

BEFORE 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.
Patricia P. Thomas
Executive Director of the Board

In the Matter of Registered Nurse License Number 551039 §
and Vocational Nurse License Number 69863 §
issued to DIANA SUE BOLIN §

ORDER OF THE BOARD

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Registered Nurse Number 551039 and Vocational Nurse License Number 69863, issued to DIANA SUE BOLIN , hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived representation by counsel, informal proceedings, notice and hearing.

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

FINDINGS OF FACT

1. Respondent is currently licensed to practice professional nursing in the State of Texas. Respondent holds a license to practice vocational nursing which is in delinquent status.
2. Respondent waived representation by counsel, informal proceedings, notice and hearing.
3. Respondent received a Certificate in Vocational Nursing from St. Philips College Vocational Nursing Program, San Antonio, Texas, on May 27, 1976, and a Baccalaureate Degree in Nursing from The University of Texas Health Science Center at San Antonio, Texas, on December 14, 1988 , Respondent was licensed to practice vocational nursing in the State of Texas in November 19, 1976 and Respondent was licensed to practice professional nursing in the State of Texas on April 4, 1989.
4. Respondent's nursing employment history is unknown.

5. On or about October 22, 2006, Respondent submitted a Texas Online Renewal Document Registered Nurse 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 ever been convicted, placed on community supervision whether or not adjudicated guilty, sentenced to serve jail or prison time or granted pre-trial diversion, or received a court order whether or not a sentence was imposed, including any pending criminal charges or unresolved arrests whether or not on appeal (excluding minor Class C traffic violations)? This includes expunged offenses and deferred adjudications with or without a finding of guilt. You may answer "No" if you have previously disclosed a criminal matter otherwise responsive to this question in a renewal and/or licensure form.
- A. On or about December 13, 2004, Respondent was arrested by the Dimmit County Sheriff's Office, Carrizo Springs, Texas, for CRIMINAL TRESPASS (a Class B misdemeanor offense). On or about February 21, 2005, the Prosecutor rejected the charge without a pre-trial diversion.
6. On or about October 8, 2008, Respondent submitted a License Renewal Form to the Texas Board of Nursing in which you answered "Yes" to the question: Have you, within the past 24 months or since your last renewal, for any criminal offense, including those pending appeal:
- A. been convicted of a misdemeanor?
 - B. been convicted of a felony?
 - C. pled nolo contendere, no contest, or guilty?
 - D. received deferred adjudication?
 - E. been placed on community supervision or court-ordered probation, whether or not adjudicated guilty?
 - F. been sentenced to serve jail or prison time? court-ordered confinement?
 - G. been granted pre-trial diversion?
 - H. been arrested or have any pending criminal charges?
 - I. been cited or charged with any violation of the law?
 - J. been subject of a court-martial; Article 15 violation; or received any form of military judgement/punishment/action?"

Respondent disclosed that on or about September 28, 2007, Respondent was arrested by the Office of Investigations, Eagle Pass, Eagle Pass, Texas, for SMUGGLING ALIENS.

7. In response to Findings of Fact Number six (6), Respondent states she was going to work and was stopped by federal agents and detained. Respondent was released on a personal recognizance bond for Conspiracy To Transport Illegal Aliens, charges pending. Respondent has been reporting to United States Pretrial Services and has turned her life around to focus on her job and family.

8. On June 30, 2009 Respondent returned License Number 551039 and submitted a notarized statement to the Board voluntarily surrendering the right to practice nursing in Texas. A copy of the statement dated June 30, 2009, is attached and incorporated, by reference herein, 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 violation of Section 301.452(b)(2)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(6)(I)&(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 Registered Nurse Number 551039, and Vocational Nurse License Number 69863, heretofore issued to DIANA SUE BOLIN, to practice nursing in the State of Texas, is accepted by the Executive Director on behalf of the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:


1. RESPONDENT SHALL NOT practice nursing, use the title of Registered Nurse or Vocational Nurse, or the abbreviation "RN" or "LVN" or wear any insignia identifying herself as a nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a Registered Nurse or Vocational Nurse during the period in which the license is surrendered.
2. RESPONDENT SHALL NOT petition for reinstatement of licensure until: one (1) year has elapsed from the date of this Order.
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 professional nursing in compact states.

Effective this 17th day of August, 2009.

TEXAS BOARD OF NURSING

By:


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

Diana S. Lancaster Bolin
P.O. Box 1445
Uvalde, Tx 78802

June 30, 2009

Texas Board of Nurse Examiners
333 Guadalupe #3-460
Austin Texas 78701

Dear Board of Nurse Examiners

I ask that you accept my written request to volunteer my RN Compact License #551039 Diana Sue Bolin, as I will be voluntarily surrendering myself to federal prison as of June 30, 2009. Been sentenced for conspiracy of knowing about people hauling illegal people. I have not done anything to jeopardize the safety and well being of any patients/clients that I have worked with in my nursing profession. Was informed about reapplying for my license once released and that my monitor is Diana Burell. I will be in federal prison for an undetermined time. I have a copy of my license that was obtained from the internet, and any correspondence should be sent to above address, my ss# is 466-08-4821, RN # 551039 exp 10/31/2010.

Thank You .

Sincerely,



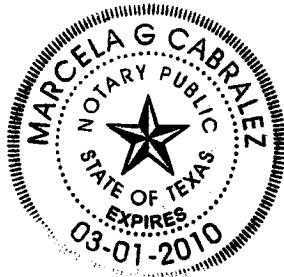
Diana S. Lancaster Bolin

ACKNOWLEDGMENT

STATE OF TEXAS

COUNTY OF UVALDE

This instrument was acknowledged before me on the 29th day of June 2009 by DIANE S. LANCASTER BOLIN.



Marcela G. Cabralez
Notary Public State of Texas
My Commission Expires: 03/01/2010