

IN THE MATTER OF
PERMANENT CERTIFICATE
NUMBER 192983
ISSUED TO
PAMELA NYCOLE WARREN

§
§
§
§
§
§
§
§

BEFORE THE ELIGIBILITY
AND DISCIPLINARY
COMMITTEE
OF THE 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.
Pamela Nycole Warren
Executive Director of the Board

ORDER OF THE BOARD

TO: Pamela Nycole Warren
1101 Carthage Way
Arlington, Texas 76017

During open meeting held in Austin, Texas, on Tuesday, September 8, 2009, the Eligibility and Disciplinary Committee (hereinafter "Committee") heard the above-styled case. This case was heard, and based on the failure of the Respondent to appear as required by 22 TEX. ADMIN. CODE Ch. 213.

The Committee of the Texas Board of Nursing finds that notice of the facts or conduct alleged to warrant disciplinary action has been provided to Respondent in accordance with Texas Government Code § 2001.054(c) and Respondent has been given an opportunity to show compliance with all the requirements of the Nursing Practice Act, chapter 301 of the Texas Occupations Code, for retention of Respondent's license to practice vocational nursing in the State of Texas.

The Committee finds that the Formal Charges were properly initiated and filed in accordance with section 301.458, Texas Occupations Code.

The Committee finds that after proper and timely Notice regarding the violations alleged in the Formal Charges was given to Respondent in this matter, Respondent has failed to appear in accordance with 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that the Board is authorized to enter a default order pursuant to Texas Government Code § 2001.056.

The Eligibility and Disciplinary Committee, after review and due consideration, adopts the proposed findings of fact and conclusions of law as stated in the Formal Charges which are attached hereto and incorporated by reference for all purposes and the Staff's recommended sanction of revocation by default. This Order will be properly served on all parties and all parties will be given an opportunity to file a motion for rehearing (22 TEX. ADMIN.CODE § 213.2(j)). All parties have a right to judicial review of this Order.


All proposed findings of fact and conclusions of law filed by any party not specifically adopted herein are hereby denied.

NOW, THEREFORE, IT IS ORDERED that Permanent Certificate Number 192983, previously issued to Pamela Nycole Warren, to practice vocational nursing in the State of Texas be, and the same is hereby, REVOKED.

IT IS FURTHER ORDERED that this Order SHALL be applicable to Respondent's multi-state privilege, if any, to practice vocational nursing in the State of Texas.

Entered this 8th day of September, 2009.

TEXAS BOARD OF NURSING

BY: 
KATHERINE A. THOMAS, MN, RN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD


Re: Permanent Certificate Number 192983
Issued to Pamela Nycole Warren
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 10th day of September, 2009, a true and correct copy of the foregoing DEFAULT ORDER was served by placement in the U.S. Mail via certified mail, and addressed to the following person(s):

Pamela Nycole Warren
1101 Carthage Way
Arlington, Texas 76017

BY:


KATHERINE A. THOMAS, MN, RN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

**In the Matter of Permanent License
Number 192983, Issued to
PAMELA NYCOLE WARREN, Respondent**

§ **BEFORE THE TEXAS**
§
§ **BOARD OF NURSING**

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, PAMELA NYCOLE WARREN, is a Vocational Nurse holding license number 192983, which is in Current 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 September 29, 2008 through October 10, 2008, while employed as a Licensed Vocational Nurse with Maxim Healthcare Services, Fort Worth, Texas, and assigned home health Patient Medical Record Number 520657070, Respondent submitted time sheets for reimbursement of hours for home health visits that she did not actually make, as follows:

Date	Patient	Time In	Time Out	Notes
9-29-08	520657070	0700	1700	Patient attending school from 0800 to 1500
9-30-08	520657070	0700	1700	Patient attending school from 0800 to 1500
10-1-08	520657070	0700	1700	Patient attending school from 0800 to 1500
10-2-08	520657070	0700	1700	Patient attending school from 0800 to 1500

Respondent's conduct was likely to defraud the facility of funds.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(D), and 22 TEX. ADMIN. CODE §217.12(1)(A)(B)(C),(6)(A)&(G).

CHARGE II.

On or about November 7, 2003, Respondent sent in her Application for Licensure by Examination to the Board of Vocational Nurse Examiners, Austin, Texas, where she answered "No" to the question:

"Have you ever been convicted of a misdemeanor other than a minor traffic violation?"

Specifically, on or about October 16, 2002, Respondent plead guilty to the offense of Theft Prop \geq \$20 \leq \$500 by Check, a Class B Misdemeanor in the Criminal Court Number 4 Fort Worth, Texas, under Cause Number 0850560001. Subsequently, she received deferred adjudication and was sentenced to one (1) year probation and assessed court costs.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(2),(3)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §239.11(8).

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 (\$1200.00).

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.bon.state.tx.us.

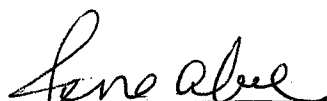
BALANCE OF PAGE LEFT BLANK INTENTIONALLY

CONTINUED ON NEXT PAGE

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, Fraud, Theft & Deception which can be found at the Board's website, www.bon.state.tx.us.

Filed this 25th day of June, 2009.

TEXAS BOARD OF NURSING


James W. Johnston, General Counsel
Board Certified - Administrative Law
Texas Board of Legal Specialization
State Bar No. 10838300
Jena Renee Koslan Abel, Assistant General Counsel
State Bar No. 24036103
Robert Kyle Hensley, Assistant General Counsel
State Bar No. 50511847
John F. Legris, Assistant General Counsel
State Bar No. 00785533
TEXAS BOARD OF NURSING
333 Guadalupe, Tower III, Suite 460
Austin, Texas 78701
P: (512) 305-6824
F: (512) 305-8101 or (512)305-7401

0999/D