



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

In the Matter of Registered Nurse
License Number 528582
issued to MARIANNE VILLA

§
§
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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 License Number 528582, issued to MARIANNE VILLA, 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 conference, 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.
2. Respondent waived representation by counsel, informal conference, notice and hearing.
3. Respondent received an Associate Degree from Odessa College, Odessa, Texas on May 1, 1984. Respondent was licensed to practice professional nursing in the State of Texas on December 2, 1985.
4. Respondent's professional nursing employment history includes:

12/85-1992	Unknown	
4/92-7/99	RN	Martin County Hospital Stanton, Texas
8/99-12/99	Unknown	

Respondent's professional nursing employment history continued:

1/00-4/00	RN	Lancaster Medical Center Lancaster, Texas
5/00-9/01	RN	Lake Lodge Care Center Lake Worth, Texas
10/01-4/04	RN	Trinity Haven Midland, Texas
5/04-3/05	Unknown	
4/05-11/05	RN	Stanton Care & Rehab Stanton, Texas
12/05-6/06	Unknown	
7/06-9/06	RN	Alpine Valley Care Center Alpine, Texas
10/06-11/06	Unknown	
12/2006	RN	Sienna Care Center Odessa, Texas
1/2007	RN	Stanton Care & Rehab Stanton, Texas
2/2007	Unknown	
3/07-Present	RN	Iraan General Hospital Iraan, Texas

5. Formal Charges were filed on January 2, 2009. A copy of the Formal Charges is attached and incorporated by reference as part of this Order.
6. Formal Charges were mailed to Respondent on January 7, 2009.
7. On January 30, 2009, Respondent returned License Number 528582 and submitted a signed statement to the Board voluntarily surrendering the right to practice professional nursing in Texas. A copy of the statement is attached and incorporated, by reference, as part of this Order.

8. The Board policy implementing Rule 213.29 in effect on the date of this Agreed Order provides discretion by the Executive Director for consideration of conditional reinstatement after proof of twelve (12) consecutive months of abstinence from alcohol and drugs followed by licensure limitations/stipulations and/or peer assistance program participation.
9. The Board finds that there exists serious risks to public health and safety as a result of impaired nursing care due to intemperate use of controlled substances or chemical dependency.

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)(9),(10)&(12), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(4)(5)(10)(A)&(D)&(11)(B).
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 License Number 528582, heretofore issued to MARIANNE VILLA, to practice professional 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 professional nursing, use the title of "Registered Nurse" or the abbreviation "RN" or wear any insignia identifying herself as a registered nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a registered 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; and, RESPONDENT has obtained objective, verifiable proof of twelve (12) consecutive months of sobriety immediately preceding the petition.
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 nursing in compact states.

Effective this 30th day of January, 2009.



TEXAS BOARD OF NURSING

By:


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

MARIANNE VILLA
P.O. BOX 451
SHEFFIELD, TEXAS 79781
Texas RN License #528582

Voluntary Surrender Statement

January 16, 2009

Dear Texas Board of Nursing:

I no longer desire to be licensed as a professional nurse. Accordingly, I voluntarily surrender my license/licenses to practice in Texas. I waive representation by counsel and consent to the entry of an Order which outlines requirements for reinstatement of my license. I understand that I will be required to comply with the Board's Rules and Regulations in effect at the time I submit any petition for reinstatement.

Signature Marianne Villa
Date 1-26-08
Texas Nursing License Number/s _____

The State of Texas

Before me, the undersigned authority, on this date personally appeared Marianne Villa who, being duly sworn by me, stated that she executed the above for the purpose therein contained and that she understood same.

Sworn to before me the _____ day of _____, 20____.

SEAL

Notary Public in and for the State of _____

I sent you my license I was wrongfully accused ever since I completed TAPIN I have had nothing but grief from the the board over

**In the Matter of Registered Nurse Permanent
License Number 528582, Issued to
MARIANNE VILLA, Respondent**

§ **BEFORE THE TEXAS**
§
§ **BOARD OF NURSING**

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, MARIANNE VILLA, is a Registered Nurse holding license number 528582, 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 June 24, 2008, while employed with Iraan General Hospital, Iraan, Texas, Respondent lacked fitness to practice professional nursing in that she exhibited impaired behavior while on duty including, but not limited to; falling asleep on duty. Respondent's eyes were also observed to be blood shot. 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)(10)&(12), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(5).

CHARGE II.

On or about June 29, 2008, while employed with Iraan General Hospital, Iraan, Texas, Respondent lacked fitness to practice professional nursing in that she was sent to Medical Center Hospital Odessa, Odessa, Texas, due to overdosing and having substance abuse issues. 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)(10)&(12), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(5).

CHARGE III.

On or about June 29, 2008, while employed with Iraan General Hospital, Iraan, Texas, Respondent engaged in the intemperate use of Benzodiazepines in that she submitted a specimen for drug screening that resulted positive for Benzodiazepines. Possession of Benzodiazepines is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Benzodiazepines by a Registered Nurse, while subject to call or duty, could impair the nurse's ability to recognize subtle signs, symptoms or changes in the patient's condition, and could impair the nurse's ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patient in potential danger

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(9)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(4),(5),(10)(A)&(D)&(11)(B).

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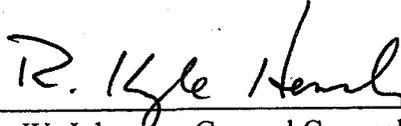
NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of revocation of Respondent's license to practice nursing in the State of Texas pursuant to the Board's rules, 22 TEX. ADMIN. CODE §§ 213.27 - 213.33. Additionally, staff will seek to impose on Respondent the administrative 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 Use Disorder which can be found at the Board's website, www.bon.state.tx.us.

Filed this 2nd day of January, 20 09.

TEXAS BOARD OF NURSING



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Texas Board of Legal Specialization
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