

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Registered Nurse License Number 508362 § AGREED
and Vocational Nurse License Number 59618 §
issued to OLA B. JOHNSON § ORDER



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.
Katharine A. Thomas
Executive Director of the Board

On this day the Texas Board of Nursing, hereinafter referred to as the Boar considered the matter of OLA B. JOHNSON, f.k.a. OLA BERNICE MARSHALL and OLA BURNICE JOHNSON and OLA JOHNSON MARSHALL, Registered Nurse License Number 508362 and Vocational Nurse License Number 59618, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Article 4525(a)(2), TEX. REV. CIV.STAT.ANN. (effective September 1, 1981). Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on May 3, 2010, by Kathcrinc A. Thomas, MN, RN, Executive Director.

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was served on 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 is currently licensed to practice professional nursing nursing in the State of Texas. Respondent holds a license to practice vocational nursing in the state of Texas, which is in delinquent status.
4. Respondent received a Certificate in Vocational Nursing from Junior College of Vocational Nursing, Athens, Texas on February 28, 1974, and a Baccalaureate Degree in Nursing from Dallas Baptist College, Dallas, Texas, on May 19, 1983. Respondent was licensed to

practice vocational nursing in the State of Texas on February 28, 1974, and Respondent was licensed to practice professional nursing in the State of Texas on August 30, 1983.

5. Respondent's nursing employment history is unknown.
6. On or about January 17, 1975, Respondent was arrested by the Dallas Police Department, Dallas, Texas, for THEFT (a misdemeanor offense) and VIOLATION DANGEROUS DRUG ACT - AMPHETAMINE (a misdemeanor offense).

On or about July 11, 1975, Respondent entered a plea of Guilty and was convicted of THEFT in Dallas County, Texas, under Case No. M-7501353B. As a result of the conviction, Respondent was sentenced to thirty (30) days confinement; however, the imposition of the sentence was suspended and Respondent was placed on probation for a period of one (1) year. Additionally, Respondent was ordered to pay a fine.

On or about July 11, 1975, Respondent entered a plea of Guilty and was convicted of POSSESSION CONTROLLED SUBSTANCE, in Dallas County, Texas, under Case No. M-7501350B. As a result of the conviction, Respondent was sentenced to confinement in the Dallas County Jail for a period of one (1) day. Additionally, Respondent was ordered to pay a fine.

7. In response to Finding of Fact Number Six (6), Respondent states that she was not convicted of this offense. She also states that the pills found in her purse belonged to her ex-husband, who initially reported the pills stolen.
8. On or about September 11, 1975, Respondent was arrested by the Dallas County Sheriff's Office, Dallas, Texas, for SYNTH NARCOTIC - POSSESS. Respondent was subsequently convicted and sentenced to confinement in the Dallas County Jail for a period of one (1) day. Additionally, Respondent was ordered to pay a fine and court costs.
9. In response to Finding of Fact Number Eight (8), Respondent states that to her knowledge, she was not convicted nor did she serve any penalties for this offense.
10. On or about May 23, 1983, Respondent submitted a Registration by Examination 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:

"Have you ever been convicted of a crime other than minor traffic violations?"

Respondent failed to disclose that on or about July 11, 1975, Respondent entered a plea of Guilty and was convicted of THEFT in Dallas County, Texas, under Case No. M-7501350B. As a result of the plea, Respondent was placed on probation for a period of one (1) year.

Respondent failed to disclose that on or about July 11, 1975, Respondent entered a plea of Guilty and was convicted of POSSESSION CONTROLLED SUBSTANCE, in Dallas County, Texas, under Case No. M-7501350B. As a result of the plea, Respondent was sentenced to confinement in the Dallas County Jail for a period of one (1) day.

Additionally, Respondent failed to disclose that on or about September 11, 1975, Respondent was convicted of SYNTH-NARCOTIC POSSESS, in Dallas County, Texas, and was sentenced to confinement in the Dallas County Jail for one (1) day, and ordered to pay a fine and court costs.

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 violations of Article 4525(a)(2), TEX. REV. CIV. STAT. ANN. (effective September 1, 1981).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 508362 and Licensed Vocational Nurse Number 59618, heretofore issued to OLA B. JOHNSON, including revocation of Respondent's licenses to practice professional and vocational nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that RESPONDENT SHALL receive the sanction of REMEDIAL EDUCATION WITH A FINE, and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Texas Occupations Code §§301.001 *et seq.*, the Rules and Regulations Relating to Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.1 *et seq.* and this Order.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that while Respondent's license is encumbered by this Order, Respondent may not work outside the State of Texas pursuant to a nurse licensure compact privilege without the written permission of the State of Texas and the Board of Nursing in the party state where Respondent wishes to work.

IT IS FURTHER AGREED that:

(1) RESPONDENT SHALL pay a monetary fine in the amount of two hundred and fifty dollar (\$250.00) amount. RESPONDENT SHALL pay this fine within forty-five (45) days of entry of this Order. Payment is to be made directly to the Texas Board of Nursing in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in Texas nursing jurisprudence and ethics. RESPONDENT SHALL obtain Board approval of the course prior to enrollment only if the course is not being offered by a pre-approved provider. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include nurses. It shall be a minimum of six (6) hours in length. The course's content shall include the Nursing Practice Act, standards of practice, documentation of care, principles of nursing ethics, confidentiality, professional boundaries, and the Board's Disciplinary Sanction Policies regarding: Sexual Misconduct; Fraud, Theft and Deception; Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder; and Lying and Falsification. Courses focusing on malpractice issues will not be accepted. RESPONDENT SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to the Office of the Board to verify RESPONDENT'S successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if

any, and in addition to any continuing education requirements the Board has for relicensure. *Board-approved courses may be found at the following Board website address:*
<http://www.bon.state.tx.us/disciplinaryaction/stipscourses.html>.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT's license to practice nursing in the State of Texas and RESPONDENT shall be eligible for nurse licensure compact privileges, if any.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, RESPONDENT shall be eligible for nurse licensure compact privileges, if any.

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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 when this Order becomes final and the terms of this Order become effective, a copy will be mailed to me. I understand that if I fail to comply with all terms and conditions of this Order, I will be subject to investigation and disciplinary sanction, including revocation of my license to practice professional and vocational nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 8 day of July, 2010.

Ola B. Johnson

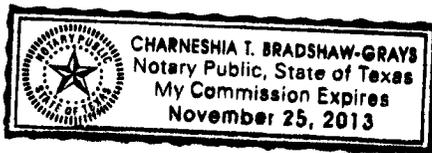
OLA B. JOHNSON, Respondent

Sworn to and subscribed before me this 8 day of July, 2010.

SEAL

Charneshia T. Bradshaw-Grays

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 ratify and adopt the Agreed Order that was signed on the 8th day of July, 2010, by OLA B. JOHNSON, Registered Nurse License Number 508362 and Vocational Nurse License Number 59618, and said Order is final.



Effective this 21st day of July, 2010.


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