

IN THE MATTER OF
PERMANENT CERTIFICATE
NUMBER 251209
ISSUED TO
JULIA CAMP MOSELEY

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BEFORE THE ELIGIBILITY
AND DISCIPLINARY
COMMITTEE
OF THE TEXAS
BOARD OF NURSING



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

ORDER OF THE BOARD

TO: Julia Camp Moseley
1115 S Wall
Tyler, Texas 75701

During open meeting held in Austin, Texas, on Tuesday, June 14, 2011, the Eligibility and Disciplinary Committee (hereinafter "Committee") heard the above-styled case, 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 professional 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 § 213.16(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 251209, previously issued to JULIA CAMP MOSELEY, to practice professional nursing in the State of Texas be, and the same is hereby, REVOKED.

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

Entered this 14th day of June, 2011.

TEXAS BOARD OF NURSING

BY:



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

Attachment: Formal Charge filed May 2, 2011.

CERTIFICATE OF SERVICE

I hereby certify that on the 15th day of June, 2011, 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):

Julia Camp Moseley
1115 S Wall
Tyler, Texas 75701

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

In the Matter of Permanent License § **BEFORE THE TEXAS**
Number 251209, Issued to §
JULIA CAMP MOSELEY, Respondent § **BOARD OF NURSING**

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, JULIA CAMP MOSELEY, is a Registered Nurse holding license number 251209, 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 September 21, 2000, Respondent entered a plea of Guilty and was convicted of THEFT BY CHECK (a Class B Misdemeanor offense committed on May 20, 1999), in the County Court at Law No. 3 of Smith County, Texas, under No. 3-81609-00. As a result of the conviction, Respondent was sentenced to confinement in the Smith County Jail for a period of one hundred and eighty (180) days; however, the imposition of the sentence of confinement was suspended, and Respondent was placed on probation for a period of one hundred and eighty (180) days. Additionally, Respondent was ordered to pay restitution in the amount of five hundred and thirteen dollars and fifty-five cents (\$513.55), along with a fine, and court costs.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)(effective 9/1/1999), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(1)(effective 9/1/1999).

CHARGE II.

On or about June 1, 2001, Respondent entered a plea of Guilty and was convicted of THEFT BY CHECK (a Class B Misdemeanor offense committed on April 24, 2001), in the County Court at Law No. 3 of Smith County, Texas, under No. 3-82017-01. As a result of the conviction, Respondent was sentenced to confinement in the Smith County Jail for a period of one hundred and eighty (180) days; however, the imposition of the sentence of confinement was suspended, and Respondent was placed on probation for a period of one hundred and eighty (180) days. Additionally, Respondent was ordered to pay a fine and court costs.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)(effective 9/1/1999), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(13)(effective 9/1/1999).

CHARGE III.

On or about October 14, 2002 , Respondent entered a plea of Guilty and was convicted of THEFT >=\$20<\$500 BY CHECK (a Class B Misdemeanor offense committed on December 22, 2001), in the County Court at Law No. 3 of Smith County, Texas, under No. 3-81485-02. As a result of the conviction, Respondent was sentenced to confinement in the Smith County Jail for a period of one (1) day, with one (1) day credit with for time served. Additionally, Respondent was ordered to pay a fine and court costs.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)(effective 9/1/2001), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(1)(effective 9/1/1999).

CHARGE IV.

On or about June 14, 2004, Respondent entered a plea of Guilty to THEFT BY CHECK (a Felony offense committed on January 27, 2003), in the 114th Judicial District Court of Smith County, Texas, under Cause Number 241-1119-03. As a result of the plea, the proceedings against Respondent were deferred without entering an adjudication of guilt and Respondent was placed on probation for a period of four (4) years. Additionally, Respondent was ordered to pay restitution in the amount of seven hundred and seventy-five dollars and two cents (\$775.02), along with a fine, and court costs.

On or about January 11, 2005, a Judgment Revoking Probation and Proceeding to final Adjudication of Guilt was entered in the 114th District Court of Smith, County, Texas, under Cause Number 241-1119-03. As a result, Respondent was adjudged Guilty of the Felony offense of THEFT BY CHECK. Furthermore, Respondent was sentenced to confinement in the Institutional Division of the Texas Department of Criminal Justice for a period of seven (7) months, with eleven (11) days credit given. Additionally, Respondent was ordered to pay a fine.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(3),(4) &(10)(effective 9/1/2003), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(1)(effective 9/1/1999) and 22 TEX. ADMIN. CODE §217.12(13)(effective 9/28/2004).

NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of up to revocation of Respondent's license to practice nursing in the State of Texas pursuant to the Nursing Practice Act, Chapter 301, Texas Occupations Code and 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 Section 301.461, Texas Occupations Code. 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).

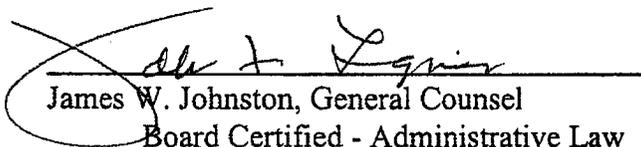
NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, www.bon.state.tx.us.

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

NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, which can be found at www.bon.state.tx.us/disciplinaryaction/discp-matrix.html.

Filed this 2nd day of May, 2011.

TEXAS BOARD OF NURSING


James W. Johnston, General Counsel

Board Certified - Administrative Law
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TEXAS BOARD OF NURSING

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Attachments:

D/2010.12.28