

IN THE MATTER OF
PERMANENT CERTIFICATE
NUMBER 590219
ISSUED TO
JULIE ANN ARNOLD

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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 A. Roman
Executive Director of the Board

ORDER OF THE BOARD

TO: Julie Ann Arnold
5249 S. HWY 277 #138
Abilene, Texas 79605

During open meeting held in Austin, Texas, on November 9, 2010, the Eligibility and Disciplinary Committee (hereinafter "Committee") heard the above-styled case. This case was heard, and 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 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 § 213.2(j)). All parties have a right to judicial review of this Order.

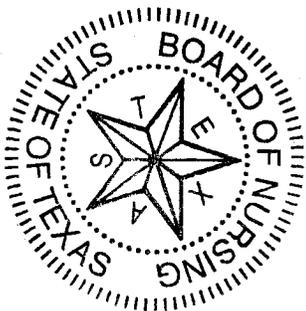
All proposed findings of fact and conclusions of law filed by any party not specifically adopted herein are hereby denied.

NOW, THEREFORE, IT IS ORDERED that Permanent Certificate Number 590219, previously issued to JULIE ANN ARNOLD, to practice professional nursing in the State of Texas be, and the same is hereby, REVOKED.

IT IS FURTHER ORDERED that Permanent Certificate Number 590219, previously issued to JULIE ANN ARNOLD, upon receipt of this Order, be immediately delivered to the office of the Texas Board of Nursing.

IT IS FURTHER ORDERED that this Order SHALL be applicable to Respondent's multi-state privilege, if any, to practice professional nursing in the State of Texas.

Entered this 9th day of November, 2010.



TEXAS BOARD OF NURSING

BY:

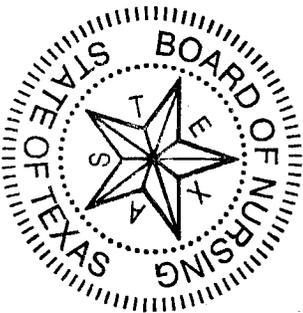
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KATHERINE A. THOMAS, MN, RN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

CERTIFICATE OF SERVICE

I hereby certify that on the 15th day of November, 2010, 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):

Julie Ann Arnold
2549 S. HWY 277 #138
Abilene, Texas 79605



Katherine A. Thomas

BY:

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

In the Matter of Permanent License § **BEFORE THE TEXAS**
Number 590219, Issued to §
JULIE ANN ARNOLD, Respondent § **BOARD OF NURSING**

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, JULIE ANN ARNOLD, is a Registered Nurse holding license number 590219, which is in current 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 April 24, 1995, Respondent pled guilty to the offense of DRIVING WHILE INTOXICATED (a Class B Misdemeanor), in the Crosby County Court, Crosbyton, Texas, Cause Number 10192. Respondent was sentenced to twelve (12) months confinement in the Crosby County Jail which was stayed and she was placed on twelve (12) months of probation.

The above action constitutes grounds for disciplinary action in accordance with Article 4525(b)(3)&(12)(effective 1995), TEX. REV. CIV. STAT. ANN., and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(effective 1995), and 22 TEX. ADMIN. CODE §217.13(1)(effective 9/1995).

CHARGE II.

On or about July 2, 1996, Respondent pled guilty to the offense of DRIVING WHILE INTOXICATED 2ND (a Class A Misdemeanor), in the Floyd County Court, Floydada, Texas, Cause Number 8399. Respondent was sentenced to one hundred eighty (180) days confinement in jail which was probated for two (2) years. In addition, Respondent was assessed a fine and court costs.

The above action constitutes grounds for disciplinary action in accordance with Article 4525(b)(3)&(12)(effective 9/1995), TEX. REV. CIV. STAT. ANN., and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(effective 9/1995), and 22 TEX. ADMIN. CODE §217.13(1)(effective 9/1995).

CHARGE III.

On or about November 25, 2000, Respondent was arrested by the Randall County Sheriffs Department, Canyon, Texas for the offense of THEFT OF PROPERTY >=\$20<\$500 BY CHECK (a Class C Misdemeanor). On December 15, 2000, the Respondent plead guilty to the offense of ISSUANCE OF A BAD CHECK (a Class C Misdemeanor), in the Randall County Court, Canyon, Texas, Cause Number 055747L. She was ordered to pay a fine and court costs.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(3)&(10)(effective 7/2000), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(effective 7/2000), and 22 TEX. ADMIN. CODE §217.12(1)(effective 7/2000).

CHARGE IV.

On or about October 9, 2003, Respondent plead guilty to the offense of ISSUANCE OF A BAD CHECK (a Class C Misdemeanor), in the Potter County Court, Amarillo, Texas, Cause Number 92716-P. She was ordered to pay a fine and court costs.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(3)(effective 9/2003), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A)(effective 9/2003), and 22 TEX. ADMIN. CODE §217.12(13)(effective 9/2003).

CHARGE V.

On or about February 5, 2007, Respondent submitted a Texas Online Renewal Document, Registered Nurse, 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" to the following question:

" Have you ever been convicted, placed on community supervision whether or not adjudicated guilty, sentenced to serve jail or prison time or granted pre-trial diversion, or plead guilty, no contest or nolo contendere to any crime in any state, territory or country, or received a court order whether or not a sentence was imposed, including any pending criminal charges or unresolved arrests whether or not on appeal (excluding minor Class C traffic violations)? This includes expunged offenses and deferred adjudications with or without a finding of guilt. Please note that DUIs, DWIs, and PIs must be reported and are not considered minor traffic violations. One time minor in possession [MIP] or Minor in Consumption [MIC] does not need to be disclosed; therefore, you may answer "No." If you have two or more MIPs or MICs, you must answer "Yes." You may answer "No" if you have previously disclosed a criminal matter otherwise responsive to this question in a renewal and/or licensure form."

Respondent failed to disclose her criminal history as indicated in Formal Charges I, II, III, IV, above.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(6)(H)&(I).

CHARGE VI.

On or about November 18, 2009, while utilizing her multi-state licensure compact privilege associated with her license to practice professional nursing in the State of Texas, while employed with Aureus Medical Group/Aureus Nursing, LLC, Omaha, Nebraska, and on assignment with Continuing Care Hospital, Cedar Rapids, Iowa, Respondent engaged in the intemperate use of Alcohol, in that she submitted to a post-accident drug screen, that resulted positive for Alcohol. The use of Alcohol 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 is a violation of 22 TEX. ADMIN. CODE §217.12(1)(A),(E),(4),(5)&(10)(A)(D).

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. and TEX. OCC. CODE Ch. 53. Additionally, staff will seek to impose on Respondent the administrative costs of the proceeding pursuant to § 301.461, TEX. OCC. CODE ANN. 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 Lying and Falsification, for Fraud & Deception, which can be found at the Board's website, www.bon.state.tx.us.

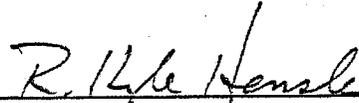
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NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, which can be found at www.bon.state.tx.us/disciplinaryaction/discp-matrix.html.

Filed this 15th day of September, 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