



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. Brannon
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Registered Nurse § AGREED
License Number 622930 §
issued to VERGIE MAE BRANNON § ORDER

On this day, the Texas Board of Nursing, hereinafter referred to as the Bo accepted the voluntary surrender of Registered Nurse License Number 622930, issued to VERGIE MAE BRANNON, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c) of the Texas Occupations Code.

Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order.

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

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was provided to 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 professional nursing in the State of Texas.
4. Respondent received a Baccalaureate Degree in Nursing from The University of Tennessee, Chattanooga, Tennessee, on April 30, 1989, and received a Master's Degree in Nursing from the Gerontological Nurse Practitioner Program, Vanderbilt University, Nashville, Tennessee, on August 11, 1995. Respondent was licensed to practice professional nursing in the State of Tennessee on August 22, 1989; was licensed to practice professional nursing in the State of Texas on October 10, 1995; became Board recognized as a Gerontological Nurse Practitioner in the State of Texas on October 31, 1995; and became Board recognized with Prescriptive Authorization as a Gerontological Nurse Practitioner in the State of Texas on June 17, 1998.

5. Respondent's employment history includes:

8/1989 - 2007	Unknown	
2006 - 2008	Gerontological Nurse Practitioner	Terrell State Hospital Terrell, Texas
2009	Unknown	

6. On or about October 30, 2007, Respondent plead guilty to the federal crime of Health Care Fraud, a violation of 18 USC §§ 1347 and 24(b) in the US District Court, Northern District of Texas, including that between November 2001 and March 1, 2006, Respondent:

- Submitted fraudulent claims as a Gerontological Nurse Practitioner to Medicare and Medicaid seeking reimbursement for the cost of nursing services allegedly provided to Medicare and Medicaid beneficiaries;
- Concealed the submission of fraudulent Medicare and Medicaid claims, the receipt and transfer of fraudulently obtained proceeds; and
- Diverted the fraudulently obtained proceeds for her personal use and benefit.

On or about October 8, 2008, Respondent's plea was entered and Respondent was adjudicated guilty, sentenced to be imprisoned for sixty (60) days followed by two (2) years supervised release, and ordered to pay restitution to Medicare and Medicaid Services in the amount of \$16,760.56.

7. On or about October 2008 through November 13, 2008, while employed at Terrell State Hospital, Terrell, Texas, Respondent failed to self-report that she had been adjudicated guilty of Health Care Fraud to her employer, as required. Instead, Respondent resigned her position and informed her employer that she was going to do writing and research. Respondent's conduct was deceptive.

8. Respondent, by her signature to this Order, expresses her agreement to voluntarily surrender her license to practice professional and advanced practice nursing in the State of Texas.

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)(3)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(6)(A),(6)(G),(6)(H),(6)(I), (11)(B)&(13).

4. The evidence received is sufficient cause pursuant to Section 301.453(a), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 622930, heretofore issued to VERGIE MAE BRANNON, including revocation of Respondent's license to practice nursing in the State of Texas.
5. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
6. Under Section 301.453(d), Texas Occupations Code, as amended, the Board may impose conditions for reinstatement of licensure.
7. Any subsequent reinstatement of this license will be controlled by Section 301.453(d), Texas Occupations Code, and 22 TEX. ADMIN. CODE §213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

ORDER

NOW, THEREFORE, IT IS AGREED and ORDERED that the VOLUNTARY SURRENDER of Registered Nurse License Number 622930, heretofore issued to VERGIE MAE BRANNON, to practice nursing in the State of Texas, is accepted by the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL immediately deliver the wallet-sized license, heretofore issued to VERGIE MAE BRANNON, to the office of the Texas Board of Nursing.
2. RESPONDENT SHALL NOT practice professional or advanced practice nursing, use the title "registered nurse," "advanced practice nurse," or "nurse practitioner," or use the abbreviation "RN", "APN", or "NP," or wear any insignia identifying herself as a registered or advanced practice nurse, or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a registered or advanced practice nurse during the period in which the license is surrendered.
3. RESPONDENT SHALL NOT petition for reinstatement of licensure until: one (1) year has elapsed from the date of this Order.
4. 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 privilege, if any, to practice nursing in the State of Texas.

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RESPONDENT'S CERTIFICATION

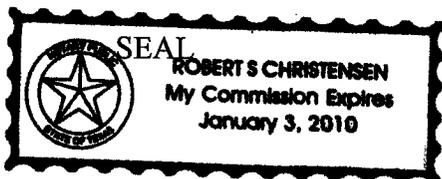
I understand that I have the right to legal counsel prior to signing this Agreed Order.

I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the 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 this Order becomes final when accepted by the Executive Director at which time the terms of this Order become effective and a copy will be mailed to me.

Signed this 2ND day of April, 2009

Vergie Brannon
VERGIE MAE BRANNON, Respondent

Sworn to and subscribed before me this 2 day of April, 2009.



[Signature]
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 accept the voluntary surrender of Registered Nurse License Number 622930, previously issued to VERGIE MAE BRANNON.



Effective this 8th day of April, 2009.

A handwritten signature in black ink, appearing to read 'Katherine A. Thomas', is written over a horizontal line.

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