



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.
Patricia A. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Vocational Nurse § AGREED
License Number 20206 §
issued to CLEO DORIS GREEN § ORDER

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Vocational Nurse License Number 20206, issued to CLEO DORIS GREEN, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c) of the Texas Occupations Code.

Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order.

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

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was provided to Respondent and Respondent was given an opportunity to show compliance with all requirements of the law for retention of the license.
2. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order.
3. Respondent holds a license to practice vocational nursing in the State of Texas, which is currently in delinquent status.
4. Respondent received a Certificate in Vocational Nursing from Dallas Vocational School of Nursing, Dallas, Texas, on January 6, 1959. Respondent was licensed to practice vocational nursing in the State of Texas on August 8, 1959.
5. Respondent's vocational nursing employment history is unknown.
6. On or about March 17, 1977, Respondent entered a plea of Not Guilty, but was found guilty and convicted of UNLAWFUL DELIVERY OF A CONTROLLED SUBSTANCE, TO-

WIT: HEROIN (a felony offense committed on September 16, 1976), in the Criminal District Court #5 of Dallas County, Texas, under Cause No. F76-8500-HKNL. As a result of the conviction, Respondent was sentenced to confinement in the Texas Department of Corrections for a period of forty-five (45) years. Additionally, Respondent was ordered to pay court costs. On or about March 5, 1979, The State of Texas Court of Criminal Appeals affirmed the judgment in Cause No. F76-8500-HKNL.

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Respondent was paroled on March 13, 1984, and discharged from parole on January 10, 2010.

7. In response to Finding of Fact Number Six (6), Respondent states that in 1972 she sold her home and purchased 62 units. She moved into a duplex she owned, which was next to a 10 efficiency units she owned. One of her tenants, by the name of Doris Wilborn, lived next door. The tenant was a drug user. In October 1976, Ms. Wilborn was found dead in her apartment. She had been selling drugs and had stated she lived at Respondent's address in the duplex. On or about November 3, 1976, Respondent was arrested by Dallas Police Department for Heroin Delivery and Violation of the Controlled Substance Act. Respondent states she told them she was not the one who was dealing in drugs but they would not hear her. She thought she would get her day in court, because she was not guilty. She states that the police officers lied on the stand. She was ultimately convicted and sentenced to 45 years in prison. She states she served six years in Gatesville and has been on parole ever since.
8. Respondent, by her signature to this Order, expresses her desire to voluntarily surrender her license to practice nursing in the State of Texas.
9. The Board policy implementing Rule 213.29 in effect on the date of this Agreed Order provides discretion by the Executive Director for consideration of conditional reinstatement after proof of twelve (12) consecutive months of abstinence from alcohol and drugs followed by licensure limitations/stipulations and/or peer assistance program participation.
10. The Board finds that there exists serious risks to public health and safety as a result of impaired nursing care due to intemperate use of controlled substances or chemical dependency.

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 Article 4528c, Sec. 10(9), TEX. REV. CIV. STAT. ANN. Moreover, the above offense mandates revocation of Respondent's license to practice vocational nursing in accordance with Ch. 53.021(b) of the Texas Occupations Code.
4. The evidence received is sufficient cause pursuant to Section 301.453(a), Texas Occupations Code, to take disciplinary action against Vocational License Number 20206, heretofore issued to CLEO DORIS GREEN, including revocation of Respondent's license to practice nursing in the State of Texas.
5. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
6. Under Section 301.453(d), Texas Occupations Code, as amended, the Board may impose conditions for reinstatement of licensure.
7. Any subsequent reinstatement of this license will be controlled by Section 301.453(d), Texas Occupations Code, and 22 TEX. ADMIN. CODE §213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

ORDER

NOW, THEREFORE, IT IS AGREED and ORDERED that the VOLUNTARY SURRENDER of Vocational License Number 20206, heretofore issued to CLEO DORIS GREEN, to practice nursing in the State of Texas, is accepted by 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 CLEO DORIS GREEN, to the office of the Texas Board of Nursing.

2. RESPONDENT SHALL NOT practice vocational nursing, use the title "vocational nurse" or the abbreviation "LVN" or wear any insignia identifying herself as a vocational nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a vocational 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; and, RESPONDENT has obtained objective, verifiable proof of twelve (12) consecutive months of sobriety immediately preceding the petition.
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 privilege, if any, to practice nursing in the State of Texas.

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RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order, I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that this Order becomes final when accepted by the Executive Director at which time the terms of this Order become effective and a copy will be mailed to me.

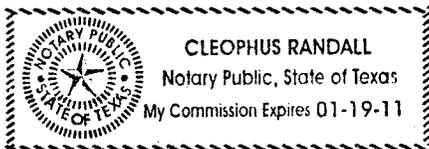
Signed this 20 day of August, 2010.

Cleo Doris Green
CLEO DORIS GREEN, Respondent

Sworn to and subscribed before me this 20 day of August, 2010.

SEAL

Cleophus Randall
Notary Public in and for the State of Texas



WHEREFORE, PREMISES CONSIDERED, the Executive Director on behalf of the Texas Board of Nursing does hereby accept the voluntary surrender of Vocational Nurse License Number 20206, previously issued to CLEO DORIS GREEN.



Effective this 24th day of August, 2010.

A handwritten signature in cursive script, reading 'Katherine A. Thomas', is written over a horizontal line.

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