

IN THE MATTER OF
PERMANENT CERTIFICATE
NUMBER 687406 AND MULTISTATE
LICENSURE COMPACT PRIVILEGE
ASSOCIATED WITH TENNESSEE
REGISTERED NURSE LICENSE
NUMBER 65837 ISSUED TO
MARILYN DENISE BLEDSOE

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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 R. Thomas
Executive Director of the Board

ORDER OF THE BOARD

TO: Marilyn Denise Bledsoe
3c 6 Water Way Building 6
Baltimore, Maryland 21280

Marilyn Denise Bledsoe
21 Neely Street, Apt 1316
Memphis, Tennessee 38105

During open meeting held in Austin, Texas, on February 8, 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 and privilege 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 687406 and Multistate Licensure Compact Privilege Associated With Tennessee Permanent Certificate Number 65837, previously issued to MARILYN DENISE BLEDSOE, 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 8th day of February, 2011.

TEXAS BOARD OF NURSING

BY:



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

Attachment: Formal Charge filed November 3, 2010.

Re: Permanent Certificate Number 687406 and
Multistate Licensure Compact Privilege
Associated With Tennessee Registered Nurse
Permanent Certificate Number 65837
Issued to Marilyn Denise Bledsoe
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 9th day of February, 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):

Marilyn Denise Bledsoe
3c 6 Water Way Building 6
Baltimore, Maryland 21280

Marilyn Denise Bledsoe
21 Neely Street, Apt. 1316
Memphis, Tennessee 38105

BY:



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



Texas Board of Nursing

333 Guadalupe Street, Ste. 3-460, Austin, Texas 78701
Phone: (512) 305-7400 Fax: (512) 305-7401 www.bon.state.tx.us

Katherine A. Thomas, MN, RN
Executive Director

November 8, 2010

Certified Mail No.

91 7108 2133 3934 2582 5574

Return Receipt Requested

Marilyn Denise Bledsoe
3c 6 Water Way Building 6
Baltimore, Maryland 21280

Dear Ms. Bledsoe:

Enclosed are Formal Charges which have been filed against you alleging one or more violations of Section 301.452(b) of the Nursing Practice Act, Texas Occupations Code. Within three weeks of the date of this letter, you must file a written answer to each charge admitting or denying each allegation. If you intend to deny only part of an allegation, you must specify so much of it as is true and deny only the remainder. Your answer shall also include any other matter, whether of law or fact, upon which you intend to rely for your defense. Please send your written answer to the attention of James S. Smelser, Investigator. You may obtain legal counsel at your own expense.

FAILURE TO FILE A WRITTEN ANSWER TO THE FORMAL CHARGES, EITHER PERSONALLY OR BY LEGAL REPRESENTATIVE, WILL RESULT IN THE ALLEGATIONS CONTAINED IN THE FORMAL CHARGES BEING ADMITTED AS TRUE AND THE PROPOSED RECOMMENDATION OF STAFF WILL BE GRANTED BY DEFAULT.

Please be advised that should you fail to file a written answer, the case will proceed on a default basis and it will be staff's recommendation that a default order be entered revoking your license(s) and/or nurse licensure compact privilege(s) to practice nursing in the State of Texas.

The results of any default order or formal disposition (Board Order) are public information. Results of informal and formal dispositions will appear in the Board's newsletter under the heading of "Disciplinary Action."

Should you desire to discuss this matter, you may contact James S. Smelser, Investigator, Enforcement Division, at the above address, or at (512) 305-6831.

Sincerely,

Katherine A. Thomas, MN, RN
Executive Director

KAT/jss

Enclosure: Formal Charges

09/99-DA

Members of the Board

Linda Rounds, PhD, FNP, RN
Galveston, President

Deborah Bell, CLU, ChFC Abilene Kristin Benton, MSN, RN Austin Patricia Clapp, BA Dallas Tamara Cowen, MN, RN Harlingen Sheri Crosby, JD, SPHR Dallas Marilyn Davis, BSN, RN, MPA Sugar Land
Blanca Rosa Garcia, PhD, RN Richard Gibbs, LVN Kathy Leader-Born, LVN Josefina Lujan, PhD, RN Beverley Jean Nutall, LVN Mary Jane Salcedo, MEd

In the Matter of Permanent License Number	§	BEFORE THE TEXAS
687406 and Multistate Licensure Compact Privilege	§	
Associated with Tennessee Registered Nurse	§	
License Number 65837 issued to	§	
MARILYN DENISE BLEDSOE, Respondent	§	BOARD OF NURSING

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, MARILYN DENISE BLEDSOE, is a Registered Nurse holding license number 687406, which is in MSR Invalid status at the time of this pleading and a Multistate Licensure Compact Privilege Associated with Tennessee Registered Nurse License Number 65837.

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 January 25, 2010, while holding a Registered Nurse license 687406 (MSR Invalid) issued by the State of Texas and while utilizing Respondent's multistate licensure compact privilege associated with her license to practice professional nursing in the State of Tennessee and employed with Aureus Medical Group and on assignment to DeTar Healthcare System, Victoria, Texas, Respondent reported for orientation at DeTar Healthcare System and produced a positive drug screen indicating the presence of Cocaine. Respondent was unable to produce any documentation affirming the administration of Cocaine by a licensed physician. Possession of Cocaine is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Cocaine by a Registered Nurse, while subject to call or duty, could impair the nurse's ability to recognize subtle signs, symptoms or changes in the patient's condition, and could impair the nurse's ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patient in potential danger.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(9)&(10), Texas Occupations Code and 22 TEX. ADMIN. CODE §217.12(10)(D)&(11)(B).

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 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 Sanction Policies for Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder, 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.

NOTICE IS ALSO GIVEN that Respondent's past disciplinary history, as set out below and described in the Order which is attached and incorporated by reference as part of these charges, will be offered in support of the disposition recommended by staff: Eligibility Agreed Order dated January 29, 2002.

Filed this 3rd day of November, 2010.

TEXAS BOARD OF NURSING



James W. Johnston, General Counsel

Board Certified - Administrative Law
Texas Board of Legal Specialization
State Bar No. 10838300

Jena Renee Koslan Abel, Assistant General Counsel

State Bar No. 24036103

Lance Robert Brenton, Assistant General Counsel

State Bar No. 24066924

Robert Kyle Hensley, Assistant General Counsel

State Bar No. 50511847

Nikki Hopkins, Assistant General Counsel

State Bar No. 24052269

John F. Legris, Assistant General Counsel

State Bar No. 00785533

TEXAS BOARD OF NURSING

333 Guadalupe, Tower III, Suite 460
Austin, Texas 78701

P: (512) 305-6824

F: (512) 305-8101 or (512)305-7401

Attachments: Order of the Board dated January 29, 2002

0999/D

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of	§	ELIGIBILITY
MARILYN DENISE BLEDSOE	§	
APPLICANT for Eligibility for Licensure	§	AGREED ORDER

On the date entered below, the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, considered the Temporary License/Endorsement Application and supporting documents filed by MARILYN DENISE BLEDSOE, hereinafter referred to as APPLICANT, together with any documents and information gathered by staff and APPLICANT's Certificate contained herein. Information received by the Board produced evidence that APPLICANT may have violated Section 301.452(b)(8), Texas Occupations Code.

APPLICANT waived representation by counsel, notice and hearing, and agreed to the entry of this Order offered on August 22, 2001, by Katherine A. Thomas, MN, RN, Executive Director.

FINDINGS OF FACT

1. On or about January 18, 2001, Applicant submitted a Temporary License/Endorsement Application as a professional nurse in the State of Texas in compliance with Section 301.260 *et seq.*, of the Texas Occupations Code.
2. Applicant waived representation by counsel, informal conference, notice and hearing, and consented to the entry of this Order.
3. Applicant received a Diploma in Nursing from Methodist Hospital School of Nursing, Memphis, Tennessee, in December 1985.
4. Applicant completed the application for licensure by endorsement and answered "no" to Question Number Ten (10), which reads as follows: "*Have you ever had disciplinary action taken against your license by any licensing/certifying authority in any country, state, province or territory?*"

5. On May 29, 1997, Applicant's nursing license in the State of South Carolina was placed on Probation by the South Carolina Board of Nursing. A copy of the May 29, 1997, Agreed Order is attached and incorporated by reference as part of this Order.
6. Applicant's South Carolina nursing license was in good standing at the time of the expiration, which was January 31, 2001.
7. Applicant has sworn that with the exception of the South Carolina Order of May 29, 1998, and other matters disclosed in connection with the Temporary License/Endorsement Application, her past behavior conforms to the Board's professional character requirements.
8. After considering the action taken by the South Carolina Board of Nursing, along with Applicant's conduct since her fulfillment of the stipulations placed on her South Carolina license, the Executive Director is satisfied that Applicant is able to meet the requirements of the Nursing Practice Act, the Board's Rules and Regulations, and generally accepted standards of nursing practice.
9. Licensure of Applicant poses no direct threat to the health and safety of patients or the public.
10. The Executive Director's review of the grounds for potential ineligibility has been made on the basis of Applicant's disclosures.
11. Applicant has been advised by the Board that any information found to be incomplete, incorrect or misleading to the Board or a subsequent discovery of a basis of ineligibility will be considered by the Board and may result in an ultimate determination of ineligibility or the later revocation of a license obtained through fraud or deceit.

CONCLUSIONS OF LAW

1. The Board of Nurse Examiners (Board) has jurisdiction over this matter pursuant to Section 301.453 *et seq.*, Texas Occupations Code.
2. Applicant has submitted an application in compliance with Section 301.260, Texas Occupations Code.
3. The evidence in Finding of Fact Number Four (4) is sufficient cause to take disciplinary action under Section 301.452 *et seq.*, Texas Occupations Code and, therefore, sufficient cause to deny licensure.

4. The Board may probate the denial of a license under conditions for a specified term pursuant to Section 301.453, Texas Occupations Code.
5. This Order is conditioned upon the accuracy and completeness of Applicant's disclosures. Any subsequently discovered discrepancies will result in investigation and disciplinary action.
6. Applicant shall immediately notify the Board of any fact or event that could constitute a ground of ineligibility for licensure under Section 301.452 *et seq.*, Texas Occupations Code.

ORDER

IT IS THEREFORE AGREED that the application of MARILYN DENISE BLEDSOE, APPLICANT, is hereby conditionally GRANTED and shall be subject to the following conditions:

(1) APPLICANT SHALL obtain and read the Texas Nursing Practice Act, and the Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice.

(2) Upon payment of the necessary fees, APPLICANT SHALL be issued a license to practice professional nursing in the State of Texas.

(3) APPLICANT SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas as amended, Texas Occupations Code, §§301.001 *et seq.*, the Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.01 *et seq.* and this Order.

(4) IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to APPLICANT's multistate licensure privilege, if any, to practice professional nursing in the State of Texas.

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

(6) APPLICANT SHALL, within one (1) year of initial licensure, successfully complete a Texas course in nursing jurisprudence. APPLICANT SHALL obtain Board approval of the course prior to enrollment. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience must include registered nurses. It must be a minimum of six (6) contact hours in length. The course's content shall include the Nursing Practice Act, standards of practice, and documentation of care. Courses focusing on malpractice issues will not be accepted. APPLICANT 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 APPLICANT's successful completion of the course. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, APPLICANT SHALL be issued an unencumbered license and multistate licensure privileges, if any, to practice professional nursing in the State of Texas.

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CONTINUED ON NEXT PAGE.

APPLICANT'S CERTIFICATION

I am the Applicant in this matter. I have fully and truthfully disclosed all of my past disciplinary action. I certify that my past behavior, except as disclosed in my Temporary License/Endorsement Application has been in conformity with the Board's professional character rule.

In connection with my application, I acknowledge that I have read and I understand Sections 301.157(d), 301.252, 301.253, 301.260, and 301.452(b) of the Texas Occupations Code, and Chapter 53, Section 53.001 *et seq.*, and Board Rules at 213.27, 213.28, and 213.29 22 Texas Administrative Code which are incorporated by reference as a part of this Order. I agree with all terms of this Order and any stipulations. I agree to inform the Board of any other grounds for denial of licensure prior to accepting any permit or license from the Board of Nurse Examiners.

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 nursing in the State of Texas, as a consequence of my noncompliance.

I understand that I can be represented by an attorney in this matter. I waive representation, notice, administrative hearing, and judicial review of this Order and request that the Executive Director of the Board of Nurse Examiners enter this Order.

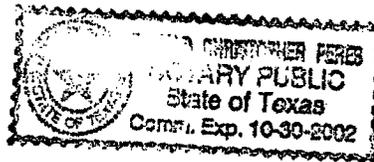
Signed this 22 day of JAN, 2001

Marilyn Denise Bledsoe
MARILYN DENISE BLEDSOE, APPLICANT

Sworn to and subscribed before me this 22 day of JAN, 2001.

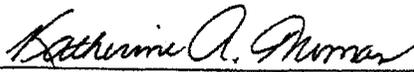
SEAL

Richard C. [Signature]
Notary Public in and for the State of TX



WHEREFORE, PREMISES CONSIDERED, the Executive Director on behalf of the Board of Nurse Examiners for the State of Texas does hereby ratify and adopt the Eligibility Agreed Order that was signed on the 22nd day of January, 2001, by MARILYN DENISE BLEDSOE, APPLICANT, for Temporary License/Endorsement Application, and said Order is final.

Effective this 29th day of January, 2002.



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

Enclosures: 301.157 Program of Study and Accreditation
301.252 License Application
301.253 Examination
301.260 Temporary License by Endorsement
301.452 Grounds for Disciplinary Action
301.453 Disciplinary Authority of Board; Methods of Discipline
213.27 Good Professional Character
213.28 Licensure of Persons with Criminal Convictions
213.29 Criteria and Procedure Regarding Intemperate Use and Lack of
Fitness in Eligibility and Disciplinary Matters
Chapter 53, Sec. 53.001 *et seq.*, Texas Occupations Code

BEFORE THE STATE BOARD OF NURSING FOR SOUTH CAROLINA

In the Matter of:

Marilyn Denise Bledsoe,
RN, R58975,

Respondent.

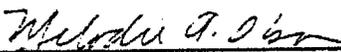
FINAL ORDER

This matter comes before the State Board of Nursing for South Carolina ("Board") by way of Respondent's Stipulation and Petition dated April 7, 1997, which is attached hereto and is incorporated herein by reference.

The Board considered Respondent's Stipulation and Petition at its meeting of May 29, 1997. After due consideration of the matter, the Board hereby accepts Respondent's Stipulation and Petition and adopts the terms and conditions therein as its disposition of this matter pursuant to the provisions of S.C. Code Ann. §1-23-320(f)(Supp. 1996) of the South Carolina Administrative Procedures Act.

AND IT IS SO ORDERED.

STATE BOARD OF NURSING



MELODIE A. OLSON, RN, Ph.D.
President of the Board

Columbia, South Carolina
May 29, 1997.

BEFORE THE STATE BOARD OF NURSING FOR SOUTH CAROLINA .

In the Matter of:

Marilyn Denise Bledsoe,
RN, R58975

Respondent.

STIPULATION AND PETITION

COMES NOW RESPONDENT and stipulates and admits the following facts and proposed disposition of this matter pursuant to the provisions of S.C. Code Ann. §1-23-320(f)(Supp. 1996) of the South Carolina Administration Procedures Act:

1. Respondent admits that she is licensed to practice nursing as a registered nurse in South Carolina and was so licensed at all times relevant to the matters asserted in this case. Said license is current.

2. Respondent admits that on or about August 1, 1996, through August 31, 1996, Respondent altered for the purpose of reflecting incorrect information a personal record of hers, specifically an America Heart Association CPR certification card, by changing the renewal date.

3. Respondent further admits that as a result of the previous admissions herein, Respondent has violated S.C. Code Ann. §40-33-935 (g) (Supp. 1996) and Regulation 91-19(c)(2) and (c)(3)(b)(Supp. 1996).

4. Respondent waives any further findings of fact or conclusions of law with respect to this matter.

5. Respondent has full knowledge that he has the right to a hearing and to be represented by counsel in this matter, and freely, knowingly, and voluntarily waives such rights by entering into this Stipulation and Petition. She voluntarily relinquishes any right to judicial review of Board action(s) which may be taken concerning any related matters. Respondent understands and agrees that this Stipulation and Petition will not become effective unless and until approved by the Board. Respondent understands and agrees that a representative of the General Counsel's Office may be present during presentation of this Stipulation and Petition to the Board and that the Board shall have the authority to review portions of the investigative file and all relevant evidence in considering this Stipulation and Petition. Respondent understands and agrees that this Stipulation and Petition, if approved, will be attached and incorporated into a Final Order of the Board and may be disseminated as a public action of the Board. Respondent understands and agrees that if this Stipulation and Petition is not approved, it shall not constitute an admission against interest in this proceeding or prejudice the right of the Board to adjudicate this matter.

ACCORDINGLY, RESPONDENT HEREBY PETITIONS the Board to issue a Final Order of the Board adopting the following sanction, which shall continue in effect until further Order of the Board:

1. Respondent's license to practice nursing as a registered nurse in this State is hereby issued a Public Reprimand and a Civil Penalty of \$250.00 to be paid within sixty (60) days from the date of the Board's action on this petition.

2. If Respondent fails to comply with any of the provisions of the Final Order accepting this Stipulation and Petition, or if it should be indicated from reliable reports submitted to the Board that Respondent is otherwise unable to practice nursing with reasonable skill and safety, then Respondent's license may be immediately temporarily suspended pending hearing into the matter and until further Order of the Board.

3. At such time as Respondent petitions for reinstatement or files a new application, as may be required by law, Respondent will have the burden of proving, among other things, rehabilitation and fitness to re-enter practice, and any decision will be in the sole discretion of the Board.

4. Pursuant to the South Carolina Freedom of Information Act, the Final Order, with attachments, is a public document.

5. Respondent shall cooperate with the Board, its attorneys, investigators, and other representatives in the investigation of Respondent's practice and compliance with the provisions of the Final Order accepting this Stipulation and Petition. Respondent may be required to furnish the Board with additional information as may be deemed necessary by the Board or its representatives. In addition to such requests, the Board in its discretion may require Respondent to submit further documentation regarding Respondent's practice, and it is Respondent's responsibility to fully comply with all reasonable request in a timely fashion. Failure to reasonably comply with such requests will be deemed a violation of the Final Order.

6. The Final Order shall take effect immediately upon receipt by Respondent or his/her counsel.

THEREFORE, Respondent respectfully prays that the Board accept this Stipulation and Petition and render a final agency decision in accordance herewith in disposition of this matter.

April 7, 1997
DATE

Marilyn Denise Bledsoe
Marilyn Denise Bledsoe

April 7, 1997
DATE

James M. Bell
WITNESS OR ATTORNEY

SSS VBS -3 4/11/97