



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.
Katherine A. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Vocational Nurse § AGREED
License Number 189190 §
issued to SONIA ADAIR § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of SONIA ADAIR, Vocational Nurse License Number 189190, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(3)&(10), Texas Occupations Code. Respondent waived representation by counsel, informal conference, notice and hearing, and agreed to the entry of this Order offered on June 4, 2008, by Katherine A. Thomas, MN, RN, Executive Director, subject to ratification by the Board.

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's license to practice vocational nursing in the State of Texas is in delinquent status.
4. Respondent received a Certificate in Nursing from Frank Phillips College, Borger, Texas, on May 28, 2003. Respondent was licensed to practice vocational nursing in the State of Texas on June 25, 2003.
5. Respondent's vocational nursing employment history is unknown.

6. On Respondent's initial application for licensure dated April 7, 2003, Respondent disclosed the following:
 - A. On or about March 31, 2000, Respondent entered a plea of Guilty and was convicted of THEFT OF PROPERTY OR SERVICES OF AT LEAST \$20 BUT LESS THAN \$500, (a Class B misdemeanor offense committed on January 15, 1999), in the County Court in and for Potter County, Texas, under Cause No. 16125. As a result of the conviction, Respondent was ordered to pay a fine and court costs.
 - B. On or about August 21, 2001, Respondent entered a plea of Guilty to THEFT BY CK (\$20-\$500), (a Class B misdemeanor offense committed on January 3, 1999), in the County Court-At-Law of Moore county, Texas, under Cause No. 16125. As a result of the plea, the proceedings against Respondent were deferred without entering an adjudication of guilt and Respondent was placed on probation for a period of twelve (12) months. Additionally, Respondent was ordered to pay restitution in the amount of \$876.56, a fine and court costs.
 - C. On or about August 21, 2001, Respondent was charged with the Class A misdemeanor offense of BAIL JUMPING AND FAIL TO APPEAR, in the County Court, Moore County, Texas. Charges were dismissed on a motion by the County Attorney for the reason: The defendant was convicted in another case, to-wit: Cause #19605.
7. On or about April 28, 2008, a computerized criminal history was run which disclosed the following offenses:
 - A. On or about January 14, 2005, Respondent entered a plea of Guilty and was convicted of ISSUANCE OF A BAD CHECK (a Class C misdemeanor offense committed on April 15, 2004), in the County Court in and for Potter County, Texas, under Cause No. 109536-P. As a result of the conviction, Respondent was ordered to pay a fine and court costs.
 - B. On or about April 26, 2006, Respondent entered a plea of Guilty and was convicted of THEFT >=\$20<\$500 BY CHECK, (a Class B misdemeanor offense committed on March 22, 2004), in the County Court-At-Law of Moore County, Texas, under Cause No. 19605. As a result of the conviction, Respondent was sentenced to confinement in the Moore County Jail for a period of three (3) days with credit given for three (3) days. Additionally, Respondent was ordered to pay restitution in the amount of \$1943.08, a fine and court costs.
 - C. On or about July 11, 2006, Respondent entered a plea of Guilty and was convicted of ISSUANCE OF A BAD CHECK, (a Class C misdemeanor offense committed on April 23, 2005), in the County Court in and for Potter County, Texas, under Cause

No. 113558-P. As a result of the conviction, Respondent was ordered to pay a fine and court costs.

- D. On or about November 28, 2006, Respondent entered a plea of Guilty and was convicted of THEFT \geq \$20<\$500 BY CHECK (a Class B misdemeanor offense committed on January 23, 2006), in the County Court-At-Law of Moore County, Texas, under Cause No. 21000. As a result of the conviction, Respondent was sentenced to confinement in the County Jail for a period of five (5) days with credit given for two (2) days. Additionally, Respondent was ordered to pay a fine and court costs.
8. On or about March 21, 2008, Respondent submitted a renewal application to the Texas Board of Nursing in which she answered "Yes" to the following question: "Have you, within the past 24 months or since your last renewal, for any criminal offense, including those pending appeal:
- A. been convicted of a misdemeanor?
 - B. been convicted of a felony?
 - C. pled nolo contendere, no contest, or guilty?
 - D. received deferred adjudication?
 - E. been placed on community supervision or court-ordered probation, whether or not adjudicated guilty?
 - F. been sentenced to serve jail or prison time? court-ordered confinement?
 - G. been granted pre-trial diversion?
 - H. been arrested or any pending criminal charges?
 - I. been cited or charged with any violation of the law?
 - J. been subject of a court-martial; Article 15 violation; or received any form of military judgement/punishment/action?"

On or about March 18, 2008, Respondent entered a plea of Guilty and was convicted of THEFT $>$ -\$20<\$500 BY CHECK, (a Class B misdemeanor offense committed on October 14, 2007), in the County Court-At-Law of Moore County, Texas, under Cause No. 22003. As a result of the conviction, Respondent was sentenced to confinement in the Moore County Jail for a period of three (3) days with credit given for three (3) days. Additionally, Respondent was ordered to pay restitution in the amount of \$560.77, a fine and court costs.

9. On or about June 3, 2005, Respondent submitted a written statement related to Finding of Fact number Seven (7), in which she stated she had trouble managing her checking account and was either sentenced to jail, and/or ordered to pay fines and court costs.
10. On or about March 21, 2008, Respondent submitted a written statement related to Finding of Fact number Eight (8), in which she stated "In September 2007, my daughter was in a car accident in which she was not at fault. The driver of the other car gave us their insurance information. In order to get our car fixed, we were required to pay \$495 deductible. The

body shop agreed to hold a check for me for a month to allow me time to collect it from the responsible party's insurance. Unfortunately, I am still struggling to get reimbursed by that insurance company for the deductible. The body shop turned in the check, causing it to bounce and turning it in to the County Attorney's Office. I have taken care of that matter and have since closed my checking account."

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 §239.11(6)(I)&(13).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 189190, heretofore issued to SONIA ADAIR, including revocation of Respondent's license to practice vocational nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that RESPONDENT SHALL receive the sanction of a WARNING WITH STIPULATIONS, 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 Vocational 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 vocational nursing in compact states.

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 Texas Board of Nursing 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 SONIA ADAIR, to the office of the Texas Board of Nursing within ten (10) days from 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.bon.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 Texas Board of Nursing in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

IT IS FURTHER AGREED, SHOULD RESPONDENT PRACTICE AS A LICENSED VOCATIONAL NURSE IN THE STATE OF TEXAS, RESPONDENT WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING AND RESPONDENT MUST WORK IN SUCH SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING STIPULATIONS FOR ONE (1) YEAR OF EMPLOYMENT. THE LENGTH OF THE STIPULATION PERIOD WILL BE EXTENDED UNTIL TWELVE (12) MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE THE USE OF A VOCATIONAL NURSE (LVN) LICENSE WILL NOT APPLY TO THIS STIPULATION PERIOD:

(4) RESPONDENT SHALL notify each present employer in nursing of this Order of the Board and the stipulations probation conditions on RESPONDENT's license. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each present employer within five (5) days of receipt of this Order. RESPONDENT SHALL notify all future employers in nursing of this Order of the Board and the stipulations on RESPONDENT's license. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each

future employer prior to accepting an offer of employment.

(5) RESPONDENT SHALL CAUSE each present employer in nursing to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within five (5) days of employment as a nurse.

(6) RESPONDENT SHALL be supervised by a Registered Nurse or a Licensed Vocational Nurse who is on the premises. The supervising nurse is not required to be on the same unit or ward as RESPONDENT, but should be on the facility grounds and readily available to provide assistance and intervention if necessary. The supervising nurse shall have a minimum of two (2) years experience in the same or similar practice setting to which the Respondent is currently working. RESPONDENT SHALL work only regularly assigned, identified and predetermined unit(s). RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(7) RESPONDENT SHALL CAUSE each employer to submit, on forms provided to the Respondent by the Board, periodic reports as to RESPONDENT's capability to practice nursing. These reports shall be completed by the Registered Nurse or Licensed Vocational Nurse who supervises the RESPONDENT. These reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) month period for one (1) year of employment as a nurse.

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 vocational nursing in the State of Texas.

BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK.

CONTINUED ON NEXT PAGE.

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 is subject to ratification by the Board. When this Order is ratified, the terms of this Order become effective, and 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 vocational nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 25th day of June, 2008.

Sonia Adair
SONIA ADAIR, Respondent

Sworn to and subscribed before me this 25th day of June, 2008.

SEAL

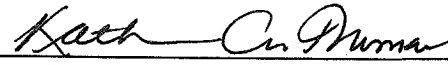
Brenda Rachels

Notary Public in and for the State of Texas



WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 25th day of June, 2008, by SONIA ADAIR, Vocational Nurse License Number 189190, and said Order is final.

Effective this 12th day of August, 2008.


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