



*Katherine A. Thomas*  
Executive Director of the Board

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.

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of § AGREED  
License Number 102156 §  
issued to GINNY C WHITESIDE § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of GINNY C WHITESIDE, Vocational Nurse License Number 102156, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Article 4528c, sec. 10(2)&(9), Revised Civil Statutes of Texas, as amended. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on July 10, 2009, by Katherine A. Thomas, MN, RN, Executive Director.

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 proceedings, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice vocational nursing in the State of Texas.
4. Respondent received a Certificate of Vocational Nursing from Victoria College, Victoria, Texas, on May 19, 1983. Respondent was licensed to practice vocational nursing in the State of Texas on November 30, 1983.
5. Respondent's complete vocational nursing employment history is unknown.
6. On or about November 15, 1985, Respondent entered a plea of Guilty and was convicted of THEFT HOT CHECK (a Class B misdemeanor offense reduced to a lesser ISSUANCE OF A BAD CHECK), in the County Court At Law, Victoria County, Texas under Cause No. 1-43,777. As a result of the conviction, Respondent was ordered to pay a fine and court costs.

7. On or about March 11, 1987, Respondent entered a plea of Guilty and was convicted of THEFT (H/C)(a Class B misdemeanor offense), in the County Court At Law, Victoria County, Texas, under Cause No. 2-46,722. As a result of the conviction, Respondent was ordered to pay a fine.
8. On or about October 30, 1987, Respondent entered a plea of Guilty and was convicted of THEFT (H/C)(a Class B misdemeanor offense), in the County Court At Law, Victoria County, Texas under Cause No. 2-48,388. As a result of the conviction, Respondent was ordered to pay a fine.
9. On or about November 21, 1988, Respondent entered a plea of Guilty and was convicted of THEFT (H/C)(a Class B misdemeanor offense), in the County Court At Law, Victoria County, Texas under Cause No. 1-50-227. As a result of the conviction, Respondent was sentenced to confinement in the Victoria County Jail for a period of one hundred eighty (180) days; however, the imposition of sentence of confinement was suspended, and Respondent was placed on probation for a period of one hundred eighty (180) days. Additionally, Respondent was ordered to pay restitution in the amount of one thousand two hundred four dollars (\$1,204), a fine and court costs. On or about September 11, 1989, Respondent was DISCHARGED from probation.
10. On or about April 26, 1990, Respondent entered a plea of Guilty to THEFT \$750-\$20,000-CHECK (a felony offense committed on July 16, 1988), in the 144<sup>th</sup> Judicial District Court, Bexar County, Texas, under Cause No. 89-CR-4905. 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 ten (10) years. Additionally, Respondent was ordered to pay restitution in the amount of three thousand five hundred twenty-four dollars (\$3524), and court costs. On or about June 15, 2000, Respondent's probation was terminated.
11. In response to Findings of Fact Six (6), Seven (7), Eight (8), Nine (9) and Ten (10), Respondent states that at the time she was going through an abusive relationship with her husband. Respondent states: "I understand that the Board must take action against me for withholding this information, but I beg you to allow me to continue with my nursing."

#### 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 Article 4528c, Sec 10a(2)& (9), Tex. Rev. Civ. Stat.,(effective September 1, 1985), and 22 TEX. ADMIN. CODE §281.81(2)(A),(3) and (6)(L).

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 102156, heretofore issued to GINNY C WHITESIDE, 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 REMEDIAL EDUCATION AND A FINE, and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Texas Occupations Code §§301.001 *et seq.*, the Rules and Regulations Relating to Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.1 *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 nursing in the State of Texas.

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 State of Texas and the Board of Nursing in the party state where Respondent wishes to work.

IT IS FURTHER AGREED that:

(1) RESPONDENT SHALL pay a monetary fine in the amount of \$250.00 dollar amount. RESPONDENT SHALL pay this fine within 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.

(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 Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder; 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/disciplinaryaction/stipscourses.html>

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT's license and RESPONDENT shall be eligible for multistate licensure privileges, 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 waive representation by counsel. 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 when this Order becomes final and the terms of this Order become effective, 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 25 day of August, 2009.  
GINNY C WHITESIDE  
GINNY C WHITESIDE, Respondent

Sworn to and subscribed before me this 25 day of August, 2009.


SEAL

JENNIFER R ROBERTS  
Notary Public in and for the State of Texas



WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby ratify and adopt the Agreed Order that was signed on the 25th day of August, 2009, by GINNY C WHITESIDE, Vocational Nurse License Number 102156, and said Order is final.

Effective this 4th day of September, 2009.



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