

IN THE MATTER OF	§	BEFORE THE ELIGIBILITY
PERMANENT CERTIFICATE	§	AND DISCIPLINARY
NUMBER 198051	§	COMMITTEE
ISSUED TO	§	OF THE TEXAS
ANGELA RUTH DALE-BURT	§	BOARD OF NURSING

ORDER OF THE BOARD

TO: Angela Ruth Dale-Burt
4059 FM 3211
Caddo Mills, Texas 75135

During open meeting held in Austin, Texas, on September 9, 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 198051, previously issued to ANGELA RUTH DALE-BURT, to practice vocational nursing in the State of Texas be, and the same is hereby, REVOKED.

IT IS FURTHER ORDERED that Permanent Certificate Number 198051, previously issued to ANGELA RUTH DALE-BURT, 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 9th day of September, 2008.

TEXAS BOARD OF NURSING

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

CERTIFICATE OF SERVICE

I hereby certify that on the 17 day of September, 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):

Angela Ruth Dale-Burt
4059 FM 3211
Caddo Mills, Texas 75135

BY:



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

In the Matter of Permanent License § BEFORE THE TEXAS
Number 198051, Issued to §
ANGELA RUTH DALE-BURT, Respondent § BOARD OF NURSING

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, ANGELA RUTH DALE-BURT, is a Vocational Nurse holding license number 198051, 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 February 26, 2008, Respondent entered a plea of "Guilty" to "Unlawfully Obtaining from a Legally Registered Pharmacist, a Controlled Substance, To-Wit: Hydrocodone (a 3rd Degree Felony offense committed on June 1, 2007), in the Criminal District Court #1, Dallas County, Texas, under Cause No. F-0724864-H. As a result, the proceedings against Respondent were deferred without entering an adjudication of guilt, and Respondent was placed on probation for a period of five (5) years. Additionally, Respondent was ordered to pay a fine and court costs. In open Court, Respondent confessed: " On the 1st day of June, 2007, in Dallas County, Texas, I did then and there unlawfully, knowingly obtain and attempt to obtain a controlled substance, namely, Dihydrocodeinone through use of a fraudulent oral and telephonically communicated prescription in that I did then and there by means of a telephone call made to PHUONG TANG falsely represent by means of said telephone call that DR. ROBERT MEADOR issued to me, a prescription for said controlled substance."

Respondent was the Nursing Supervisor at Dallas Diagnostic Association of Garland in Garland, Texas, and Dr. Robert Meador was a practicing physician at Dallas Diagnostic Association of Garland.

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(11)(B)&(13).

CHARGE II.

On or about February 26, 2008, Respondent entered a plea of "Guilty" to "Unlawfully Obtaining from a Legally Registered Pharmacist, a Controlled Substance, To-Wit: Hydrocodone (a 3rd Degree Felony offense committed on June 5, 2007), in the Criminal District Court #1, Dallas County, Texas, under Cause No. F-0724304-H. As a result, the proceedings against Respondent were deferred without entering an adjudication of guilt, and Respondent was placed on probation for a period of five (5) years. Additionally, Respondent was ordered to pay a fine and court costs. In open Court, Respondent confessed: " On the 5th day of June, 2007, in Dallas County, Texas, I did then and there unlawfully, knowingly obtain and attempt to obtain a controlled substance, namely, Dihydrocodeinone through use of a fraudulent oral and telephonically communicated prescription, in that I did then and there by means of a telephone call made to ALLEN DO falsely represent by means of said telephone call that DR. ROBERT MEADOR issued to me, a prescription for said controlled substance."

Respondent was the Nursing Supervisor at Dallas Diagnostic Association of Garland in Garland, Texas, and Dr. Robert Meador was a practicing physician at Dallas Diagnostic Association of Garland.

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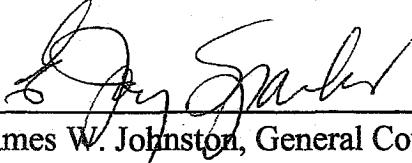
NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of revocation of Respondent's license to practice nursing in the State of Texas pursuant to the Board's rules, 22 TEX. ADMIN. CODE §§ 213.27 - 213.33. Additionally, staff will seek to impose on Respondent the administrative 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 (\$1200.00).

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 Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder, and Fraud, Theft & Deception which can be found at the Board's website, www.bon.state.tx.us.

Filed this 27th day of May, 2008.

TEXAS BOARD OF NURSING



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