

IN THE MATTER OF
PERMANENT CERTIFICATE
NUMBER 164428
ISSUED TO
CARLEEN BEATRICE COLEMAN

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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 R. Thomas
Executive Director of the Board

ORDER OF THE BOARD

TO: Carleen Beatrice Coleman
10247 Algiers
Houston, TX 77041

During open meeting held in Austin, Texas, on May 12, 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 164428, previously issued to CARLEEN BEATRICE COLEMAN, to practice vocational nursing in the State of Texas be, and the same is hereby, REVOKED.

IT IS FURTHER ORDERED that Permanent Certificate Number 164428, previously issued to CARLEEN BEATRICE COLEMAN, 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 12th day of May, 2009.

TEXAS BOARD OF NURSING

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

Re: Permanent Certificate Number 164428
Issued to CARLEEN BEATRICE COLEMAN
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 15th day of May, 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):

Carleen Beatrice Coleman
10247 Algiers
Houston, TX 77041

BY:



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

In the Matter of Permanent License § **BEFORE THE TEXAS**
Number 164428, Issued to §
CARLEEN BEATRICE COLEMAN, Respondent § **BOARD OF NURSING**

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, CARLEEN BEATRICE COLEMAN, is a Vocational Nurse holding license number 164428, which is in delinquent 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 10, 2003, Respondent entered a plea of Nolo Contendere and was convicted of CRIMINAL TRESPASS, (a Class B misdemeanor offense committed on September 4, 2003), in the County Court at Law No. 5, Travis County, Texas, under Cause No. 649-055. As a result of the conviction, Respondent was sentenced to confinement in the Travis County Jail for a period of ten (10) days.

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)(A).

CHARGE II.

On or about November 7, 2003, Respondent entered a plea of Nolo Contendere and was convicted of THEFT OVER \$50.00 UNDER \$500, (a Class B misdemeanor offense committed on November 2, 2003), in the County Court at Law No. 4, Travis County, Texas, under Cause No. 652,789. As a result of the conviction, Respondent was sentenced to confinement in the Travis County Jail for a period of twenty (20) days.

The above action constitutes grounds for disciplinary action in accordance with Section 302.402(a)(3)(B)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §239.11(29)(A).

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CHARGE III.

On or about November 19, 2003, Respondent entered a plea of Nolo Contendere and was convicted of FAIL TO ID, (a Class B misdemeanor offense committed on November 13, 2003), in the County Court at Law No. 4, Travis County, Texas, under Cause No. 654832. As a result of the conviction, Respondent was sentenced to confinement in the Travis County Jail for a period of ten (10) days.

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)(A).

CHARGE IV.

On or about January 8, 2004, Respondent entered a plea of Nolo Contendere and was convicted of THEFT-B, (a Class B misdemeanor offense committed on January 1, 2004), in the County Court at Law No. 4, Travis County, Texas, under Cause No. 657560. As a result of the conviction, Respondent was sentenced to confinement in the Travis County Jail for a period of thirty (30) days.

The above action constitutes grounds for disciplinary action in accordance with Section 302.402(a)(3)(B)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §239.11(29)(A).

CHARGE V.

On or about January 5, 2007, Respondent entered a plea of Nolo Contendere to DELIVERY OF COCAINE LESS THAN 1 GRAM, (a State Jail Felony offense committed on November 13, 2006), in the 339th District Court, Harris County, Texas, under Cause No. 1092806. As a result of the plea, the proceedings against Respondent were deferred without entering an adjudication of guilt and Respondent was placed on probation for a period of three (3) years. Additionally, Respondent was ordered to pay a fine and court costs.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(3)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(11)(B)&(13).

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CHARGE VI.

On or about June 24, 2008, Respondent may have lacked fitness to practice Vocational Nursing, in that she submitted a License Renewal Form to the Board of Nursing and answered "Yes" to the question:

- In the past 5 years, have you been addicted or treated for the use of alcohol or any other drug?

Gloria Tucker, TLC Singles Case Manager II, Bonita House of Hope, submitted a letter to the staff at the Texas Board of Nursing, stating Respondent enrolled at The Bonita House Of Hope on October 2, 2007. Respondent graduated successfully after 90 days of intensive substance abuse treatment. After completing this initial phase of treatment, Respondent chose to enroll in the TLC Program because she recognized that she needed further stability in recovery. Respondent received instruction in Life Skills in Personal Development, Job Readiness in Career Development, and Chemical Dependency/Relapse Prevention.

Melody Burr, Director of Client Services, Bonita House of Hope, submitted a letter dated April 18, 2008 to the staff at the Texas Board of Nursing, stating that in the TLC Program, Respondent focused on Self Awareness, working on character defects and unresolved issues in specialized group, through assignments, and individual counseling.

Rosemary L. Beamer, LCDC, Bonita House of Hope, submitted a letter dated April 29, 2008 to the staff at the Texas Board of Nursing, stating Respondent was her client from October 3, 2007, through January 3, 2008, in the 90-day treatment program. She states that Respondent maintained compliance with the program and became a role model for other residents. Respondent successfully completed all goals of treatment.

Respondent's condition could have affected her ability to recognize subtle signs, symptoms or changes in patients' conditions, and could have affected her ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patients in potential danger.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(9)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(5).

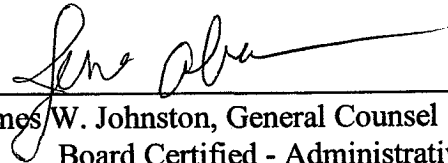
NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of revocation of Respondent's license to practice nursing in the State of Texas pursuant to the Board's rules, 22 TEX. ADMIN. CODE §§ 213.27 - 213.33. Additionally, staff will seek to impose on Respondent the administrative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

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 Substance Abuse, Misuse, Substance Dependency, or other Substance Used Disorder, and Fraud, Theft & Deception which can be found at the Board's website, www.bon.state.tx.us.

Filed this 5th day of February, 2009.

TEXAS BOARD OF NURSING



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