



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

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Vocational Nurse § AGREED  
License Number 29662 §  
issued to ALLIE EDWARDS MAYO § ORDER

An investigation by the Texas Board of Nursing, hereinafter referred to as the Board, produced evidence indicating that ALLIE EDWARDS MAYO, hereinafter referred to as Respondent, Vocational Nurse License Number 29662, may have violated Section 301.452(b)(10), Texas Occupations Code.

An informal conference was held on March 17, 2009, at the office of the Texas Board of Nursing, in accordance with Section 301.464 of the Texas Occupations Code.

Respondent appeared in person. Respondent was notified of her right to be represented by legal counsel and elected to waive representation by counsel. In attendance were Denise Benbow, Executive Director's Designee; Kyle Hensley, Assistant General Counsel; John F. Legris, Assistant General Counsel; Cynthia A. Smith, Supervising Investigator, Enforcement Division; and Bonnie Krznarich, Investigator.

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, notice and hearing, and consented 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 Houston Vocational Nursing Program, Houston, Texas, on June 1, 1964. Respondent was licensed to practice vocational nursing in the State of Texas on July 24, 1964.

5. Respondent's nursing employment history includes:

1964 - 1967	LVN Ben Taub Hospital Houston, Texas
1967 - 1968	LVN Diagnostic Center Hospital Houston, Texas
1968 - 1977	LVN Veterans Administration Hospital Houston, Texas
1976 - 1987	Not employed as LVN
1987 - 1995	LVN Mental Health Retardation Agency Harris County Psychiatric Unit Houston, Texas
1990 - 1992	LVN Visiting Nurse Association Houston, Texas
1992 - 1999	LVN Various Home Health Agencies: MHI Home Health Agency AMM Health Care Group, Inc. St. Jude Home Health Services Continucare Home Health
January 2000 - February 2000	LVN Cypresswood Hospital Home Health Agency Houston, Texas
February 2000 - April 2000	LVN Nursing Home
April 2000 - October 2000	LVN Brightstar Nursing Agency Houston, Texas
June 2000 - March 2005	Not employed as LVN

Respondent's nursing employment history continued:

May 2004 - April 2006	LVN Continuous Care Solutions Houston, Texas
June 2006 - September 2006	LVN Horizons Assisted Living Facility Houston, Texas
March 2006 - Present	LVN EPIC Med Staffing Houston, Texas

6. On or about April 23, 2007, Respondent entered a plea of Guilty to CRIMINAL TRESPASS, (a Class B misdemeanor offense committed on March 4, 2007), in the County Criminal Court at Law No. 7 of Harris County, Texas, under Cause No. 1438748. 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 nine (9) months. Additionally, Respondent was ordered to pay a fine and court costs.
7. On or about July 29, 2008, Respondent entered a plea of Nolo Contendere and was convicted of CRIMINAL TRESPASS, (a Class B misdemeanor offense committed on May 22, 2008), in the County Criminal Court at Law No. 12 of Harris County, Texas, under Cause No. 1527772. As a result of the conviction, Respondent was sentenced to confinement in the Harris County Jail for a period of two (2) days. Additionally, Respondent was ordered to pay court costs.
8. In response to Findings of Fact Numbers Six(6) and Seven (7), Respondent states: In October 2000, she was made aware that the Pastor of Greenspoint Baptist Church was attracted to her. Eventually she was warned that she would be arrested if she returned to the church. In the week prior to March 4, 2007, she believed the Pastor gave her signs he would like to see here. Subsequently, she returned to the church on Sunday, March 4, 2007, and was arrested.

On Thursday, May 22, 2008, she received a telephone call stating that someone wanted to meet with her at the church that evening. On that day she arrived at the church promptly at 6:00 pm. She was kept waiting until 14 minutes past 6:00 pm, and then a Harris County Sheriff's deputy drove up with a church member and arrested her for trespassing. When she told the deputy she was told per telephone to be at Greenspoint at 6:00 pm, the Deputy stated, "No one told you to come here." She believes this was a set-up/entrapment team to arrest her again for trespassing.

9. On October 7, 2008, Respondent underwent a psychological evaluation conducted by Dr. Joyce M. Gayles, PhD, Clinical Psychologist, Transformation Works, Bellaire, Texas. Dr. Gayles recommends Respondent receive individual psychotherapy with a supportive and cognitive-behavioral focus, geared toward helping with her thinking processes and improving interpersonal relationships, preferably with a Christian psychologist or psychotherapist. Dr. Gayles states Respondent's participation in therapy should be monitored and the duration determined by her progress. With such intervention, Dr. Gayles believes Respondent can fulfill the duties and responsibilities, and engage in conduct required of a professional nurse.

#### CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.455, 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)(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(13).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 29662, heretofore issued to ALLIE EDWARDS MAYO, including revocation of Respondent's license to practice nursing in the State of Texas.

#### ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that RESPONDENT SHALL receive the sanction of a WARNING WITH STIPULATIONS, and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Texas Occupations Code §§301.001 *et seq.*, the Rules and Regulations Relating to Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE § 211.1 *et seq.* and this Order.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's multistate licensure privilege, if any, to practice nursing in compact states.

IT IS FURTHER AGREED and ORDERED that while Respondent's license is

encumbered by this Order, Respondent may not work outside the State of Texas pursuant to a multistate licensure privilege without the written permission of the Texas Board of Nursing and the Board of Nursing in the party state where Respondent wishes to work.

IT IS FURTHER AGREED that:

(1) RESPONDENT SHALL deliver the wallet-sized license issued to ALLIE EDWARDS MAYO, to the office of the Texas Board of Nursing within ten (10) days of the date of this Order.

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully 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) contact 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, SHOULD RESPONDENT PRACTICE AS A NURSE IN THE STATE OF TEXAS, RESPONDENT WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING STIPULATIONS FOR ONE (1) YEAR OF EMPLOYMENT. THE LENGTH OF THE STIPULATION PERIOD WILL BE EXTENDED UNTIL SUCH TWELVE (12) MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE A VOCATIONAL NURSE (LVN) LICENSE WILL NOT APPLY TO THIS STIPULATION PERIOD.**

(3) RESPONDENT SHALL notify each present employer in nursing of this Order of the Board and the stipulations on RESPONDENT's license. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each present employer within five (5) days of receipt of this Order. RESPONDENT SHALL notify all future employers in nursing of this Order of the Board and the stipulations on RESPONDENT's license. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each future employer prior to accepting an offer of employment.

(4) RESPONDENT SHALL CAUSE each present employer in nursing to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within five (5) days of employment as a nurse.

(5) RESPONDENT SHALL be supervised by a Registered Nurse or a Licensed

Vocational Nurse who is on the premises. The supervising nurse is not required to be on the same unit or ward as RESPONDENT, but should be on the facility grounds and readily available to provide assistance and intervention if necessary. The supervising nurse shall have a minimum of two (2) years experience in the same or similar practice setting to which the Respondent is currently working. RESPONDENT SHALL work only regularly assigned, identified and predetermined unit(s). RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(6) RESPONDENT SHALL CAUSE each employer to submit, on forms provided to the Respondent by the Board, periodic reports as to RESPONDENT's capability to practice nursing. These reports shall be completed by the Registered Nurse or Licensed Vocational Nurse who supervises the RESPONDENT. These reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) month period for one (1) year of employment as a nurse.

(7) RESPONDENT SHALL participate in therapy with a "professional counselor" possessing credentials approved by the Board. RESPONDENT SHALL CAUSE the therapist to submit written reports, on forms provided by the Board, as to the RESPONDENT's progress in therapy, rehabilitation and capability to safely practice nursing. The report must indicate whether or not the RESPONDENT's stability is sufficient to provide direct patient care safely. Such reports are to be furnished each and every month for three (3) months. If therapy is recommended for beyond three (3) months, the reports shall then be required at the end of each three (3) month period for the duration of the stipulation, or until RESPONDENT is

dismissed from therapy.

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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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 violation 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 this Order is subject to ratification by the Board. When this Order is ratified, the terms of this Order become effective, and 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 09<sup>th</sup> day of April, 2009.

Allie Edwards Mayo

ALLIE EDWARDS MAYO, Respondent

Sworn to and subscribed before me this 09<sup>th</sup> day of April, 2009.

SEAL




J. M. F. M

Notary Public in and for the State of Texas

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 9th day of April, 2009, by ALLIE EDWARDS MAYO, Vocational Nurse License Number 29662, and said Order is final.

Effective this 12th day of May, 2009.

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