

IN THE MATTER OF	§	BEFORE THE ELIGIBILITY
PERMANENT CERTIFICATE	§	AND DISCIPLINARY
NUMBER 171745	§	COMMITTEE
ISSUED TO	§	OF THE TEXAS
MANDY JANE BETTS	§	BOARD OF NURSING

ORDER OF THE BOARD

TO: Mandy Jane Betts
602 East Front St.
Naples, TX 75568

During open meeting held in Austin, Texas, on Tuesday, February 12, 2008, the Eligibility and Disciplinary Committee (hereinafter "Committee") heard the above-styled case. This case was heard, and based on the failure of the Respondent to appear as required by 22 TEX. ADMIN. CODE Ch. 213.

The Committee of the Texas Board of Nursing finds that notice of the facts or conduct alleged to warrant disciplinary action has been provided to Respondent in accordance with Texas Government Code § 2001.054(c) and Respondent has been given an opportunity to show compliance with all the requirements of the Nursing Practice Act, chapter 301 of the Texas Occupations Code, for retention of Respondent's license to practice vocational nursing in the State of Texas.

The Committee finds that the Formal Charges were properly initiated and filed in accordance with section 301.458, Texas Occupations Code.

The Committee finds that after proper and timely Notice regarding the violations alleged in the Formal Charges was given to Respondent in this matter, Respondent has failed to appear in accordance with 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that the Board is authorized to enter a default order pursuant to Texas Government Code § 2001.056.

The Eligibility and Disciplinary Committee, after review and due consideration, adopts the proposed findings of fact and conclusions of law as stated in the Formal Charges which are attached hereto and incorporated by reference for all purposes and the Staff's recommended sanction of revocation by default. This Order will be properly served on all parties and all parties will be given an opportunity to file a motion for rehearing (22 TEX. ADMIN.CODE § 213.2(j)). All parties have a right to judicial review of this Order.

All proposed findings of fact and conclusions of law filed by any party not specifically adopted herein are hereby denied.

NOW, THEREFORE, IT IS ORDERED that Permanent Certificate Number 171745, previously issued to MANDY JANE BETTS, to practice vocational nursing in the State of Texas be, and the same is hereby, REVOKED.

IT IS FURTHER ORDERED that Permanent Certificate Number 171745, previously issued to MANDY JANE BETTS, upon receipt of this Order, be immediately delivered to the office of the Texas Board of Nursing.

IT IS FURTHER ORDERED that this Order SHALL be applicable to Respondent's multi-state privilege, if any, to practice vocational nursing in the State of Texas.

Entered this 12th day of February, 2008.

TEXAS BOARD OF NURSING

BY: 
KATHERINE A. THOMAS, MN, RN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

CERTIFICATE OF SERVICE

I hereby certify that on the 14th day of February, 2008, a true and correct copy of the foregoing DEFAULT ORDER was served by placement in the U.S. Mail via certified mail, and addressed to the following person(s):

Mandy Jane Betts
602 East Front St
Naples, TX 75568

BY:



KATHERINE A. THOMAS, MN, RN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

In the Matter of Permanent License § BEFORE THE TEXAS
Number 171745, Issued to §
MANDY JANE BETTS, Respondent § BOARD OF NURSING

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, MANDY JANE BETTS, is a Vocational Nurse holding license number 171745, which is in delinquent status at the time of this pleading.

Written notice of the facts and conduct alleged to warrant adverse licensure action was sent to Respondent at Respondent's address of record and Respondent was given opportunity to show compliance with all requirements of the law for retention of the license prior to commencement of this proceeding.

CHARGE I.

On or about December 31, 2004, Respondent submitted a Texas Online Renewal Document for Licensed Vocational Nurses to the Board of Nurse Examiners for the State of Texas, in which she provided false, deceptive and/or misleading information, in that she answered "No" to the question: "In the past 5 years, have you been diagnosed with or treated or hospitalized for schizophrenia or other psychotic disorder, bipolar disorder, paranoid personality disorder, antisocial personality disorder, or borderline personality disorder? You may answer "no" if you have completed and/or are in compliance with TPAPN for mental illness."

In a letter dated July 27, 2006, Respondent admitted that she was diagnosed with a Bipolar disorder in January 2004, and that she was still being treated for the disease.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(2)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(6)(I).

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CHARGE II.

On or about March 19, 2005 through January 18, 2006, while employed as a Licensed Vocational Nurse with Theron Grainger Nursing and Rehabilitation Center, Hughes Springs, Texas, Respondent misappropriated medications that had been prescribed to residents of Theron Grainger Nursing and Rehabilitation Center, Hughes Springs, Texas, as follows:

Medication	Amount (Units)	Price/Unit	Total	Patient Name
Novolin R	1-2	\$89.99	\$89.99 - \$179.98	W.C.
Glucovance 1.25mg	1	\$95.99	\$95.99	A.D.
Promethazine 25mg	2	\$21.99	\$43.98	D.L.
Cyproheptadine 4mg	2	\$19.99	\$39.98	A.D.
Avandia 8mg	1	\$184.99	\$184.99	W.S.
Metformin 500mg	2	\$9.99	\$19.98	L.R.
Promethazine gel 25mg	1	\$56.29	\$56.29	M.H.
Gabapentin 400mg	1	\$24.99	\$24.99	M.H.

Respondent's conduct was likely to defraud the facility and residents thereof of the cost of the medications.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(1)(B)&(6)(G).

CHARGE III.

On or about June 11, 2007, Respondent entered a plea of Guilty and was Convicted of THEFT (a State Jail Felony offense committed on January 18, 2006), in the 5th District Court of Cass County, Texas, under Cause No. 2006-F-00182. As a result of the conviction, Respondent was sentenced to confinement in the State Jail Division of the Texas Department of Criminal Justice (TDCJ) for a period of two (2) years, with the imposition of the sentence of confinement suspended, and Respondent was placed on Community Supervision for a period of three (3) years. Additionally, Respondent was ordered to pay a fine, court costs, and two thousand, forty-nine dollars and two cents (\$2,049.02) in Restitution.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(3)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(13).

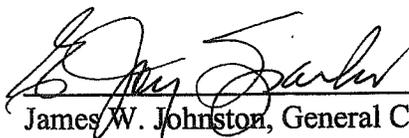
NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of revocation of Respondent's license to practice nursing in the State of Texas pursuant to the Board's rules, 22 TEX. ADMIN. CODE §§ 213.27 - 213.33 and TEX. OCC. CODE Ch. 53. Additionally, staff will seek to impose on Respondent the administrative costs of the proceeding pursuant to § 301.461, TEX. OCC. CODE ANN. The cost of proceedings shall include, but is not limited to, the cost paid by the board to the State Office of Administrative Hearings and the Office of the Attorney General or other Board counsel for legal and investigative services, the cost of a court reporter and witnesses, reproduction of records, board staff time, travel, and expenses. These shall be in an amount of at least one thousand two hundred dollars (\$1,200.00).

NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, www.bon.state.tx.us.

NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Sanction Policies for Nurses with Chemical Dependency, Lying and Falsification and Fraud, Theft & Deception, which can be found at the Board's website, www.bon.state.tx.us.

Filed this 25th day of September, 2007.

TEXAS BOARD OF NURSING



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