

IN THE MATTER OF
PERMANENT CERTIFICATE
NUMBER 122983
ISSUED TO
ROBIN DENISE PETTY

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BEFORE THE ELIGIBILITY
AND DISCIPLINARY
COMMITTEE OF THE BOARD
OF NURSE EXAMINERS OF THE
STATE OF TEXAS



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

ORDER OF THE BOARD

TO: Robin Denise Petty
4328 Red Bird Lane
Joshua, Texas 76058

During open meeting held in Austin, Texas, on Tuesday, June 12, 2007, 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 Board of Nurse Examiners 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 122983, previously issued to ROBIN DENISE PETTY, to practice vocational nursing in the State of Texas be, and the same is hereby, REVOKED.

IT IS FURTHER ORDERED that Permanent Certificate Number 122983, previously issued to ROBIN DENISE PETTY, upon receipt of this Order, be immediately delivered to the office of the Board of Nurse Examiners for the State of Texas.

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 14th day of August, 2007.

BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

BY:



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

Re: Permanent Certificate Number 122983
Issued to ROBIN DENISE PETTY
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 16 day of August, 2017, 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):

Robin Denise Petty
4328 Red Bird Lane
Joshua, Texas 76058

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

In the Matter of Permanent License
Number 122983, Issued to
ROBIN DENISE PETTY, Respondent

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BEFORE THE BOARD
OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, ROBIN DENISE PETTY, is a Vocational Nurse holding license number 122983, 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 September 4, 1997, Respondent entered a plea of guilty and was convicted of INSURANCE CLAIM FRAUD \geq \$20K < \$100K, (a 3rd Degree Felony offense committed on January 17, 1997), in the 18th District Court of Johnson County, Texas, under Cause No. 31738. As a result of the conviction, Respondent was sentenced to serve ten (10) years confinement in the Institutional Division of the Texas Department of Criminal Justice; however, the imposition of the sentence of confinement was probated, and Respondent was placed on Community Supervision for a period of ten (10) years. Additionally, Respondent was ordered to pay court costs, and restitution in the amount of twenty six thousand seven hundred forty-five dollars and twenty-six cents (\$26,745.26).

The above action constitutes grounds for disciplinary action in accordance with Article 4528c, sec. 10(a)(3)&(9), TEX. REV. CIV. STAT. ANN., and is a violation of 22 TEX. ADMIN. CODE §239.11(29)(A)(iii).

CHARGE II.

On or about September 4, 1997, Respondent entered a plea of guilty and was convicted of DRIVING WHILE INTOXICATED 3RD OR MORE, (a 3rd Degree Felony offense committed on March 8, 1997), in the 18th District Court of Johnson, Texas, under Cause No. 31740. As a result of the conviction, Respondent was sentenced to serve ten (10) years confinement in the Institutional Division of Texas Department of Criminal Justice; however, with the imposition of the sentence of confinement probated, and Respondent was placed on Community Supervision for a period of ten (10) years. Additionally, Respondent was sentenced to confinement in the County Jail for a period of sixty (60) days, and she was ordered to pay court costs, and a fine in the amount of one thousand dollars (\$1000). Furthermore, Respondent was ordered to have an Ignition Interlock device installed and maintained on any vehicle she operated throughout the term of her probation.

The above action constitutes grounds for disciplinary action in accordance with Article 4528c, sec. 10(a)(3)&(9), TEX. REV. CIV. STAT. ANN., and is a violation of 22 TEX. ADMIN. CODE §239.11(29)(A)(iv).

CHARGE III.

On or about June 2000, Respondent submitted her License Renewal form to the Board of Vocational Nurse Examiners for the State of Texas, in which she provided false, deceptive and/or misleading information, in that she answered "N/A" to the question:

"Have you previously notified the Board of any and all convictions?"

On or about September 4, 1997, Respondent was convicted of the 3rd Degree Felony offenses of INSURANCE CLAIM FRAUD >= \$20K < \$100K and DRIVING WHILE INTOXICATED 3RD OR MORE.

The above action constitutes grounds for disciplinary action in accordance with Section 302.402(a)(2)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §239.11(8).

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 and TEX. OCC. CODE Ch. 53. 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.bne.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 Chemical Dependency and Fraud, Theft & Deception which can be found at the Board's website, www.bne.state.tx.us.

BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK.

CONTINUED ON NEXT PAGE.

NOTICE IS ALSO GIVEN that Respondent's past disciplinary history, as set out below and described in the Order which is attached and incorporated by reference as part of these charges, will be offered in support of the disposition recommended by staff: Agreed Order dated December 1, 1992.

Filed this 5th day of April, 2007.

BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS



James W. Johnston, General Counsel
Board Certified - Administrative Law
Texas Board of Legal Specialization
State Bar No. 10838300

Victoria Cox, Assistant General Counsel
State Bar No. 00789585

E. Joy Sparks, Assistant General Counsel
State Bar No. 18874600

BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS
333 Guadalupe, Tower III, Suite 460
Austin, Texas 78701
P: (512) 305-6824
F: (512) 305.8101 or (512)305-7401

Attachments: Order of the Board dated December 1, 1992

0999/D

122983

BOARD OF VOCATIONAL NURSE EXAMINERS

STATE OF TEXAS

VS.

ROBIN DENISE PETTY

COUNTY OF TRAVIS

AGREED BOARD ORDER

On this day came to be considered by the Board of Vocational Nurse Examiners the matter of vocational nurse license number 122983 held by ROBIN DENISE PETTY, hereinafter called Respondent.

By letter, the Board of Vocational Nurse Examiners sent preliminary notice to Respondent of its intent to take disciplinary action with respect to said license held by Respondent as a result of a complaint and subsequent investigation. Said investigation produced evidence indicating that Respondent has committed fraud or deceit in procuring or attempting to procure a license to practice vocational nursing, in violation of Article 4528c, Section 10 (a) (2), Revised Civil Statutes of Texas, in the following manner:

a. By letter dated July 2, 1991, the Board of Vocational Nurse Examiners received a referral from the Texas Peer Assistance Program for Nurses (TPAPN) indicating that Respondent had declined participation in the TPAPN Program.

b. On or about January 27, 1992, Respondent was convicted of the misdemeanor offense of Driving While Intoxicated in the County Court of Johnson County, Texas under Cause No. M91-02508. As a result of said conviction, Respondent was fined \$500.00 and placed on probation for a period of two (2) years.

c. On or about June 10, 1992, Respondent submitted her Licensure Renewal form to the Board of Vocational Nurse Examiners and falsely checked "no" in response to the question number (15) "Were you convicted of a felony or misdemeanor other than a minor traffic violation since your last renewal?"

OCT. 19 1992

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AGREED BOARD ORDER

Re: Robin Denise Petty, LVN #122983

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By Respondent's signature on this Order, Respondent neither admits nor denies the truth of the matters previously set out in this Order with respect to the above mentioned investigation. By Respondent's signature on this Order, Respondent acknowledges that she has read and understood this Order and has approved it for consideration by the Board.

By her notarized signature on this Order, Respondent does hereby waive the right to Notice of Formal Hearing, to a Formal Hearing before the Board of Vocational Nurse Examiners, and to judicial review of this disciplinary action. Notice of this disciplinary action will appear in the Board's newsletter sent to Texas employers.

ORDER OF THE BOARD

THEREFORE, PREMISES CONSIDERED, the Board of Vocational Nurse Examiners does hereby order that license number 122983, issued to ROBIN DENISE PETTY, be suspended, with said suspension stayed and placed on probation for a period of one (1) year.

The probation of said license is subject to the following stipulations, to-wit:

1. That by copy of this Board Order, Respondent shall provide notice of Board disciplinary action to her nursing employer(s) throughout the term of probation.
2. That Respondent shall cause her nursing employer(s) to submit satisfactory reports to the Board office on a quarterly basis throughout the term of probation.
3. That Respondent shall work only under the direct supervision of a licensed medical professional throughout the term of probation.

122983

AGREED BOARD ORDER

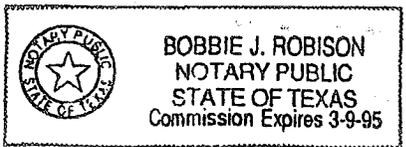
Re: Robin Denise Petty, LVN #122983

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4. That Respondent shall attend weekly meetings of Alcoholics Anonymous (A.A.), or Narcotics Anonymous (N.A.) and shall cause her program/sponsor counselor to submit satisfactory reports to the Board office on a quarterly basis throughout the term of probation.
5. That Respondent shall submit to random periodic blood alcohol and urine drug screen(s) upon demand of the Board staff throughout the term of probation. Said screen(s) shall be properly monitored with adherence to chain of custody procedures. The results of said screen(s) shall be submitted to the Board office by the laboratory. The expense of said screen(s) shall be borne by Respondent.
6. That Respondent shall cause her probation officer to submit satisfactory reports to the Board office on a quarterly basis throughout the term of probation.
7. That upon discharge of court ordered probation, Applicant shall cause her probation officer to submit a final satisfactory report to the Board office.
8. That any period(s) of unemployment must be documented in writing by Respondent and submitted to the Board office on a quarterly basis throughout the term of probation.
9. Further, that if Respondent's place of employment, name, address or telephone number changes, Respondent is to notify the Board office immediately.
10. It is also ordered that ROBIN DENISE PETTY shall comply with all the provisions of Article 4528c, Revised Civil Statutes of Texas.

This Agreed Order shall not be effective or take effect and become enforceable in accordance with its terms until endorsed by a majority of the Board present and voting, at its next regularly called session.

Date this the 14 day of Oct, 19 92.



Denise Petty Packwood
Signature of Respondent

PO Box 553
Current Address

Joshua TX 76058
City, State and Zip

817, 641-9567
Area Code and Telephone Number

OCT. 19 1992

122983

AGREED BOARD ORDER

Re: Robin Denise Petty, LVN #122983

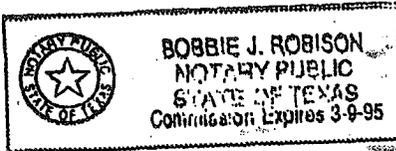
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The State of Texas

County of Johnson

Before me, the undersigned authority, on this day personally appeared ROBIN DENISE PETTY, who being duly sworn by me stated that he or she executed the above for the purpose therein contained, and that he or she understood same.

SWORN TO AND SUBSCRIBED before me on this the 14th day of October, 1992.



Bobbie J. Robison
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS
My Commission Expires 3-9-95

Marjorie A. Bronk
Marjorie A. Bronk, R.N.
Agent for the Board of
Vocational Nurse Examiners

SWORN TO AND SUBSCRIBED before me, the undersigned authority, on this the 19th day of October, 1992.

Paula Lee Kent
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

122983

AGREED ORDER

RE: ROBIN DENISE PETTY, LVN #122983

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ENDORSEMENT OF THE BOARD
To The Agreed Board Order
in the matter of Vocational Nurse
License No. ROBIN DENISE PETTY
Issued to 122983

At its regularly called session, 1st day of December, 1992, came on to be considered the indicated Agreed Board Order pertaining to ROBIN DENISE PETTY. The Board having reviewed the contents of said Order, the Order should be, and is hereby, endorsed as an Order of the Board and made an official act of the Board of Vocational Nurse Examiners for the State of Texas.

Said Order is rendered this the 1st day of December, 1992.

Melba Lee Tracy
Doris A. Larkens
Ana Spert
Teresa J. Luff
Opal Robinson

Norma Jean Clark
Sandra W. Luyt, MD
Betty Fox McMore

12-7-92

AGREED BOARD ORDER

RE: ROBIN DENISE PETTY, LVN #122983

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CERTIFICATE OF SERVICE

I hereby certify that on the 4th day of December, 1992
a true and correct copy of the foregoing Order was served by placement in the
U.S. Mail, first class, and addressed to the following person(s):

Robin Denise Petty
P.O. Box 553
Joshua, Texas 76058

Marjorie A Bronk, R.N.

Marjorie Bronk, R.N.
Executive Director
Agent for the Board of Vocational Nurse Examiners