BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of	§	AGREED
Registered Nurse License Number 534180	§	
issued to KELLI L. MOON-GAGLIARDO	§	ORDER

TEXAS 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

On this day, the Texas Board of Nursing, hereinafter referred to as the Bo accepted the voluntary surrender of Registered Nurse License Number 534180, issued to KELLI L. MOON-GAGLIARDO, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c) of the Texas Occupations Code.

Respondent waived informal conference and hearing, and agreed to the entry of this Order.

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

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was provided to Respondent and Respondent was given an opportunity to show compliance with all requirements of the law for retention of the license.

2. Respondent waived 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 an Associate Degree in Nursing from Del Mar College, Corpus Christi, Texas, on May 1, 1986. Respondent was licensed to practice professional nursing in the State of Texas on August 22, 1986.

5. Respondent's employment history includes:

08/1986 - 08/2006	Unknown	
09/2006 - 05/2007	Director of Nursing Mental Retardation Services	Denton County Mental Health/ Mental Retardation Center Denton, Texas
06/2007 - Present	Unknown	

6. On or about August 8, 2008, Respondent plead guilty to and was convicted of "Injury to a Disabled Person," a Third Degree Felony offense committed on June 1, 2006, in the 158th District Court, Denton County, Texas, Case Number F-2008-1050-B. As a result of the conviction, Respondent was sentenced to thirty (30) days confinement in the Denton County Jail, Denton, Texas, followed by five (5) years confinement with the Texas Department of Criminal Justice, with the confinement suspended and probated for ten (10) years of community supervision.

7. Respondent, by her signature to this Order, expresses her desire to voluntarily surrender her license to practice nursing in the State of 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)(3)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(6)(C)&(13).

4. The evidence received is sufficient cause pursuant to Section 301.453(d), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 534180, heretofore issued to KELLI L. MOON-GAGLIARDO, including revocation of Respondent's license to practice nursing in the State of Texas.

5. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.

6. Under Section 301.453(d), Texas Occupations Code, the Board may impose conditions for reinstatement of licensure.

7. Any subsequent reinstatement of this license will be controlled by Section 301.453(d), Texas Occupations Code, and 22 TEX. ADMIN. CODE §213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

ORDER

NOW, THEREFORE, IT IS AGREED and ORDERED that the VOLUNTARY SURRENDER of Registered Nurse License Number 534180, heretofore issued to KELLI L. MOON-GAGLIARDO, to practice professional nursing in the State of Texas, is accepted by the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL immediately deliver the wallet-sized license, heretofore issued to KELLI L. MOON-GAGLIARDO, to the office of the Texas Board of Nursing.

2. RESPONDENT SHALL NOT practice professional nursing, use the title "registered nurse" or the abbreviation "RN" or wear any insignia identifying herself as a registered 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.

3. RESPONDENT SHALL NOT petition for reinstatement of licensure until: one (1) year has elapsed from the date of this Order.

4. 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 privilege, if any, to practice 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 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 becomes final when accepted by the Executive Director at which time the terms of this Order become effective and a copy will be mailed to me.

Signed this 22nd day of September, 2008.

Kelli L. Moon-Gagliardo

KELLI L. MOON-GAGLIARDO, Respondent

Sworn to and subscribed before me this 22nd day of September, 2008.

SEAL

Shannon Lee

Notary Public in and for the State of Texas

SHANNON LEE
Notary Public, State of Texas
My Commission Expires
June 01, 2011

Approved as to form and substance.

Earl Dobson, Attorney for Respondent

Signed this 22 day of September, 2008.

WHEREFORE, PREMISES CONSIDERED, the Executive Director on behalf of the Texas Board of Nursing does hereby accept the voluntary surrender of Registered Nurse License Number 534180, previously issued to KELLI L. MOON-GAGLIARDO.

Effective this 24th day of September, 2008.

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