

5. On July 31, 1997, Applicant was issued a Consent Order by the Louisiana State Board of Nursing, issuing a Reprimand Censure for non compliance with a continuing education audit. A copy of the July 31, 1997, Louisiana Consent Order is attached and incorporated by reference as part of this Order.
6. On November 3, 1997, Applicant's professional nursing license was suspended for non compliance with the Consent Order issued on July 31, 1997.
7. On February 13, 1998, Applicant was issued a Consent Order by the Louisiana State Board of Nursing. A copy of the February 13, 1998, Louisiana Consent Order is attached and incorporated by reference as part of this Order.
8. On February 18, 1999, Applicant satisfied all terms and conditions as set forth in the Consent Order issued on February 13, 1998, by the Louisiana Board of Nursing.
9. Applicant has sworn that with the exception of matters disclosed in connection with the Temporary License/Endorsement Application, her past behavior conforms to the Board's professional character requirements.
10. After considering the action taken by the Louisiana Board of Nursing along with Applicant's conduct since July 31, 1997, the Executive Director is satisfied that Applicant is able to meet the requirements of the Nursing Practice Act, the Board's Rules and Regulations, and generally accepted standards of nursing practice.
11. On April 6, 2006, the Executive Director considered evidence of Applicant's behavior in light of the character factors set out in 22 Texas Administrative Code §213.27 and determined that Applicant currently demonstrates the criteria required for good professional character.
12. Applicant presented sufficient evidence that she would not pose a direct threat to the health and safety of patients and the public.
13. The Executive Director's review of the grounds for potential ineligibility has been made on the basis of Applicant's disclosures.
14. Applicant has been advised by the Board that any information found to be incomplete, incorrect or misleading to the Board or a subsequent discovery of a basis of ineligibility will be considered by the Board and may result in an ultimate determination of ineligibility or the later revocation of a license obtained through fraud or deceit.

CONCLUSIONS OF LAW

1. The Board of Nurse Examiners has jurisdiction over this matter pursuant to Section 301.453 *et seq.*, Texas Occupations Code.
2. Applicant has submitted a Temporary License/Endorsement Application in compliance with 301.260 *et seq.*, Texas Occupations Code.
3. The evidence in Finding of Fact Number Four (4) is sufficient cause to take disciplinary action under Section 301.452 *et seq.*, Texas Occupations Code, and, therefore, sufficient cause to deny licensure.
4. The action taken by another jurisdiction is grounds for denial of a license under Section 301.452 *et seq.*, Texas Occupations Code.
5. Applicant shall immediately notify the Board of any fact or event that could constitute a ground of ineligibility for licensure under Section 301.452 *et seq.*, Texas Occupations Code.
6. The Board may license an individual with prior behaviors inconsistent with the Board's character requirements if, upon evaluation of the factors in 22 Texas Administrative Code §213.27, the Board is satisfied that the individual is able to consistently conform her conduct to the requirements of the Nursing Practice Act, the Board's Rules and Regulations, and generally accepted standards of nursing practice.

ORDER

IT IS THEREFORE AGREED that the application of KELLY JOHNSON WILLIAMS, APPLICANT, is hereby CONDITIONALLY GRANTED and shall be subject to the following conditions:

(1) APPLICANT SHALL obtain and read the Texas Nursing Practice Act, and the Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice.

(2) Upon payment of the necessary fees, APPLICANT SHALL be issued a license to practice professional nursing in the State of Texas, which shall bear the appropriate notation.

(3) Upon receiving authorization to practice professional nursing in Texas, APPLICANT 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 APPLICANT's multistate licensure privilege, if any, to practice professional nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that while APPLICANT's license is encumbered by this Order the APPLICANT 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 APPLICANT wishes to work.

(4) APPLICANT SHALL, within one (1) year of initial licensure in the State of Texas, successfully complete a course in Texas nursing jurisprudence. APPLICANT 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, and documentation of care. Courses focusing on malpractice issues will not be accepted. APPLICANT 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 APPLICANT'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 on the Board's website, www.bne.state.tx.us (under BNE events).*

(5) APPLICANT SHALL, within one (1) year of initial licensure in the State of Texas, successfully complete a course in nursing ethics. APPLICANT 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. The course shall be a minimum of six (6) contact hours in length. In order for the course to be approved, the target audience shall include Nurses. The course shall include content on the following: principles of nursing ethics; confidentiality; and professional boundaries. APPLICANT SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to verify APPLICANT's successful completion of the course. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure. *Board approved courses may be found on the Board's website, www.bne.state.tx.us (under BNE events).*

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, APPLICANT 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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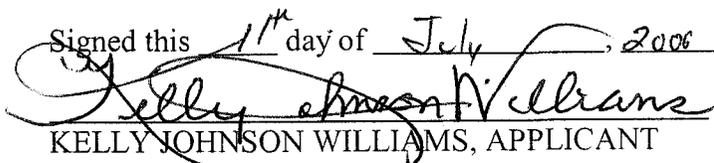
APPLICANT'S CERTIFICATION

I am the Applicant in this matter. I have fully and truthfully disclosed all of my past disciplinary action and I have caused complete and accurate documentation to be submitted to the Board of Nurse Examiners from each jurisdiction in which I have been disciplined. I certify that my past behavior, except as disclosed in my Temporary License/Endorsement Application has been in conformity with the Board's professional character rule.

In connection with my application, I acknowledge that I have read and I understand Sections 301.157, 301.252, 301.253, 301.260, and 301.452(b) of the Texas Occupations Code, and Board Rules at 213.27, 213.28, and 213.29, 22 Texas Administrative Code, which are incorporated by reference as a part of this Order. I agree with all terms of this Order and any stipulations. I agree to inform the Board of any other grounds for denial of licensure prior to accepting any permit or license from the Board of Nurse Examiners.

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.

I understand that I can be represented by an attorney in this matter. I waive representation, notice, administrative hearing, and judicial review of this Order and request that the Executive Director of the Board of Nurse Examiners enter this Order.

Signed this 11th day of July, 2006.

KELLY JOHNSON WILLIAMS, APPLICANT

Sworn to and subscribed before me this 11th day of July, 2006.

SEAL


Notary Public in and for the State of Louisiana

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 Order of Conditional Eligibility that was signed on the 11th day of July, 2006, by KELLY JOHNSON WILLIAMS, APPLICANT, for Temporary License/Endorsement Application, and said Order is final.

Entered this 14th day of July, 2006.

BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS



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

**LOUISIANA STATE BOARD OF NURSING
METAIRIE, LOUISIANA**

IN THE MATTER OF:

Kelly Michele Johnson-Williams
3540 Paris Avenue
New Orleans, LA 70127
Applicant

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CONSENT ORDER

TERMS AGREED TO BY LICENSEE (continued)

I, **Kelly Michele Johnson-Williams**, voluntarily agree to sign and have witnessed terms of agreement for the purpose of reinstating my license which was suspended on November 3, 1997.

I, **Kelly Michele Johnson-Williams**, who after first being duly sworn, do depose and say that I freely, knowingly and voluntarily enter into this agreement. I understand that I have a right to a hearing in this matter and I freely waive such right. I understand that I have a right to legal counsel prior to entering into this agreement.

I acknowledge that the Louisiana State Board of Nursing makes the following **FINDINGS OF FACTS:**

1. That on August 21, 1987, Applicant was licensed in Louisiana by examination.
2. That on January 15, 1997, applicant signed and submitted an application for renewal of licensure to practice as a registered nurse in Louisiana, attesting that the requirements for relicensure had been met during 1996.
3. That Applicant failed to timely complete and forward to the Board the CE Audit for 1997.
4. That on July 31, 1997, she signed a Consent Order which reinstated her license, with a reprimand and stipulations for \$500.00 fine, and continuing education hours. The order stipulated that failure to comply with the stipulations would result in the automatic suspension of her license.
5. That on October 3, 1997, a letter of non-compliance for the \$500.00 fine was sent to her with an extension to pay until October 28, 1997, and notice that continuing education hours were due on October 30, 1997.
6. That on November 3, 1997, her license was suspended for noncompliance of the Consent Order, fine, and continuing education hours.
7. That on November 3, November 5, November 7, November 8, November 11, and November 12, 1997, she worked as a agency nurse at Tulane University Hospital as a registered nurse without a valid RN license. On November 12, 1997, she phoned the Board office and was instructed that she violated the Consent Order, and she must stop working as an RN.
8. That on January 12, 1998, she submitted \$500.00.
9. That on January 20, 1998, she submitted thirty (30) hours continuing education hours from Western Schools on Nursing Ethics and the Law.

**LOUISIANA STATE BOARD OF NURSING
METAIRIE, LOUISIANA**

IN THE MATTER OF:

**Kelly Michele Johnson-Williams
3540 Paris Avenue
New Orleans, LA 70127**

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CONSENT ORDER

Applicant

TERMS AGREED TO BY LICENSEE (continued)

10. That on January 21, 1998, she requested reinstatement of her license.
11. That on February 6, 1998, Applicant submitted a letter which stated that she had worked November 5, November 7, November 8, and November 11, 1997, without a valid license.
12. That on February 10, 1998, Tulane Hospital verified her work shifts in November 1997, including November 12, 1997. On January 22, 1998, the agency notified Tulane Hospital that she was available for assignment as an RN, even though her license was still suspended. Tulane University Hospital offered her a travel assignment as an RN starting February 16, 1998. On January 26, 1998, Applicant responded through the agency that she would accept the assignment.
13. That on February 10, 1998, she met with staff. She said she misunderstood the suspension letter. She explained that she has not worked as a RN since November 12, 1997.
14. That on February 13, 1998, she met with staff to discuss this Consent Order for reinstatement.

I hereby acknowledge that I have complied with all of the stipulations for reinstatement. I further attest to my intent to comply with all stipulations of this Consent Order.

To facilitate submission of this Consent Order, I agree that the board has jurisdiction of this matter pursuant to L.R.S. 37:921. I specifically waive my right to contest these findings in any subsequent proceedings before the Board.

In order to avoid further administrative proceedings I, **Kelly Michele Johnson-Williams**, hereby consent to accept and abide by the following ORDER of the Board:

That Registrant's license be reinstated and placed on probation for a period of one (1) year with the following stipulations:

1. Immediately inform all nursing employers of these disciplinary measures and of the probationary status of her license. Shall cause all employers, to submit, in writing to the Board, that they have reviewed this Order.
2. Work in a restrictive environment under direct supervision as a member of a treatment team rather than alone or with a few employees. Not be employed in agency/staffing/pool, home health service, or nursing homes. Cannot work agency unless long term assignment with same hospital or health facility. Additionally not be employed in any unsupervised setting involving direct patient care.
3. Have all immediate nursing supervisors, agency and hospital, submit a performance evaluation report quarterly. Respondent shall submit self-evaluations quarterly.

LOUISIANA STATE BOARD OF NURSING
METAIRIE, LOUISIANA

IN THE MATTER OF:

Kelly Michele Johnson-Williams
3540 Paris Avenue
New Orleans, LA 70127

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CONSENT ORDER

Applicant

TERMS AGREED TO BY LICENSEE (continued)

4. Immediately, and within 72 hours, inform the Board in writing of any change in her address.
5. Immediately inform the Board in writing of all places of employment. If any places of employment change, the Board shall be notified in writing within 72 hours of such a change.
6. Within sixty (60) days submit \$200.00 as cost for this consent. Pay a monthly probation fee of twenty-five dollars (\$25.00) to the Louisiana State Board of Nursing. Fees are due on or before the first date of every month.
7. Quarterly reports are due on or before the first day of January, April, July, and October.
8. Not have any misconduct, criminal violations, or violations of any health care regulations reported to the Board related to this or any other incidents.
9. Failure to comply with the above stipulations, receipt of an unfavorable report, or non-receipt of reports on or before the date due shall result in the immediate suspension of this registrant's license for a minimum of six (6) months.

I, Kelly Michele Johnson-Williams, understand that this agreement is effective immediately upon signature of the Executive Director and will become an ORDER of the Board. It is also understood that this agreement does not preclude the Board of Nursing from requiring a formal hearing of my case. I further understand that should the Consent Order not be accepted by the Board, I agree that presentation to and consideration of the Consent Order, the documentary evidence and information by the Board shall not unfairly or illegally prejudice the Board or any of its members from participation in hearings or other proceedings pertaining to these or other matters regarding this registrant.

Kelly Johnson Williams
Kelly Michele Johnson-Williams

Dated this 13th day of February, 1998.

Shana S Elliott
Witness

Linda C. Fontenot
Witness

Approved by and effective date: February 13, 1998

LOUISIANA STATE BOARD OF NURSING

Sign Date: 2/19/98

Barbara L. Morvant, MN, RN
Barbara L. Morvant, MN, RN
Executive Director

Louisiana State Board of Nursing

Suite 501
3510 N. Causeway Blvd.
Metairie, LA 70002
Telephone (504) 838-5332
Facsimile (504) 838-5349

Certified Mail
Return Receipt Requested

January 29, 1998

Ms. Kelly Michele Johnson Williams
3540 Paris Ave.
New Orleans, LA 70122

Dear Ms. Williams,

Information has been received in this office which alleges that you may have acted in violation of the Nurse Practice Act. This information alleges that you have been working as a Registered Nurse in Louisiana when in fact, your Louisiana license has been suspended since November 3, 1997.

The Nurse Practice Act L.R.S. 37:925, states, in part, that practicing nursing without a license is a violation which could result in imposition of a fine, revocation of license, and/or criminal imprisonment. **YOU ARE TO CEASE AND DESIST IMMEDIATELY THE PRACTICE OF NURSING IN LOUISIANA.**

Your application for 1998 licensure renewal was received in the Board office on January 12, 1998. The processing of your application is being deferred until this other matter is resolved.

The Board has authorized staff to attempt resolution of contested matters through informal means and/or Consent Orders. Although the Board of Nursing is willing to settle cases whenever possible, such can only be achieved if all parties agree to the stipulated terms and conditions of the Consent Order. Should the staff and licensee be unable to successfully resolve the matter, then the investigation would continue which could result in formal charges being filed.

In order to resolve this matter and for you to personally present your side of the issue, you are requested to appear for a conference with Board staff on **Tuesday, February 10, 1998, at 10:00 a.m.** in the Office of the Board at 3510 N. Causeway Blvd. Suite 501, Metairie, LA. During this conference, you should be prepared to discuss the alleged violations and the incidents on which these are based.

Upon receipt of this letter, please notify the Disciplinary Department secretary, Ms. Hines, at (504) 838-5418 to confirm the scheduled date. Your prompt attention to this matter is appreciated.

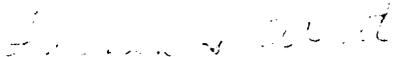
January 29, 1998

Ms. Kelly Michele Johnson Williams

Page 2

Please prepare a written statement regarding these allegations and a chronological listing of your work history for the last ten years. This information needs to be mailed or faxed to the Board office prior to your scheduled conference.

Yours truly,



Thania S. Elliott, JD, MSH, RN
Nursing Consultant for Compliance

CC: Ms. Trilby A. Barnes, RNC
President/CEO
Medi-Lend Nursing Services, Inc.
6305 Elysian Fields
New Orleans, LA 70122

via FAX 283-6004 & Regular Mail

IN THE MATTER OF:

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CONSENT ORDER

Kelly Johnson-Williams

TERMS AGREED TO BY LICENSEE

I, Kelly Johnson-Williams, voluntarily agree to sign and have witnessed the terms of agreements for the purpose of avoiding a formal administrative hearing with the Louisiana State Board of Nursing.

I, Kelly Johnson-Williams, do say that I freely, knowingly and voluntarily entered into this agreement; that I understand that I have a right to a hearing in this matter and I freely waive such right; and that I understand that I have a right to legal counsel prior to entering into this agreement.

I acknowledge that the Louisiana State Board of Nursing makes the following FINDINGS OF FACT:

1. That on 8/21/87, Applicant was licensed in Louisiana by examination.
2. That on 1/15/97, Applicant signed and submitted an application for renewal of licensure to practice as a registered nurse in Louisiana, attesting that the requirements for relicensure had been met during 1996.
3. That Applicant failed to timely complete and forward to the Board the CE Audit for 1997.

I further acknowledge and attest that I have had no previous disciplinary action in any jurisdiction and that I plan to cooperate with all aspects of this Consent Order.

To facilitate submission of this Consent Order, I do not offer any defense to the FINDINGS OF FACT. I agree that the Board has jurisdiction of this matter pursuant to L.R.S. 37:911 et seq. I further agree that there is sufficient evidence upon which to predicate a finding of violation of the provisions of L.R.S. 37:921. I specifically waive my right to contest these findings in any subsequent proceedings before the Board. I understand that this Consent Order shall constitute a public record and is disciplinary action by the Board.

In order to avoid further administrative proceedings, I hereby consent to accept and abide by the following ORDER of the Board: That Applicant's license be reinstated and that a letter of reprimand be issued and become a part of this registrant's permanent file, regarding the incident which brought her before the Board, i.e. failure to complete the CE audit on a timely basis. Additionally, she shall:

1. Pay a \$500.00 fine within thirty (30) days from the date of this Order.
2. Submit written evidence of completion of five (5) hours of LSBN approved continuing education hours to include the areas of Legal Accountability and Ethics within ninety (90) days from the date of this agreement.
3. Further, failure to comply with the above stipulations on or before the date due, shall result in the automatic suspension of registrant's license.

I, Kelly Johnson-Williams, understand that this agreement is effective immediately upon signature of the Executive Director. It is also understood that this agreement does not preclude the Board of Nursing from requiring a formal hearing of my case. I further understand that should the Consent Order not be accepted by the Board, I agree that presentation to and consideration of the Consent Order, the documentary evidence and information by the Board shall not unfairly or illegally prejudice the Board or any of its members from participation in hearings or other proceedings pertaining to these or other matters regarding this registrant.

Dated this 28 day of July, 1997

Kelly Johnson-Williams
Kelly Johnson-Williams

Judith A Barnes
Witness

Derrick Will
Witness

Approved by and effective date: July 31, 1997

LOUISIANA STATE BOARD OF NURSING

Date Signed: July 31, 1997

Barbara L. Morvant M.N., R.N.
Barbara L. Morvant, MN, RN
Executive Director