



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

In the Matter of Vocational Nurse § AGREED
License Number 196679 §
issued to JENNY LYNN FRANKS § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of JENNY LYNN FRANKS, Vocational Nurse License Number 196679, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated 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 May 25, 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 North Central Texas College, Gainesville, Texas, on August 5, 2004. Respondent was licensed to practice vocational nursing in the State of Texas on December 30, 2004.
5. Respondent's vocational nursing employment history is unknown.

6. On or about July 2, 2006, 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: "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?"

On or about May 26, 2006, Respondent was arrested by the Denton County Sheriff's Office, Denton, Texas, and charged with THEFT PROP >=\$20<\$500 BY CHECK (a Class B misdemeanor offense).

7. On or about July 29, 2008, Respondent submitted an Online Renewal Document for Licensed Vocational Nurses to the Texas Board of Nursing, in which she provided false, deceptive, and/or misleading information, in that she answered "No" to the question: "Have you, within the past 24 months or since your last renewal, for any criminal offense, including those pending appeal: . . .D. received deferred adjudication . . .?"

On or about August 17, 2006, Respondent entered a plea of "No Contest or Nolo Contendere" to THEFT PROP >=\$20<\$500 BY CHECK (a Class B misdemeanor offense committed on June 13, 2005), in the County Criminal Court #4, Denton, Texas, under Cause No. CR200601219Z. As a result of the plea, the proceedings were deferred without entering an adjudication of guilt, and Respondent was placed on probation for a period of one hundred eighty (180) days. Additionally, Respondent was ordered to pay a fine and court costs.

8. In response to Findings of Fact Number Six (6) and Number Seven (7), Respondent states: In August 2005, I wrote a check for gas to a convenient store. About a week later, I closed my account thinking that the check had already gone through and I moved. The check had not gone through and in May I found I had a warrant for this. I immediately called Denton County and they told me to turn my self in and pay the restitution to get out. I went to court in August and received deferred prosecution.

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).

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) 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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CONTINUED ON NEXT PAGE.

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.

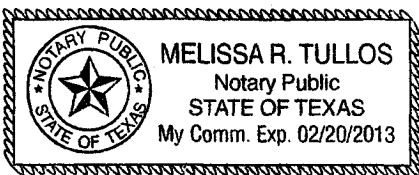
Signed this 29 day of July, 2009.

Jenny Lynn Franks
JENNY LYNN FRANKS, Respondent

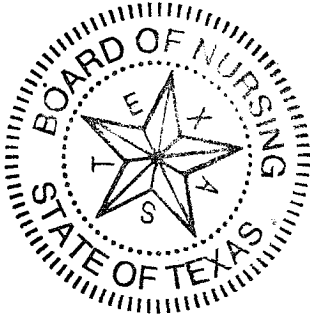
Sworn to and subscribed before me this 29 day of July, 2009.

SEAL

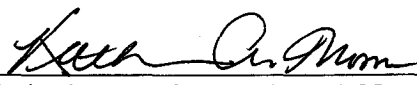
Melissa R. Tullos
Notary Public in and for the State of Texas



WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby ratify and adopt the Agreed Order that was signed on the 29th day of July, 20 09, by JENNY LYNN FRANKS, Vocational Nurse License Number 196679, and said Order is final.



Effective this 4th day of August, 20 09


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