



Texas Board of Nursing

1801 Congress Avenue, Ste. 10-200, Austin, Texas 78701
Phone: (512) 305-7400 Fax: (512) 305-7401 www.bon.texas.gov

Katherine A. Thomas, MN, RN, FAAN
Executive Director

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

June 20, 2023

Certified Mail No. 9214 8901 9403 8300 0019 6601 19
Return Receipt Requested, Copy Via USPS First Class Mail

Patricia Ann Potts
Po Box 3059
224 Zinn Drive
Crosby, TX 77532

Dear Ms. Potts:

Your Petition for Licensure Reinstatement and the supporting information related to your potential ineligibility for relicensure was considered by the Executive Director on April 28, 2023.

Pursuant to the Occupations Code §§301.257, 301.452, and 301.453, you have been found to be ineligible for reinstatement of licensure as a nurse in the State of Texas based upon the grounds discussed below. **This is a final determination of licensure reinstatement denial.**

Our records indicate the following:

On or about June 9, 2009, your license to practice vocational nursing in Texas was revoked by a default order of the Board. According to that order, you failed to document assessments, falsified assessments, and were diagnosed with schizophrenia in 2002 and with delusional disorder in 2003.

On or about October 16, 2014, through October 27, 2014, you received inpatient treatment at The University of Texas Harris County Psychiatric Center, where you were admitted with a past history of schizophrenia, paranoid type, and because you were considered incompetent to stand trial after having been arrested and charged with several criminal offenses.

On or about June 22, 2016, you were court ordered to receive inpatient mental health services.

On or about April 11, 2017, you were found to be not guilty of the 2ND degree felony offense AGG ASLT-SER BOD INJURY, committed on March 17, 2016, by reason of insanity in the 185th District Court of Harris County, Texas, under Cause No. 1504370.

On or about June 12, 2017, the Board denied your Petition for Reinstatement of your vocational nursing license because you failed to provide evidence of current mental stability and fitness to practice vocational nursing.

Kathleen Shipp, MSN, RN, FNP
Lubbock, *President*

Allison Porter-Edwards, DrPH, MS, RN, CNE
Bellaire, *Vice-President*

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On or about February 27, 2020, you were transferred from Vernon State Hospital to Rusk State Hospital, where you continued to receive inpatient treatment.

On or about November 17, 2020, the court issued an Order to Receive Outpatient or Community Base Treatment and Supervision.

On or about November 19, 2020, you were discharged from Rusk State Hospital, and since November 20, 2020, you have been receiving outpatient care for your diagnosis of schizophrenia, unspecified, from the Harris Center for Mental Health and IDD.

On or about February 20, 2023, you completed a forensic psychological evaluation performed by Dr. Joyce M. Gayles, Ph.D. Dr. Gayles found that you do not plan well, are likely to act without awareness or consideration of the consequences of your actions, often react with impatience due to limited frustration tolerance, and show signs of immature judgement. Further, Dr. Gayles opined that some individuals with scores such as those with which you presented are assaultive and may show little guilt over negative behavior. It is the opinion of Dr. Gayles that overall evaluation of your personality, character, and propensities, show that you do not present with the emotional and behavioral stability necessary to function in the roles required of a nurse.

You are subject to denial of licensure for this conduct pursuant to the following subsections of the Occupations Code §301.452(b):

- §301.452(b)(12): "lack of fitness to practice because of a mental or physical health condition that could result in injury to a patient or the public;"

The Board also requires petitioners to demonstrate their ability to consistently conform to the requirements of the Nursing Practice Act, the Board's Rules and Regulations, and generally accepted standards of nursing practice; to possess good professional character; and to pose no threat to the health and safety of patients and the public. The Board has adopted a rule, located at 22 Tex. Admin. Code §213.27, that sets forth the factors and disciplinary and eligibility policies and guidelines that must be used in evaluating good professional character in eligibility and disciplinary matters. Based upon the factors specified in §213.27, you have failed to provide sufficient evidence of good professional character required by §213.27.

The Board has also adopted a rule, located at 22 Tex. Admin. Code §213.29, regarding fitness to practice. You have failed to provide sufficient evidence of current fitness to practice based upon the criteria set forth in this rule.

Texas Occupations Code Chapter 301, as well as the Board's rules, 22 Tex. Admin. Code §213.27; §213.29-§213.33, and the Board's Disciplinary Sanction Policies are hereby incorporated by reference herein and may be located on the Board's website at www.bon.texas.gov.

You will not be allowed to petition for reinstatement until at least one (1) year from the date of this denial and until you have satisfied any conditions outlined in your order and any requirements required by law at the time of your application.

Due to this denial, you have the right to a public hearing before an Administrative Law Judge with the State Office of Administrative Hearings. Should you decide to appeal the decision to deny you licensure, please

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submit a written request for a public hearing, to the attention of Office of General Counsel, 1801 Congress Avenue, Suite 10-200, Austin, Texas, 78701. Your written request to appeal this decision must be received in our office within sixty (60) days of the date of this letter. Further, if this office receives information regarding additional criminal conduct or behavior that has not been previously disclosed to or discovered by this office, please be advised that evidence of such additional criminal conduct or behavior may be used against you during the public hearing in this matter to show that you lack the good professional character and other requirements for licensure.

Further, should the decision to deny your licensure be upheld by the State Office of Administrative Hearings, you will be entitled to judicial review by filing an action in the district court of Travis County, Texas. A petition for such an action must be filed not later than the 30th day after the date the licensing authority's decision is final and appealable.

If you have any questions, please contact Enforcement at (512) 305-6838.

Sincerely,

A handwritten signature in black ink that reads "Katherine A. Thomas". The signature is written in a cursive, flowing style.

Katherine A. Thomas, MN, RN, FAAN
Executive Director

KAT/230

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