BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS
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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

In the Matter of Registered	§	AGREED
License Number 590163	§	
issued to TWYALIA LOUISE VOYLES	§	ORDER

On this day the Board of Nurse Examiners for the State of Texas, hereinafter refer to as the Board, considered the matter of TWYALIA LOUISE VOYLES, Registered Nurse License Number 590163, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Article 4525(b)(9), Revised Civil Statutes of Texas, as amended, and Section 301.452(b)(10), Texas Occupations Code. Respondent waived representation by counsel, informal conference, notice and hearing, and agreed to the entry of this Order offered on July 31, 2007, by Katherine A. Thomas, MN, RN, Executive Director.

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, informal conference, 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 Certificate in Nursing from Methodist Hospital, Lubbock, Texas, on September 1, 1992. Respondent was licensed to practice professional nursing in the State of Texas on March 23, 1993.

5. Employment history is unknown.

6. On or about June 19, 2007, Respondent submitted a renewal application to the Board of

Nurse Examiners for the State of Texas in which she answered "Yes" to the following question: "Have you ever been convicted, placed on community supervision whether or not adjudicated guilty, sentenced to serve jail or prison time or granted pre-trial diversion, or plead guilty, no contest or nolo contendere to any crime in any state, territory or country or received a court order whether or not a sentence was imposed, including any pending criminal charges or unresolved arrests whether or not on appeal (excluding minor Class C traffic violations)? This includes expunged offenses and deferred adjudication with or without a finding of guilt.

7. Respondent disclosed the following criminal history to wit:

On or about October 10, 2006, Respondent was convicted of the offense of Possession of Marijuana, a misdemeanor, in the County Court of Gaines County, Texas, Cause #14760. Respondent was sentenced to one hundred eighty (180) days jail, with the imposition of sentence suspended, placed on one (1) year probation, and ordered to pay a fine in the amount of $750.00 and court costs in the amount of $268.25

8. On or about June 28, 2007, a computerized criminal history was run which disclosed the following offenses:

A. On or about May 12, 1992, Respondent was convicted of the offense of Theft of Property of the Value of $200 or more but less than $750, a Class A misdemeanor, in the County Court at Law #2, Lubbock County, Texas, Cause #92-488424. Respondent was granted a deferral of adjudication and placed on twelve (12) months probation, ordered to pay a fine in the amount of $250, and court costs in the amount of $162 On or about January 13, 1994, the Court issued an adjudication of guilt and sentenced Respondent to sixty (60) days in jail until costs were fully paid.

B. On or about September 15, 1995, Respondent was convicted of the offense of Theft, a misdemeanor, in the County Court of Lubbock County, Texas, Cause #94-443017. Respondent was sentenced to six (6) months probation, ordered to pay a fine in the amount of $305.00, and ordered to pay court costs.

9. On or about June 19, 2007, Respondent submitted a written statement related to Finding of Fact number seven (7), in which she stated "On July 31, 2005, my husband and I were going to Lubbock, Texas. While on the road from Carlsbad, New Mexico, we pulled over in Seminole, Texas, to call our daughter to check in. The Seminole police officers pulled up behind us at a little bit past midnight to see if we needed assistance. At this time they explained that the energy company we pulled over by had been broken into several times and would we allow them to search our vehicle. When the officer asked if I had anything on my person or in the vehicle, I gave him a marijuana joint that I had in my pocket. I was arrested for Possession of Marijuana (a class B misdemeanor)."

On or about July 31, 2007, Respondent submitted a written statement related to Finding of Fact number eight (8), in which she stated "Items A & B are shoplifting charges. I was going through some traumatic life changes that I wasn't handling well. I do not shoplift anything anymore."

10. Respondent's conduct described in the preceding Findings of Fact was reportable under the provisions of Sections 301.401-301.419, Texas Occupations Code.

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 Article 4525(b)(3)&(9), TEX. REV. CIV. STAT. ANN. and 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 Registered Nurse License Number 590163, heretofore issued to TWYALIA LOUISE VOYLES, including revocation of Respondent's license to practice professional nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Board of Nurse Examiners, that RESPONDENT SHALL receive the sanction of REMEDIAL EDUCATION WITH A FINE, and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas as amended, Texas Occupations Code §§301.001 *et seq.*, the Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.01 *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 professional nursing in the State of Texas.

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 State of Texas 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 TWYALIA LOUISE VOYLES to the office of the Board of Nurse Examiners within ten (10) days of the date of ratification of this Order for appropriate notation.

(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 Chemical Dependency, 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.bne.state.tx.us/about/stipscourses.html.*

(3) RESPONDENT SHALL pay a monetary fine in the amount of TWO HUNDRED FIFTY DOLLARS ($250.00). RESPONDENT SHALL pay this fine within forty-five (45) days of entry of this Order. Payment is to be made directly to the Board of Nurse Examiners in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, RESPONDENT SHALL be issued an unencumbered license and multistate licensure privileges, if any, to practice professional 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 when this Order becomes final and the terms of this Order become effective, 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 professional nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 17th day of Sept., 2007.

Twyalia Louise Voyles

TWYALIA LOUISE VOYLES, Respondent

Sworn to and subscribed before me this 17 day of September, 2007.

SEAL

Irma Alvarado

Notary Public in and for the State of Texas

IRMA A. ALVARADO
MY COMMISSION EXPIRES
March 21, 2011

WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Board of Nurse Examiners for the State of Texas, does hereby ratify and adopt the Agreed Order that was signed on the 17th day of September, 2007, by TWYALIA LOUISE VOYLES, Registered Nurse License Number 590163, and said Order is final.

Effective this 27th day of September, 2007.

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