

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Registered Nurse § AGREED  
License Number 452854 §  
issued to JOYCE A. GARLOW § 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.  
*Katherine A. Thomas*  
Executive Director of the Board

On this day the Texas Board of Nursing, hereinafter referred to as the B considered the matter of JOYCE A. GARLOW, Registered Nurse License Number 452854, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(2)&(10), Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on February 26, 2011, by Katherine 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(s).
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 in the State of Texas.
4. Respondent received a Baccalaureate Degree in Nursing from Helen Field School of Nursing, New York, New York, on October 1, 1973. Respondent was licensed to practice professional nursing in the State of Texas on May 7, 1980.
5. Respondent's professional nursing employment history is unknown.
6. On or about May 7, 1980, Respondent submitted a Registration by Endorsement 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" the question:

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

Respondent failed to disclose that, on or about July 23, 1971, Respondent entered a plea of Guilty and was convicted of two (2) Counts of FORGERY (felony offenses committed June 23, 1971), at a Corporation Court of the City of Charlottesville, Virginia. As a result of the conviction, Respondent was sentenced to confinement in the penitentiary for a period of four (4) years. Confinement was suspended until further order of the court, such suspension being conditioned upon the good behavior of the defendant and payment of costs.

7. In response to Finding of Fact Number Six (6), Respondent states: She was twenty-one at the time of the arrest. She married a man that was a poor influence on her. She worked as a lab assistant and always needed money. Her husband took all the money she earned. One day she made a poor decision to try to cash two \$75.00 checks on an account that was not her account. The court records state that it was June 23, 1971. The forgery of the checkbook owner's name was immediately apparent to the bank. She was arrested later after she left the bank. Her mother obtained a release and a lawyer. She felt great shame and remorse for deviating so far from her own upbringing and values. From the review of the court documents, she entered a plea of guilty. The judge entered both a conviction and a suspended sentence, "conditioned upon the good behavior of the defendant and payment of costs." She was not jailed and did not have to do anything else. The sentence was suspended with no further requirements on her part but good behavior and payment of court costs. She did not mean to not disclose it to the Board.

#### 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)(2)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(6)(I).
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 452854, heretofore issued to JOYCE A. GARLOW, including revocation of Respondent's license(s) to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL receive the sanction of REMEDIAL EDUCATION AND 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, while under the terms of this Order, this Order SHALL apply to any and all future licenses issued to Respondent to practice nursing in the State of Texas.

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(s) is/are 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 fifty dollars (\$250). 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(s) to practice nursing in the State of Texas and 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 violation 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(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

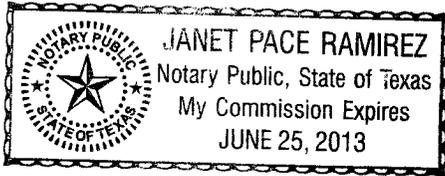
Signed this 28 day of March, 2011.

Joyce A. Garlow  
JOYCE A. GARLOW, Respondent

Sworn to and subscribed before me this 28<sup>th</sup> day of March, 2011.

SEAL

Janet Pace Ramirez  
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 28<sup>th</sup> day of March, 2011, by JOYCE A. GARLOW, Registered Nurse License Number 452854, and said Order is final.



Effective this 14<sup>th</sup> day of April, 2011.

*Katherine A. Thomas*

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