

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Registered Nurse License Number 545519 §
issued to LAWANDA CAROL NALL §

ORDER OF THE BOARD

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Registered Nurse License Number 545519, issued to LAWANDA CAROL NALL, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived representation by counsel, informal conference, notice and hearing.

The Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Respondent's license to practice professional nursing in the State of Texas is currently in delinquent status.
2. Respondent waived representation by counsel, informal conference, notice and hearing.
3. Respondent received an Associate Degree in Nursing from Pensacola Junior College, Pensacola, Florida, on August 1, 1984. Respondent was licensed to practice professional nursing in the State of Texas on May 6, 1988.
4. Respondent's complete nursing employment history is currently unknown.
5. On or about May 19, 2006, Respondent's license to practice professional nursing in the State of Alabama was Revoked by the Alabama Board of Nursing, Montgomery, Alabama. The revocation was issued based on the following Findings:

On September 1, 2004, Respondent was convicted in the United States District Court for the Northern District of Florida, Pensacola Division, of the crime of Mail Fraud

(18 U.S.C. §§1341 and 1342) and Wire Fraud (18 U.S.C. §§1342 and 1343). Respondent was sentenced to a total of thirty-three (33) months imprisonment. Upon release from imprisonment, Respondent was sentenced to three (3) years supervised release. Respondent was also subject to a \$1,000 fine and ordered to pay \$10,000 restitution to State Farm Insurance. This criminal record, along with further explanation, was appropriately disclosed by Respondent in a renewal application submitted to the Board. Respondent was also charged with filing a false police report related to the same incident, which was dropped.

A copy of the Findings of Fact, Conclusions of Law and Order of the Alabama Board of Nursing, dated May 19, 2006, is attached and incorporated by reference as part of this Order.

6. Formal Charges were filed on December 4, 2007. A copy of the Formal Charges is attached and incorporated by reference as part of this Order.
7. Formal Charges were mailed to Respondent on December 4, 2007.
8. On February 12, 2008, the Texas Board of Nursing received a notarized statement from Respondent stating her desire to voluntarily surrender her license to practice professional nursing in Texas. A copy of this statement is attached and incorporated by reference as part of this Order.

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 of Section 301.452(b)(8), Texas Occupations Code.
4. Under Section 301.453(d), Texas Occupations Code, the Board may impose conditions for reinstatement of licensure.
5. Any subsequent reinstatement of this license will be controlled by Section 301.452 (b), Texas Occupations Code, and 22 TAC §§213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

ORDER


NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Registered Nurse License Number 545519, heretofore issued to LAWANDA CAROL NALL, to practice professional nursing in the State of Texas, is accepted by the Executive Director on behalf of the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL immediately deliver the wallet-sized license, heretofore issued to LAWANDA CAROL NALL, to the office of the Texas Board of Nursing.
2. RESPONDENT SHALL NOT practice professional nursing, use the title of registered nurse or the abbreviation "RN" or wear any insignia identifying herself as a registered nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a registered nurse during the period in which the license is surrendered.
3. RESPONDENT SHALL NOT petition for reinstatement of licensure until: one (1) year has elapsed from the date of this Order.
4. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's multistate licensure privilege, if any, to practice professional nursing in compact states.

Effective this 22nd day of February, 2008.

TEXAS BOARD OF NURSING

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

Lawanda Carol Nall
P.O. Box 282
Castleberry, Alabama 36432
Texas Registered Nurse License #545519

February 12, 2008

Dear Texas Board of Nursing:

I no longer desire to be licensed as a Registered Nurse. Accordingly, I voluntarily surrender my license to practice in Texas. I waive representation by counsel and consent to the entry of an Order which outlines requirements for reinstatement of my license. I understand that I will be required to comply with the Board's Rules and Regulations in effect at the time I submit any petition for reinstatement.

Signature Lawanda Nall

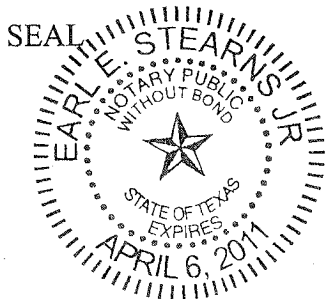
Date 12 FEB 08

Texas RN License Number 545519

The State of Texas

Before me, the undersigned authority, on this date personally appeared LAWANDA CAROL NALL who, being duly sworn by me, stated that he executed the above for the purpose therein contained and that he understood same.

Sworn to before me the 12th day of February, 2008.



[Signature]
Notary Public in and for the State of Texas

2/12/2008

Texas Board of Nursing


Austin, TX

RE: Voluntary Surrender of TX Nursing License (RN) [# 545519]

Please note that today I am requesting to surrender voluntarily my Texas RN License while I am waiting for the Final Decision in the Appeal Process of the Case Brought Against me in Northern Florida District Court in Panama City on 28 May 2004. My Attorney has already complied w/ the submission of new Evidence in this Case. This new Evidence will prove that I did not lie to the Federal Court as the Prosecution stated. It also proves that the Points the Prosecution used to build their Case was fabricated testimony & Documents. We have proven that several of the Prosecution's witnesses, including the FBI Agent on the Case lied under oath. This has been proven w/ Documents released to my Attorney by the Attorney General's Office in Washington, DC of the Freedom of Information Act request, and the Documents released from the Florida Dept of Insurance.

I have applied for reinstatement of my Alabama Nursing License and I have met all Criteria for reinstatement. My application should be processed in May, 2008 @ the scheduled Board Hearing. This was all done as a direct result of the Civil Court lawsuit that I filed against the AL Board of Nursing for prematurely revoking my license while actively pursuing the appeal in my Case.

Thank you very much for considering my Voluntary Surrender of my Texas RN License, with the understanding that @ a future date, if I should desire to return to Texas so can bring copies of my Court Documents, releases, etc & reapply for a Texas RN License.

Respectfully Requested — 

**ALABAMA BOARD OF NURSING
MONTGOMERY, ALABAMA**

IN THE MATTER OF:)
)
)
N. GENELL LEE, RN, MSN, JD)
Executive Officer,)
Alabama Board of Nursing,)
)
Complainant,)
)
v.)
)
LAWANDA CAROL NALL)
License No. 1-048893,)
ABN Case No. 2005-0586)
)
Respondent.)

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND
ORDER OF THE ALABAMA BOARD OF NURSING**

THIS CAUSE having come before the Alabama Board of Nursing ("Board") against the above-named Respondent and the evidence having been taken on February 22, 2006, the Board hereby issues the following Order:

FINDINGS OF FACT

1. Along with Respondent, Wyatt Gantt, Special Investigator with the Board, testified at the hearing regarding the circumstances surrounding the Complaint.
2. On March 19, 1985, Respondent was licensed by the Board as a Registered Nurse (RN). Respondent is currently licensed through December 31, 2006.

3. On September 1, 2004, Respondent was convicted in the United States District Court for the Northern District of Florida, Pensacola Division, of the crime of Mail Fraud (18 U.S.C. §§ 1341 and 1342) and Wire Fraud (18 U.S.C. §§ 1342 and 1343). Respondent was sentenced to a total of thirty-three (33) months imprisonment. Upon release from imprisonment, Respondent was sentenced to three (3) years supervised release. Respondent was also subject to a \$1,000 fine and ordered to pay \$10,000 restitution to State Farm Insurance. This criminal record, along with further explanation, was appropriately disclosed by Respondent in a renewal application submitted to the Board. Respondent was also charged with filing a false police report related to the same incident, which was dropped.

4. Respondent testified that the indictment stemmed from her work as an investigative consultant for a nursing home, addressing government billing issues. She testified that in the course of her audit, she discovered evidence of fraudulent billing and other misconduct, which required the Office of the Inspector General to be notified and other remedial actions to be taken. Ultimately, Respondent terminated her engagement with the nursing home and secured the records from her forensic work in a storage unit for future use by investigators. She testified that her office was burglarized on the night of July 16, 2005 and certain files related to her work with the nursing home were stolen. Her criminal conviction resulted from an insurance claim she filed for losses related to the alleged burglary. She has paid some of her restitution and hopes to complete the rest of the payments within a year if her conviction is not overturned.

5. Respondent served time in the county jail awaiting sentencing and in the federal work facilities in Tallahassee and Marianna, Florida. She is scheduled to be released to a halfway house in Mobile no later than July 21, 2006 and from all confinement on October 16, 2006. She then expects to be on supervised release for two (2) to three (3) years thereafter, although early release is possible if she has a job and completes payment on her restitution. She was granted a furlough from federal prison camp to work on her post conviction filings and to appear at the present licensure hearing. She is pursuing additional action to obtain relief from her criminal conviction, which she disputes. She hopes to retain her nursing license so she can be employed in nursing while at the halfway house.

6. Respondent previously worked for Providence Hospital, which has indicated it will employ her if her license is maintained. In addition to her nursing degree from Pensacola Junior College, Respondent testified that she has a Master's Degree in Nursing Administration from Columbia Pacific University, an external degree school no longer in operation. She became familiar with health care billing when she served as director and assistant nursing director at various Health Corporation of America facilities and other hospitals. Her prior employers include Southern West Virginia College, Cooper Basin Medical Center, Atmore Nursing Care Center, Atmore Community Hospital, Mann Appalachian Regional Health Care and various medical facilities in Saudi Arabia. Respondent testified that she worked as a missionary nurse in the Middle East, Europe and South America and hopes to resume such activity upon her release.

7. Respondent is also licensed in Florida, which she indicates has declined to take disciplinary action due to the fact that her conviction was not nursing related. She has declined to renew licenses held in Tennessee and other states, with the expectation that she will obtain a new license in such states when and if her conviction is reversed. She has also received a nursing license in Saudi Arabia.

8. Respondent also disclosed that she was arrested in 2003 in Conecuh County for an unrelated forgery charge. This charge, which Respondent denies, was dropped when she paid a bill that a vender claimed was due (and which Respondent asserts had previously been paid).

CONCLUSIONS OF LAW

9. That the Board has jurisdiction of the cause pursuant to Code of Alabama, (1975), § 34-21-25.

10. There were no objections related to notice, specificity or other jurisdictional or constitutional defects. Respondent appeared and participated in the hearing.

10. Respondent's conduct constitutes grounds for disciplinary action for violation of Code of Alabama, (1975), § 34-21-25 and Alabama Board of Nursing Administrative Code, § 610-X-8-.03(2) (3)(g).

ORDER

THEREFORE, IT IS ORDERED and ADJUDGED that Respondent's
Alabama Registered Nurse License, No. 1-048893, is hereby revoked.

DONE and ORDERED this 19th day of May 2006.

ALABAMA BOARD OF NURSING




**N. GENELL LEE, RN, MSN, JD
EXECUTIVE OFFICER**

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 22nd day of May 2006, a true and correct copy of the foregoing Order was served by forwarding the same by certified United States mail, first class postage prepaid, and addressed as follows:

Lawanda Carol Nall
PO Box 7006 MFPC
Marianna, FL 32447-7006

ALABAMA BOARD OF NURSING



N. GENELL LEE, RN, MSN, JD
EXECUTIVE OFFICER

ADDRESS OF COUNSEL:

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770 Washington Avenue
Montgomery, Alabama 36130
334-242-4060