



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

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Vocational Nurse License Number 93060 § AGREED
and Registered Nurse License Number 540782 §
issued to CANELIA WHITE HINZE § ORDER

On this day, the Texas Board of Nursing, hereinafter referred to as the Bo accepted the voluntary surrender of Vocational Nurse License Number 93060 and Registered Nurse License Number 540782, issued to CANELIA WHITE HINZE, a/k/a CANELIA E. LAYTON, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c) of the Texas Occupations Code. Respondent waived informal conference 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 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. Respondent holds a license to practice vocational nursing in the State of Texas, which is currently in delinquent status.
4. Respondent received a Certificate in Vocational Nursing from Galveston College Vocational Nursing Program, Galveston, Texas, on April 22, 1981, and a Baccalaureate Degree in Nursing from the University of Texas Medical Branch, Galveston, Texas, on May 1, 1987. Respondent was licensed to practice vocational nursing in the State of Texas on December 11, 1981, and Respondent was licensed to practice professional nursing in the State of Texas on August 24, 1987.

5. Respondent's complete professional and vocational nursing employment history is unknown.
6. On April 20, 2007, Respondent entered a plea of "Nolo Contendere" to "Tampering with a Government Record," (a Class A Misdemeanor offense committed on August 4, 2004), in the Galveston County Court at Law #2, Galveston, Texas, under Cause Number 267764. As a result, the proceedings against Respondent were deferred without entering an adjudication of guilt, and Respondent was placed on probation for a period of twenty-four (24) months, and ordered to pay a fine and court costs.
7. Respondent's Criminal History includes the following indictments:
 - A. On or about September 20, 2005, Respondent was indicted in the District Court of Galveston County, Texas, under Cause No. 05CR2515, for "Securing Execution of Documents by Deception." The Indictment states that the Respondent submitted false rental receipts to Farmer's Insurance, causing Oralia Medrano to sign or execute a document affecting the pecuniary interest of Farmer's Insurance, the value of the pecuniary interest being \$1500 or more but less than \$20,000.
 - B. On or about September 20, 2005, Respondent was indicted in the District Court of Galveston County, Texas, under Cause No. 05CR2512, for "Insurance Fraud." The Indictment states that the Respondent presented to Farmer's Insurance, in support of a claim for payment under a property and casualty insurance policy, the value of the claim being \$1500 or more but less than \$20,000, a statement that contained false or misleading information concerning a matter affecting the amount of payment to which the Respondent was entitled, and the matter was material to the claim, in that the Respondent submitted receipts for rent, furniture and dry cleaning to Farmer's for reimbursement.
 - C. On or about February 8, 2006, Respondent was indicted in the District Court of Galveston County, Texas, under Cause No. 06CR0333, for five (5) Counts of "Tampering with Governmental Records." The Indictment states that on or about August 1, 2003 through August 4, 2004, on five (5) separate occasions, Respondent knowingly made false entries on governmental records, to wit: Applications for Supplemental Income Benefits, each false entry being that Respondent was employed by Dr. Robert B. White, and earning wages.

Respondent's plea in Cause Number 267764, cited in Finding of Fact Number Six (6), included an agreement by the State to dismiss the charges for all the above cases.

8. Based on a history of cognitive impairment due to a closed head injury that resulted in Respondent placing her license on Inactive status, Respondent's attorney submitted a psychological evaluation performed by Harold L. Russell, Ph.D., a retired psychologist, and he states, "It is my professional opinion, based on long experience with her and her

performance during my interview of her on April 30, 2008, that Ms. Hinze (Layton) now consistently demonstrates a high level of intellectual functioning, emotional control and good social judgement under rapidly changing pressures to deal accurately with complex tasks. Her current abilities are in marked contrast to her earlier level of functioning during the time after her injuries when she was receiving Social Security disability payments. In my opinion, her current cognitive and emotional levels of functioning appear to represent a significant and almost complete return to her previous high level of abilities. She is able to consistently behave in accordance with the requirements of certain Board rules, including minimum standards set forth in the Board rules and generally accepted nursing standards.”

9. Respondent, by her signature to this Order, expresses her desire to voluntarily surrender her licenses to 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 violations of Section 301.452(b)(3)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(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 540782 and Vocational Nurse License Number 93060, heretofore issued to CANELIA WHITE HINZE, including revocation of Respondent's licenses 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.

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ORDER

NOW, THEREFORE, IT IS AGREED and ORDERED that the VOLUNTARY SURRENDER of Registered License Number 540782 and Vocational License Number 93060, heretofore issued to CANELIA WHITE HINZE, 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 licenses, heretofore issued to CANELIA WHITE HINZE, to the office of the Texas Board of Nursing.
2. RESPONDENT SHALL NOT practice professional or vocational nursing, use the title "registered or vocational nurse" or the abbreviation "RN" or "LVN" or wear any insignia identifying herself as a registered or vocational nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a registered or vocational 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.

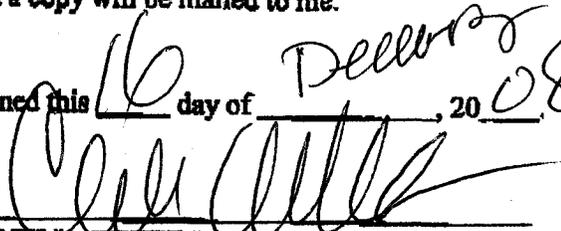
IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's multistate privilege, if any, to practice nursing in the State of Texas.

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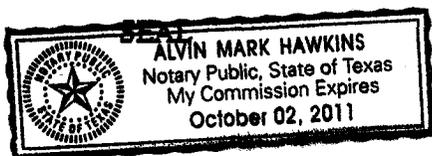
RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. I 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 16 day of December, 2008


CANELIA WHITE HINZE, Respondent

Sworn to and subscribed before me this 16 day of December, 2008.



Alvin Mark Hawkins

Notary Public in and for the State of Texas

Approved as to form and substance.

Bruce Bigelow

BRUCE BIGELOW, Attorney for Respondent

Signed this 18th day of December, 2008.

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 540782 and Vocational Nurse License Number 93060, previously issued to CANELIA WHITE HINZE.



Effective this 7th day of January, 2009.

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