



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

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In the Matter of Vocational Nurse                     §     AGREED  
License Number 170671                                    §  
issued to CARMELITA LAVETTE THURMAN           §     ORDER

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Vocational Nurse License Number 170671, issued to CARMELITA LAVETTE THURMAN, 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 holds a license to practice vocational nursing in the State of Texas, which is currently in delinquent status.
4. Respondent received a Certificate in Vocational Nursing from Kingwood College, Kingwood, Texas, on August 6, 1998. Respondent was licensed to practice vocational nursing in the State of Texas on January 21, 1999.
5. Respondent's vocational nursing employment history is unknown.

6. On or about June 25, 2008, Respondent was adjudicated guilty of Count 1S Healthcare Fraud, Aiding and Abetting (a violation of 18 U.S.C. Section 1347 and 2, Offense Ending Date 11/04/2002) and Count 19S Conspiracy to Commit Healthcare Fraud (a violation of 18 U.S.C. Section 1349, Offense Ending Date 12/31/2004), in the United States District Court, Southern District of Texas, Holding Session in Houston, under Case No. 4:07CR00320-002, in the case styled UNITED STATES OF AMERICA V. CARMELITA THURMAN. As a result of the conviction, Respondent was committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of eighteen (18) months.

Additionally, upon release, Respondent was ordered to be on supervised release for a term of three (3) years.

Furthermore, Respondent was ordered to pay restitution in the amount of one million five hundred thousand dollars (\$1,500,000).

7. Respondent, by her signature to this Order, expresses her desire to voluntarily surrender her license to practice vocational 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 a violation of 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 Vocational License Number 170671, heretofore issued to CARMELITA LAVETTE THURMAN, 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 170671, heretofore issued to CARMELITA LAVETTE THURMAN, 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 CARMELITA LAVETTE THURMAN, 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.
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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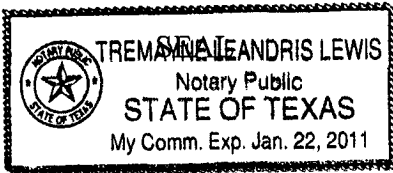
RESPONDENT'S CERTIFICATION

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 violation 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 Aug, 2009.

Carmelita Thurman  
CARMELITA LAVETTE THURMAN, Respondent

Sworn to and subscribed before me this 25 day of Aug, 2009.




Tremaine Andris Lewis  
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 170671, previously issued to CARMELITA LAVETTE THURMAN.



Effective this 2nd day of September, 2009.

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