

IN THE MATTER OF
PERMANENT CERTIFICATE
NUMBER 189372
ISSUED TO
FRANCES EVON JACKSON

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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.
Patricia A. Thomas
Executive Director of the Board

ORDER OF THE BOARD

TO: Frances Evon Jackson
8315 Parry Path
Converse, Texas 78109

During open meeting held in Austin, Texas, on June 9, 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 189372, previously issued to FRANCES EVON JACKSON, to practice vocational nursing in the State of Texas be, and the same is hereby, REVOKED.

IT IS FURTHER ORDERED that Permanent Certificate Number 189372, previously issued to FRANCES EVON JACKSON, upon receipt of this Order, be immediately delivered to the office of the Texas Board of Nursing.

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 9th day of June, 2009.

TEXAS BOARD OF NURSING

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

Re: Permanent Certificate Number 189372
Issued to FRANCES EVON JACKSON
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 11 day of June, 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):

Frances Evon Jackson
8315 Parry Path
Converse, Texas 78109

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

In the Matter of Permanent License § **BEFORE THE TEXAS**
Number 189372, Issued to §
FRANCES EVON JACKSON, Respondent § **BOARD OF NURSING**

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, FRANCES EVON JACKSON, is a Vocational Nurse holding license number 189372, 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 July 18, 1996, Respondent plead guilty to the offense of "Theft >=\$100K <\$200K PB Service" a Class B Misdemeanor, Respondent was issued a Deferred Adjudication Order and placed on six (6) months community supervision by the County Court of Kingsville, Texas.

The above action constitutes grounds for disciplinary action in accordance with Article 4528c, Section 10 (a)(9), TEX. REV. CIV. STAT. ANN., and 22 TEX. ADMIN. CODE §239.11(29).

CHARGE II.

On or about December 10, 2001, Respondent plead guilty to the offense of "Aggravated Assault with a Deadly Weapon" a 2nd Degree Felony, in the 300th District Court Brazoria County, Texas, cause number 40683. Respondent was issued a Deferred Adjudication Order and placed on community supervision for four (4) years.

The above action constitutes grounds for disciplinary action in accordance with Section 302.402(a)(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §239.11(29).

CHARGE III.

On or about January 14, 2007, Respondent submitted an on-line license renewal to the Texas Board of Nursing and she answered "No" to question number two (2) which reads as follows: "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 plead guilty, no contest or nolo

contendere to any crime in any state, territory or country, 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 other wise responsive to this question in a renewal and/or license form." Respondent failed to disclose that on July 18, 1996, she plead guilty to the offense of "Theft >=\$100K <\$200K PB Service" a Class B Misdemeanor and she was issued a deferred adjudication order; and that on December 10, 2001, she plead guilty to the offense of "Aggravated Assault with a Deadly Weapon" a 2nd Degree Felony and was issued a deferred adjudication order. Respondent's conduct was likely to deceive the Board and could have affected the decision regarding the issuance of her license.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(2)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(6)(H)(I).

CHARGE IV.

On or about December 18, 2006, while employed with Millennium Home Health Care, Inc., San Antonio, Texas, Respondent caused injury to Patient MR in that she used scalding water to bathe the patient which resulted in the patient suffering second and third degree burns to her body. The injuries required hospitalization and extensive treatment. On June 25, 2008, Respondent was indicted for the offense "Causing Serious Bodily Injury" a 2nd Degree Felony, in the 290th Judicial District Court, Bexar County, Texas, cause number 2008-CR-5362. On December 15, 2008, Respondent entered a plead of Nolo Contendere and signed a Plea Bargain Agreement.

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)(A)(M) and 217.12(1)(A)(B),(4),&(6)(C).

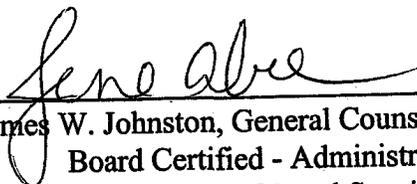
NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of revocation of Respondent's license to practice nursing in the State of Texas pursuant to the Board's rules, 22 TEX. ADMIN. CODE §§ 213.27 - 213.33. and TEX. OCC. CODE Ch. 53. Additionally, staff will seek to 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.

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

Filed this 12th day of February, 2009.

TEXAS BOARD OF NURSING



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