

BEFORE 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.
Katherine A. Thomas
Executive Director of the Board

In the Matter of Registered Nurse § AGREED
License Number 661994 §
issued to NELDA HUDSON § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Bo considered the matter of NELDA HUDSON, Registered Nurse License Number 661994, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Tex. Rev. Civ. Stat. Article 4525(b)(2)&(9). Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on May 3, 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 Associate Degree in Nursing from Lamar University, Beaumont, Texas, on May 1, 1999. Respondent was licensed to practice professional nursing in the State of Texas on July 8, 1999.
5. Respondent's nursing employment history is unknown.
6. On or about June 17, 1983, Respondent entered a plea of Guilty to THEFT (a Felony offense committed on January 21, 1983), in the 107th District Court of Cameron County, Texas,

under Cause Number 83-CR385-A. 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 five (5) years. Additionally, Respondent was ordered to pay restitution in the amount of two thousand four hundred and seventy-five (\$2,475) dollars, a fine and court costs.

7. In response to Finding of Fact Number Six (6), Respondent states: "I married my first husband at a very young age (17) and had an abusive relationship for 3 years before I realized it was time to leave. I had a daughter from that marriage and had to live and survive w/out a husband. At the time of my first conviction, I was poor and was in need for money to pay for my bills. At that time, I thought I could join my friend in stealing money. (My first time I ever stole any money from anyone) Of course, I confessed to the theft. I was put on probation. I was so scared and didn't tell any of my family members. I was not raised this way at all."
8. On or about January 3, 1986, Respondent entered a plea of Guilty and was convicted of FORGERY (a Felony offense committed on May 7, 1984), in the 107th District Court of Cameron County, Texas, under Cause Number 85-CR-431-A. As a result of the conviction, Respondent was sentenced to confinement in the Texas Department of Corrections for a period of five (5) years; however, the imposition of sentence of confinement was suspended, and Respondent was placed on probation for a period of five (5) years. Additionally, Respondent was ordered to pay restitution in the amount of six hundred and eight (\$608) dollars, a fine and court costs.
9. In response to Finding of Fact Number Eight (8), Respondent states: "In 1985, I moved in with a roommate which I one day confided in and told her of my past conviction. We eventually didn't get along and had many disagreements and I had to move out. While we lived together, she had me cash her checks for her because she worked long hours and couldn't get to the bank during open hours. She accused me of stealing one or those checks without her consent. I was on probation during that time. What a bad choice I made. I plead guilty and got more probation. I was so ashamed of myself. I had to make things better for me and my daughter. I was not raised to be this "bad person". I paid my dues, served my probation, and started saving money to move away to be someone important in life. I started going to college in search for my future. I stayed away from irresponsible people. I was working in a hospital at the time and that is when I realized I wanted to be a nurse. I protect and care for my patients at all times. I would never steal from a patient. That was my past and has remained my past"
10. On or about May 20, 1999, Respondent submitted an Application for Initial Licensure by Examination to the Board of Vocational Nurse Examiners for the State of Texas in which she provided false, deceptive, and/or misleading information, in that she attested to the truth of the following question:

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

Respondent failed to disclose that on or about January 3, 1986, Respondent entered a plea of Guilty and was convicted of FORGERY (a Felony offense committed on May 7, 1984), in the 107th District Court of Cameron County, Texas, under Cause Number 85-CR-431-A.

11. In response to Finding of Fact Number Ten (10), Respondent states: "I was surprised to see that this was still in my records. I remember the judge telling me if I remained free of convictions, this would never show up in my records. This is why I answered "No" to the questions asking me if I had ever been convicted of a felony. My apologies to my confusions or misinterpretations."

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 Tex. Rev. Civ. Stat. Article 4525(b)(2)&(9) (effective September 1, 1997), and 22 Tex. Admin. Code §217.13 (17) (effective September 1, 1997).
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 661994, heretofore issued to NELDA HUDSON, 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 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 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 18 day of November, 20 10.

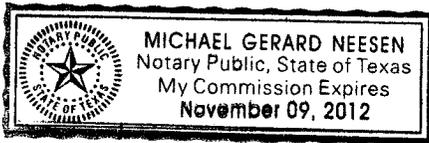
Nelda Hudson
NELDA HUDSON, Respondent

Sworn to and subscribed before me this 18th day of November, 20 10.

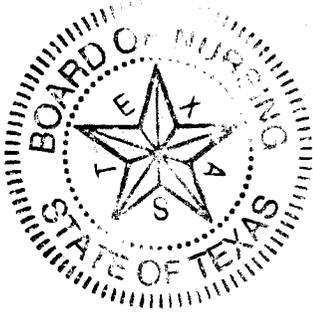
SEAL

[Signature]

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 18 day of November, 2010, by , Registered Nurse License Number 661994, and said Order is final.



Effective this 23 day of November, 2010.

Katherine A. Thomas

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