IN THE MATTER OF	§	BEFORE THE ELIGIBILITY
	§	
PERMANENT CERTIFICATE	§	AND DISCIPLINARY
	§	
NUMBER 16711	§	COMMITTEE
	§	
ISSUED TO	§	OF THE TEXAS
	§	
EVELYN F. ARCHIE	§	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.
Executive Director of the Board

ORDER OF THE BOARD

TO: Evelyn F. Archie
4702 Avenue O
Galveston, Texas 77551

During open meeting held in Austin, Texas, on December 9, 2008, 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 16711, previously issued to EVELYN F. ARCHIE, to practice vocational nursing in the State of Texas be, and the same is hereby, REVOKED.

IT IS FURTHER ORDERED that Permanent Certificate Number 16711, previously issued to EVELYN F. ARCHIE, 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 9th day of December, 2008.

TEXAS BOARD OF NURSING

BY: _____

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

Re: Permanent Certificate Number 16711
Issued to Evelyn F. Archie
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 12 day of December, 20 08, 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):

Evelyn F. Archie
4702 Avenue O
Galveston, Texas 77551

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

In the Matter of Permanent License Number 16711, Issued to EVELYN F. ARCHIE, Respondent	**§ § §**	**BEFORE THE TEXAS BOARD OF NURSING**

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, EVELYN F. ARCHIE, is a Vocational Nurse holding license number 16711, 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.

Respondent while employed with the office of William Kelley George, M.D. financially exploited Patient SS, by exercising undue influence and immersing herself in Patient SS's financial affairs, which included becoming his power of attorney, making financial decisions, and being listed or holding interest in Patient SS's financial accounts, as follows:

BANK	STATEMENT DATE	ACCOUNT TYPE	BALANCE	HOW HELD
Bank of America	5/06 - 6/06	Interest Checking	$32,023.57	Pt. SS, ***Evelyn Archie;*** POD Lorraine Jackson and ***Evelyn Archie***
Guaranty Bank	6/06 - 7/06	Interest Checking	$82,321.13	Pt. SS or Valerie L. Boswell or ***Evelyn Archie***
Bank of America	7/06 - 8/06	Interest Checking	$162,705.79	Pt. SS, ***Evelyn Archie***; POD Lorraine Jackson and ***Evelyn Archie***
Guaranty Bank	7/06 - 8/06	Money Market	$75,092.23	Pt. SS or Valerie Boswell or ***Evelyn Archie***
Bank of America	8/06 - 9/06	Interest Checking	$32,031.73	Pt. SS, ***Evelyn Archie;*** POD Lorraine Jackson and ***Evelyn Archie***
Guaranty Bank	8/06 - 9/06	Checking	$76,382.27	Pt. SS or Valerie L. Boswell or ***Evelyn Archie***
Bank of America	9/06 - 10/06	Interest Checking	$32,034.45	Pt. SS, ***Evelyn Archie;*** POD Lorraine Jackson and ***Evelyn Archie***
Guaranty Bank	8/06 - 9/06	Checking	$76,382.27	Pt. SS or Valerie L. Boswell or ***Evelyn Archie***

Respondent's conduct violated nurse/client professional boundaries and was likely to injure Patient SS and/or his family. The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10),Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(6)(C) & (D).

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 Lying and Falsification Fraud, Theft & Deception which can be found at the Board's website, www.bon.state.tx.us.

Filed this 6th day of October, 20 08.

TEXAS BOARD OF NURSING

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