



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.
Mary M. Strange
Executive Director of the Board

BOARD OF VOCATIONAL
NURSE EXAMINERS

* STATE OF TEXAS

VS.

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COUNTY OF TRAVIS

HENRIETTA THOMAS

AGREED BOARD ORDER

On this day came to be considered by the Board of Vocational Nurse Examiners for the State of Texas, hereinafter referred to as the Board, the matter of vocational nurse license number 105386, held by HENRIETTA THOMAS herein, after called Respondent.

A sworn Complaint has been filed and served on the Respondent, which alleges violations of the Texas Occupations Code, Chapter 302, and grounds to take disciplinary action against Respondent.

An informal conference was held on August 14, 2000, at the office of the Board of Vocational Nurse Examiners. The conference was conducted by Mary M. Strange, R.N., Executive Director of the Board, assisted by Betty Sims, RN, member of the Board of Vocational Nurse Examiners. Respondent was present and was not represented by counsel.

The conference was attended by Kathleen S. Davies, Investigator for the Board, and Joe Pitner, Assistant Attorney General. By their notarized signature on this Order, Respondent does hereby waive the right to Notice of Formal Hearing and a Formal Hearing of the Complaint before the Board, and to judicial review of this disciplinary action after this Order is endorsed by the Board.

After reviewing the Complaint and information provided at the informal conference, Respondent agrees to the entry of an Order dispensing with the need for further proceedings on the Complaint. By Respondent's signature on this Order, Respondent neither admits nor denies the truth of the allegations stated in the Complaint. By Respondent's signature on this Order,

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Respondent acknowledges that they have read and understood this Order and have approved it for consideration by the Board. Notice of this disciplinary action will appear in the Board's newsletter sent to Texas employers.

ORDER OF THE BOARD

NOW THEREFORE, IT IS ORDERED, that license number 105386, heretofore issued to HENRIETTA THOMAS to practice vocational nursing in the State of Texas be, and the same is hereby suspended until such time as Respondent enrolls in or audits and successfully completes nursing program course(s) encompassing the following areas of study: Nursing Ethics, and submits proof of successful course completion to the Board office. Respondent shall be responsible for locating said course(s) and obtaining prior written approval of Board staff prior to enrollment or audit. Said course(s) shall be in-house at a community college, university, or nursing program, and/or tutored by a state approved, licensed nursing program faculty member. The expense of said course(s) shall be borne by Respondent.

It is further ordered that upon receipt of said documentation reflecting satisfactory completion of said course(s), the suspension of said license shall be automatically stayed and the license placed on probation for a period of two (2) years.

The probation of said license is subject to the following stipulations, to wit:

1. That if Respondent's place of employment, name, address or telephone number changes, Respondent is to notify the Board office immediately, or no later than ten (10) days after said change has occurred. Said notification shall be in the form of a written letter or report.
2. That Respondent shall comply with Federal, State, and local laws, and all the provisions of the Texas Occupations Code, Chapter 302 and Rules and Regulations of the Board.

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3. That by copy of this Board Order, Respondent shall provide notice of Board disciplinary action to his/her immediate nursing supervisor(s) and Director(s) of Nursing, throughout the term of probation.
4. That Respondent shall be responsible for causing his/her immediate nursing supervisor(s) to submit satisfactory reports directly to the Board office on a monthly basis for the first six (6) months of probation. Thereafter, and throughout the remainder of said probation, Respondent shall be responsible for causing his/her immediate nursing supervisor(s) to submit satisfactory reports directly to the Board office on a quarterly basis. The receipt of an unfavorable and/or untimely report shall be considered a violation of probation.
5. That any period(s) of nursing unemployment must be documented in writing by Respondent and submitted to the Board office, as provided in Stipulation No. four (4).
6. That Respondent shall work only under the supervision of a licensed medical professional (MD, RN, LVN) who is physically present on the work premises during Respondent's shift assignment(s), throughout the term of the probation.
7. That Respondent shall not be employed by a nurse registry, temporary nurse employment agency, home health agency, or as a private duty nurse, throughout the term of probation.
8. That Respondent shall not be the only licensed medical professional in the facility throughout the term of probation.
9. That if Respondent is discharged from court ordered probation, prior to completion of this probationary term, Respondent shall be responsible for causing his/her probation officer to submit a final satisfactory report directly to the Board office.
10. That Respondent shall pay a Probation Monitoring fee in the amount of thirty (\$30.00) dollars in the form of a cashier's check or money order, payable to the Board of Vocational Nurse Examiners. Said fee shall be paid quarterly, due on the 15th of each quarter, commencing the quarter following the date of the Board's endorsement of the Order, and continuing thereafter until the successful completion of Respondent's probation. Said fee shall be sent to the Board office, addressed to the "Board of Vocational Nurse Examiners, 333 Guadalupe, Suite 3-400, Austin, TX 78701". Failure by Respondent to make any quarterly payment on time shall constitute a violation of probation.

This Agreed Order shall not be effective or take effect and become enforceable in accordance with its terms until ratified by a majority of the Board present and voting, at its next regularly called session.

Dated this the 14 day of August, 2000.

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Henrietta Thomas
Signature of Respondent

4609 Leffingwell
Current Address

Houston Texas 77026
City, State and Zip

713, 675-0948
Area Code and Telephone Number

The State of Texas
County of TRAVIS

Before me, the undersigned authority, on this day personally appeared HENRIETTA THOMAS, who being duly sworn by me stated that he or she executed the above for the purpose therein contained, and that he or she understood same.

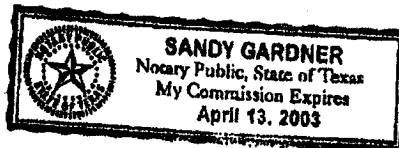
SWORN TO AND SUBSCRIBED before me this the 14th day of August, 2000.



Sandy Gardner
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS
My Commission Expires 4/13/2003

Mary M. Strange
Mary M. Strange, BSN, RN, CNA
Agent for the Board of
Vocational Nurse Examiners

SWORN TO AND SUBSCRIBED before me, the undersigned authority, on this the 17th day of August, 2000.




Sandy Gardner
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

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WHEREFORE, PREMISES CONSIDERED, the Board of Vocational Nurse Examiners for the State of Texas does hereby ratify and adopt the Agreed Board Order, notarized on the 14th day of August, 2000 by license number 105386 and that Said Order is Final.

Effective this 11th day of September, 2000.



Mary M. Strange, BSN, RN, CNA
Executive Director
On Behalf of Said Board

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CERTIFICATE OF SERVICE

I hereby certify that on the 15TH day of September, 2000, a true and correct copy of the foregoing **BOARD ORDER** was served by placement in the U.S. Mail first class mail, and addressed to the following person(s):

HENRIETTA THOMAS
4609 LEFFINGWELL
HOUSTON TX 77026



Mary M. Strange, BSN, RN, CNA
Executive Director
Agent for the Board of Vocational Nurse Examiners

BOARD OF VOCATIONAL NURSE
EXAMINERS

VS.

HENRIETTA THOMAS

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STATE OF TEXAS

COUNTY OF TRAVIS

COMPLAINT

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Lynda G. Pringle, who after being by me duly sworn, did depose and say: As an Investigator for the Board of Vocational Nurse Examiners, I, Lynda G. Pringle, do hereby present to the Executive Director of the Board of Vocational Nurse Examiners, the following complaint against HENRIETTA THOMAS, a practitioner of vocational nursing in Texas licensed by the Board of Vocational Nurse Examiners with license number 105386, hereinafter called Respondent.

I.

a. On or about September 28, 1999, Respondent was convicted of the Misdemeanor Offense of: THEFT BY CHECK, in the County Criminal Court at Law No. 9 of Harris County, Texas, under Cause Number 9749669. As a result of said conviction, Respondent was issued a fine by the Court and sentenced to five days confinement in jail.

b. On or about September 28, 1999, Respondent was convicted of the Misdemeanor Offense of: THEFT BY CHECK, in the County Criminal Court at Law No. 9 of Harris County, Texas, under Cause Number 9923582. As a result of said conviction, Respondent was issued a fine by the Court and sentenced to five days confinement in jail.

c. Respondent has been convicted of crimes, which the Board considers to be directly related to the duties and responsibilities of a Licensed Vocational Nurse. Said convictions are inconsistent with the basic duties and responsibilities inherent in the occupation of vocational nursing in that said occupation requires the maintenance of accurate and complete records, and safeguarding personal property of the patient, client, and employer.

d. On or about December 6, 1999, Respondent pled guilty to the felony charge of: UNAUTHORIZED USE OF A MOTOR VEHICLE, in the 248th Judicial District Court of Harris County, Texas, under Cause Number 821289. As a result of said plea of guilty, Respondent was placed on community supervision for two years.

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II.

The foregoing acts constitute unprofessional or dishonorable conduct that, in the opinion of the Board, is likely to deceive, defraud, or injure the public, in violation of the Texas Occupations Code, Chapter 302, Section 302.402 (a) (10) and Rule 239.11 of the Rules and Regulations of the Board of Vocational Nurse Examiners, Title 22, Texas Administrative Code. Rule 239.11, provides in pertinent part: that "Unprofessional Conduct" shall include, but not be limited to:

(29) being convicted of a crime that relates to the practice of vocational nursing.

(A) Those crimes which the Board considers to be directly related to the duties and responsibilities of a licensed vocational nurse shall include, but are not limited to:

(iii) offenses involving fraud, dishonesty or deceit.

III.

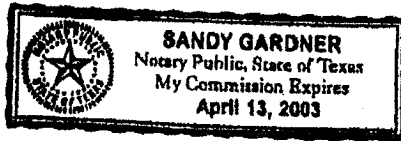
The foregoing acts constitute grounds for the Board of Vocational Nurse Examiners to take disciplinary action as provided under the Texas Occupations Code, Chapter 302, Licensed Vocational Nurse, Section 302.403 and Section 302.451, relief such as revocation, suspension, suspension with probation, reprimand, warning, denial of licensure and/or imposition of administrative penalties (fines), may be recommended by the Board. Pursuant to Board Rule 239.19 the Board may assess penalties (fines), in the minimum amount of two hundred fifty dollars (\$250.00), not to exceed two thousand dollars (\$2,000.00).

WHEREFORE, PREMISES CONSIDERED, I, Lynda G. Pringle, do hereby suggest and request the Board of Vocational Nurse Examiners take disciplinary action against HENRIETTA THOMAS, LVN # 105386, in accordance with the provisions of the laws of the State of Texas.

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Lynda G. Pringle
AFFIANT

SUBSCRIBED AND SWORN TO BEFORE ME by the said Lynda G. Pringle, on this the 13th day
July 2000.



Sandy Gardner
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

Filed with the Board of Vocational Nurse Examiners on the 13th day of July 2000.

Mary M. Strange
Mary M. Strange, BSN, RN, CNA
Executive Director
Board of Vocational Nurse Examiners