BEFORE THE TEXAS BOARD OF NURSING

****

In the Matter of Registered Nurse	§	AGREED
License Number 679697	§	
issued to TAIA CHYRIL TULLY	§	ORDER

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.

Executive Director of the Board

On this day the Texas Board of Nursing, hereinafter referred to as the Bc considered the matter of TAIA CHYRIL TULLY, Registered Nurse License Number 679697, 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 July 21, 2010, 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 an Associates Degree in Nursing from Victoria College, Victoria, Texas, on May 11, 2001. Respondent was licensed to practice professional nursing in the State of Texas on July 17, 2001.

5. Respondent's nursing employment history is unknown.

6. On or about October 3, 1990, Respondent was arrested by the Victoria County Sheriff's Office, Victoria, Texas, for THEFT BY HOT CHECK (a Class B misdemeanor offense).

On or about October 4, 1990, Respondent entered a plea of Guilty and was convicted of the lesser included offense of ISSUANCE OF A BAD CHECK (a Class C misdemeanor offense), in the County Court At Law No. 2, Victoria County, Texas, under Cause No. 2-50,374.

7. In response to Finding of Fact Number Six (6), Respondent states that her spouse frequently wrote checks and failed to communicate with her when doing so; therefore, Respondent could not properly balance her checking account. When Respondent wrote a check, she was unaware it would bounce. Additionally, Respondent states that when she discovered she had a warrant for the bad check, she immediately took care of it.

8. On or about October 22, 1991, Respondent was arrested by the Victoria County Sheriff's Office, Victoria, Texas, for THEFT BY HOT CHECK (a Class B misdemeanor offense).

   On or about November 25, 1991, Respondent entered a plea of Guilty and was convicted of the lesser included offense of ISSUANCE OF A BAD CHECK (a Class C misdemeanor offense), in the County Court at Law No. 2, Victoria County, Texas, under Cause No. 2-56,340.

9. In response to Finding of Fact Number Eight (8), Respondent states that when she was pulled over for having an expired inspection sticker, the police officer informed her of a warrant for her arrest due to a bad check. Respondent immediately took care of the issue. Additionally, Respondent states that she no longer shares an account with her spouse.

10. On or about April 2, 2001, Respondent submitted an Application for Initial Licensure 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 attested true to the following statement:

    "(I) have never been convicted of any crime other than a minor traffic violation."

    Respondent failed to disclose that on or about October 4, 1990, Respondent entered a plea of Guilty and was convicted of the lesser included offense of ISSUANCE OF A BAD CHECK (a Class C misdemeanor offense), in the County Court At Law No. 2, Victoria County, Texas, under Cause No. 2-50,374.

    Additionally, Respondent failed to disclose that on or about November 25, 1991, Respondent entered a plea of Guilty and was convicted of the lesser included offense of ISSUANCE OF A BAD CHECK (a Class C misdemeanor offense), in the County Court at Law No. 2, Victoria County, Texas, under Cause No. 2-56,340.

11. In response to Finding of Fact Number Ten (10), Respondent states that at time of licensure, she asked her college nursing office how and if she needed to disclose her misdemeanor

offenses. Respondent was told that because she took care of her warrants, she could answer no and proceed with her application. Additionally, Respondent states she had no intentions of misleading 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) (effective September 1, 1999), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(23) (effective September 1, 1999).

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 679697, heretofore issued to TAIA CHYRIL TULLY, including revocation of Respondent's license(s) to practice 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(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, 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.*

(2) 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.

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 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(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 15 day of December, 2010.

Taia Chyril Tully

TAIA CHYRIL TULLY, Respondent

Sworn to and subscribed before me this 15th day of December, 2010.

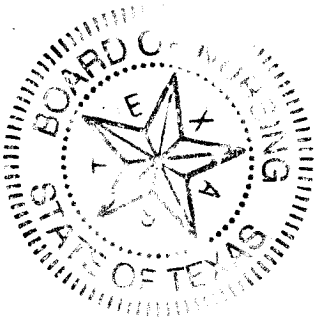
SEAL

APRIL HILBRICH
Notary Public, State of Texas
My Commission Expires
December 30, 2012

April Hilbrich

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 15th day of December, 2010, by TAIA CHYRIL TULLY, Registered Nurse License Number 679697, and said Order is final.



Effective this 31st day of December, 2010.

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