

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Vocational Nurse §
License Number 141964 §
issued to FLORA KAY THORNTON §



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

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Vocational Nurse License Number 141964, issued to FLORA KAY THORNTON, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived representation by counsel, informal conference, notice and hearing.

The Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Respondent's license to practice vocational nursing in the State of Texas is currently in delinquent status.
2. Respondent waived representation by counsel, informal conference, notice and hearing.
3. Respondent received Certificate in Nursing from Joe G. Davis, Huntsville, Texas, on December 25, 1992. Respondent was licensed to practice professional nursing in the State of Texas on May 25, 1993 .
4. Respondent's nursing employment history is unknown.
5. Formal Charges were filed on July 30, 2008. A copy of the Formal Charges is attached and incorporated by reference as part of this Order.
6. Formal Charges were mailed to Respondent on August 1, 2008.

7. On August 27, 2008, Respondent returned License Number 141964 and submitted a statement to the Board voluntarily surrendering the right to practice vocational nursing in 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)(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(5),(6)(C)&(13), and of Section 302.402(a)(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §239.11(22)&(29)(A)(i).
4. Under Section 301.453(d), Texas Occupations Code, the Board may impose conditions for reinstatement of licensure.
5. Any subsequent reinstatement of this license will be controlled by Section 301.452 (b), Texas Occupations Code, and 22 TAC §§213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

THE BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK.

CONTINUED ON NEXT PAGE.

ORDER

NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Vocational Nurse License Number 141964, heretofore issued to FLORA KAY THORNTON, to practice vocational nursing in the State of Texas, is accepted by the Executive Director on behalf of the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL NOT practice vocational nursing, use the title of "vocational nurse" or the abbreviation "LVN" or wear any insignia identifying herself as a vocational nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a registered nurse during the period in which the license is surrendered.
2. RESPONDENT SHALL NOT petition for reinstatement of licensure until: one (1) year has elapsed from the date of this Order.
3. 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 licensure privilege, if any, to practice vocational nursing in compact states.

Effective this 15th day of October, 2008.

TEXAS BOARD OF NURSING



By:


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

In the Matter of Permanent License § **BEFORE THE TEXAS**
Number 141964, Issued to §
FLORA KAY THORNTON, Respondent § **BOARD OF NURSING**

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, FLORA KAY THORNTON, is a Vocational Nurse holding license number 141964, 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 January 20, 2002, Respondent was arrested by the Travis County Sheriff's Office, Austin, Texas, and subsequently charged under Cause No. 602850, in the County Court at Law No. 4 of Travis County, Texas, for ASSAULT CAUSES BODILY INJURY FAMILY MEMBER (a Class A misdemeanor offense).

On or about January 23, 2003, Respondent entered a plea of Nolo Contendere to ASSAULT FAMILY VIOLENCE, (a Class A misdemeanor offense committed on January 20, 2002), in the County Court at Law No. 4 of Travis County, Texas, under Cause No. 602850. 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 one (1) year. Additionally, Respondent was ordered to pay a fine.

The above action constitutes grounds for disciplinary action in accordance with Section 302.402(a)(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §239.11(22)&(29)(A(i)).

**BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK.
CONTINUED ON NEXT PAGE.**

CHARGE II.

On or about January 20, 2002, Respondent was arrested by the Travis County Sheriff's Office, Austin, Texas, and subsequently charged under Cause No. 2020212, in the 390th Judicial district Court of Travis County, Texas, for ASSAULT ON A PUBLIC SERVANT (a 3rd Degree felony offense).

On or about January 23, 2003, Respondent entered a plea of Guilty to ASSAULT ON A PUBLIC SERVANT REDUCED TO THE LESSER INCLUDED OFFENSE OF ASSAULT WITH BODILY INJURY (a Class A misdemeanor offense committed on January 20, 2002), in the 390th Judicial District Court of Travis County, Texas, under Cause No. 2020212. 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 two (2) years. Additionally, Respondent was ordered to pay a fine and court costs.

The above action constitutes grounds for disciplinary action in accordance with Section 302.402(a)(10),, and is a violation of 22 TEX. ADMIN. CODE §217.12(1). Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §239.11(22)&(29)(A(i).

CHARGE III.

On or about January 20, 2002, Respondent was arrested by the Travis County Sheriff's Office, Austin, Texas, and subsequently charged under Cause No. 608837, in the County Court at Law No. 4, Travis County, Texas, for RESIST ARREST SEARCH OR TRANSPORT (a Class A misdemeanor offense).

On or about January 23, 2003, Cause No. 0602837 was DISMISSED in the County Court at Law No. 4 of Travis County, Texas, because Respondent was placed on deferred adjudication probation in Cause Nos. 602850 and 2020212.

The above action constitutes grounds for disciplinary action in accordance with Section 302.402(a)(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §239.11(22)&(29)(A(i).

BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK.
CONTINUED ON NEXT PAGE.

CHARGE IV.

On or about February 28, 2004, Respondent was arrested by the Travis County Sheriff's Office, Austin, Texas, and subsequently charged under Cause No. 2-04-0953, in the 390th Judicial District Court of Travis County, Texas, for AGGRAVATED ASSAULT.

On or about October 7, 2004, Cause No. 2-04-0953 was DISMISSED in the 390th Judicial District Court of Travis County, Texas, however, Respondent's actions were taken into consideration in Cause No. 2020212. As a result, in an Order dated October 7, 2004, the community supervision Respondent was granted in Cause No. 2020212 was extended for a period of nine (9) months, and Respondent was assigned to Intensive Community Supervision for Specialized Caseload Mental Health for a period of two (2) years, or until changed by the Court and/or Community Supervision Officer, and was ordered to continue counseling and take medications as prescribed.

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(5)(6)(C)&(13).

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).

BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK.
CONTINUED ON NEXT PAGE.

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.

Filed this 30th day of July, 2008.

TEXAS BOARD OF NURSING

Victoria Cox North

James W. Johnston, General Counsel

Board Certified - Administrative Law

Texas Board of Legal Specialization

State Bar No. 10838300

Victoria Cox North, Assistant General Counsel

State Bar No. 00789585

John F. Legris, Assistant General Counsel

State Bar No. 00785533

TEXAS BOARD OF NURSING

333 Guadalupe, Tower III, Suite 460

Austin, Texas 78701

P: (512) 305-6824

F: (512) 305-8101 or (512)305-7401

0999/D

8/27/08

Attn: Bonnie Krynarich

Regretfully I submit my
expired LVN license # 141964

Thank you for working with
me on this matter. Per
our conversation, could you
send me information on
what I need to do to
apply next year.

Sincerely,
Ann Kay Shronton Krall