



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

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In the Matter of § AGREED  
Vocational Nurse License Number 171604 §  
issued to ROSEMARY NUNN § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board considered the matter of ROSEMARY NUNN, Vocational Nurse License Number 171604, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may be subject to discipline pursuant to Section 301.452(b)(2) & (10), Texas Occupations Code. Respondent waived notice and hearing and agreed to the entry of this Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on May 20, 2015.

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(s).
2. Respondent waived notice and hearing, and agreed to the entry of this Order.
3. Respondent's license to practice as a vocational nurse in the State of Texas is in delinquent status.
4. Respondent received a Certificate in Vocational Nursing from Phoenix Union High School, Phoenix, Arizona, on February 1, 1976. Respondent was licensed to practice vocational nursing in the State of Texas on March 31, 1999.
5. Respondent's nursing employment history includes:
 

12/80 - 06/94	LVN	St. Joseph's Hospital Phoenix, Arizona
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Respondent's nursing employment history continued:

07/94 - 11/94	Unknown	
12/94 - 07/95	LVN	Community Justice for Children Phoenix, Arizona
08/95 - 10/98	LVN	Children's Medical Center Phoenix, Arizona
11/98 - 02/99	Unknown	
03/99 - 10/05	LVN	Texas Children's Pediatric Associates Cypress, Texas
11/05 - 07/07	Unknown	
08/07 - 12/07	LVN	Children's Medical Group Phoenix, Arizona
01/08 - 04/08	Unknown	
05/08 - 03/12	LVN	Nursing Solutions Phoenix, Arizona
Unknown - Present	LVN	Epic Health Services Unknown

6. On or about September 26, 2012, Respondent submitted a renewal application to the Texas Board of Nursing in which she provided false, deceptive, and/or misleading information, in that she answered "no" to the following question:

"Are you currently the target of subject of a grand jury or governmental agency investigation?"

Respondent failed to disclose that she was under investigation by the Arizona Board of Nursing. Respondent's conduct was misleading and could have affected the Texas Board of Nursing's decision to renew her license to practice vocational nursing.

7. Regarding the conduct outlined in Finding of Fact Number Six (6), Respondent "emphatically" denies and explains that the terms 'grand jury' and 'governmental agency' have only ever brought to mind judicial or law enforcement agencies, and she is only now fully aware of Boards of Nursing being classified as a 'governmental agency.'

Respondent adds that at the time she submitted her application, she was awaiting a response from the Arizona Board of Nursing to correspondence she mailed to them on July 26, 2012.

8. Formal Charges were filed on March 26, 2015.
9. Formal Charges were mailed to Respondent on March 30, 2015.

### 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 violation(s) of 22 TEX. ADMIN. CODE §217.12(6)(I).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(2) & (10), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 171604, heretofore issued to ROSEMARY NUNN.
5. Pursuant to Section 301.463(d), Texas Occupations Code, this Agreed Order is a settlement agreement under Rule 408, Texas Rules of Evidence, in civil or criminal litigation.

### TERMS OF ORDER

#### **I. SANCTION AND APPLICABILITY**

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that RESPONDENT SHALL receive the sanction of **REMEDIAL EDUCATION WITH A FINE** in accordance with the terms of this Order.

- A. This Order SHALL apply to any and all future licenses issued to Respondent to practice nursing in the State of Texas.
- B. This Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.
- C. Respondent may not work outside the State of Texas in another nurse licensure compact party state without first obtaining the written permission of the Texas Board of Nursing and the Board of Nursing in the nurse licensure compact party state where Respondent wishes to work.

**II. COMPLIANCE WITH LAW**

While under the terms of this Order, RESPONDENT agrees to 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.

**III. REMEDIAL EDUCATION COURSE(S)**

In addition to any continuing education requirements the Board may require for licensure renewal, RESPONDENT SHALL successfully complete the following remedial education course(s) **within one (1) year of the effective date of this Order, unless otherwise specifically**

**indicated:**

- A. **A Board-approved course in Texas nursing jurisprudence and ethics** that shall be a minimum of six (6) 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. Home study courses and video programs will not be approved.
- B. The course **“Sharpening Critical Thinking Skills,”** a 3.6 contact hour online program provided by the National Council of State Boards of Nursing (NCSBN) Learning Extension.

In order to receive credit for completion of this/these course(s), RESPONDENT SHALL CAUSE the instructor to submit a Verification of Course Completion form or SHALL submit the continuing education certificate, as applicable, to the attention of Monitoring at the Board's office. RESPONDENT SHALL first obtain Board approval of any course prior to enrollment if the course is not being offered by a pre-approved provider. *Information about Board-approved courses and Verification of Course Completion forms are available from the Board at www.bon.texas.gov/compliance.*

**IV. MONETARY FINE**

RESPONDENT SHALL pay a monetary fine in the amount of two hundred fifty dollars (\$250.00) 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.

**V. RESTORATION OF UNENCUMBERED LICENSE(S)**

Upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT'S license(s) to practice nursing in the State of Texas and RESPONDENT may be eligible for nurse licensure compact privileges, if any.

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RESPONDENT'S CERTIFICATION

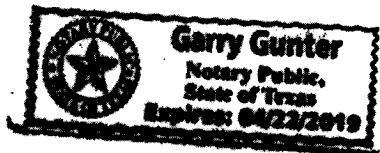
I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the entry of this Order, and any conditions of said 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 possible revocation of my license(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 19<sup>th</sup> day of June, 2015.

Rosemary Nunn  
ROSEMARY NUNN, Respondent

Sworn to and subscribed before me this 19 day of June, 2015.

SEAL



Garry Gunter  
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 19th day of June, 2015, by ROSEMARY NUNN, Vocational Nurse License Number 171604, and said Order is final.

Effective this 29th day of June, 2015.



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