bne.state.tx.us.

Filed this 13th day of July, 2007.

BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

James W. Johnston, General Counsel
Board Certified - Administrative Law
Texas Board of Legal Specialization
State Bar No. 10838300
Victoria Cox, Assistant General Counsel
State Bar No. 00789585
E. Joy Sparks, Assistant General Counsel
State Bar No. 18874600
BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS
333 Guadalupe, Tower III, Suite 460
Austin, Texas 78701
P: (512) 305-6824
F: (512) 305.8101 or (512)305-7401

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