



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. Roman
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Vocational Nurse §
License Number 102011 §
issued to BRENDA SUE HOWARD §

ORDER OF THE BOARD

On this day, the Texas Board of Nursing, hereinafter referred to as the E....., accepted the voluntary surrender of Vocational Nurse License Number 102011, issued to BRENDA SUE HOWARD, 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 proceedings, notice and hearing.

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

FINDINGS OF FACT

1. Respondent's license to practice vocational nursing in the State of Texas is currently in inactive status.
2. Respondent waived representation by counsel, informal proceedings, notice and hearing.
3. Respondent received a Certificate in Vocational Nursing from Central Texas College of Vocational Nursing, Austin, Texas on August 12, 1983. Respondent was licensed to practice vocational nursing in the State of Texas on November 30, 1983.
4. Respondent's nursing employment history is unknown.
5. On or about March 25, 2008, while employed as a Licensed Vocational Nurse with Crandall Medical Consulting Inc., New Braunfels, Texas, Respondent engaged in unprofessional conduct in that Respondent acquired check number 1521 from her employer, Crandall Medical Consulting Inc., New Braunfels, Texas, forged the signature of Dora Crandall, MD, and cashed said check at Rivercrest Food Mart, New Braunfels, Texas for the amount of five hundred (\$500.00) dollars. Respondent's actions constituted criminal conduct and fraud against her employer.

6. Formal Charges were filed on March 31, 2011. 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 April 1, 2011.
8. On May 6, 2011, the Board received a notarized statement from Respondent voluntarily surrendering the right to practice nursing in Texas. A copy of Respondent's notarized statement, dated May 3, 2011, is attached and incorporated herein 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)(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(6)(A),(G)&(13).
4. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
5. Under Section 301.453(d), Texas Occupations Code, the Board may impose conditions for reinstatement of licensure.
6. 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.

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ORDER

NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Vocational Nurse License Number 102011, heretofore issued to BRENDA SUE HOWARD, to practice vocational 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 NOT practice vocational nursing, use the title of 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.
2. RESPONDENT SHALL NOT petition for reinstatement of licensure until: one (1) year has elapsed from the date of this Order.
3. 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 nurse licensure compact privileges, if any, to practice vocational nursing in the State of Texas.

Effective this 18th day of May, 2011.



TEXAS BOARD OF NURSING

By: Katherine A. Thomas

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

Brenda Sue Howard
2800 Windgate Lot #55
New Braunfels, Texas 78130
Texas LVN License #102011

Voluntary Surrender Statement

April 18, 2011

Dear Texas Board of Nursing:

I no longer desire to be licensed as a Vocational Nurse. Accordingly, I voluntarily surrender my license/licenses 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 Brenda Howard

Date 5-3-11

Texas Nursing License Number/s 102011

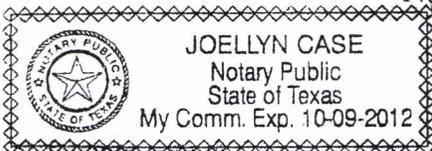
The State of Texas

Before me, the undersigned authority, on this date personally appeared BRENDA SUE HOWARD who, being duly sworn by me, stated that she executed the above for the purpose therein contained and that she understood same.

Sworn to before me the 3rd day of May, 2011.

SEAL

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



In the Matter of Permanent License
Number 102011, Issued to
BRENDA SUE HOWARD, Respondent

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BEFORE THE TEXAS
BOARD OF NURSING

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, BRENDA SUE HOWARD, is a Vocational Nurse holding license number 102011, which is in inactive 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 March 25, 2008, while employed as a Licensed Vocational Nurse with Crandall Medical Consulting Inc., New Braunfels, Texas, Respondent engaged in unprofessional conduct in that Respondent acquired check number 1521 from her employer, Crandall Medical Consulting Inc., New Braunfels, Texas, forged the signature of Dora Crandall, MD, and cashed said check at Rivercrest Food Mart, New Braunfels, Texas for the amount of five hundred (\$500.00) dollars. Respondent's actions constituted criminal conduct and fraud against her employer.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10), Texas Occupations Code and 22 TEX. ADMIN. CODE §217.12(6)(A),(G)&(13).

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. 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.

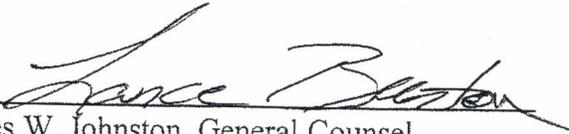
NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Guidelines for Criminal Conduct and on Adopted Disciplinary Sanction Policies for Nurses for Fraud, Theft & Deception which can be found at the Board's website, www.bon.state.tx.us.

NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary

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 31st day of March, 2011.

TEXAS BOARD OF NURSING



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Board Certified - Administrative Law
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