BEFORE THE TEXAS BOARD OF NURSING

****

In the Matter of Vocational	§	AGREED
Nurse License Number 152691	§	
issued to GLENDA SUE ARNOLD	§	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 accepted the voluntary surrender of Vocational Nurse License Number 152691, issued to GLENDA SUE ARNOLD, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c) of the Texas Occupations Code.

Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order.

The Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was provided to Respondent and Respondent was given an opportunity to show compliance with all requirements of the law for retention of the license.

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 vocational nursing in the State of Texas.

4. Respondent received a Certificate in Vocational Nursing from Coastal Bend College- Bee County, Alice, Texas, on May 12, 1995. Respondent was licensed to practice vocational nursing in the State of Texas on July 6, 1995.

5. Respondent's nursing employment history is unknown.

6. On or about October 19, 2009, Respondent was arrested by the Portland Police Department, Portland, Texas, for THEFT OF PROPERTY >=$50 <$500 (a Class B misdemeanor offense). On or about January 22, 2010, Respondent entered a plea of Nolo Contendere and was convicted of THEFT (a Class B misdemeanor offense committed on October 19, 2009), in the County Court at Law of San Patricio County, Texas, under Cause No. 71338. As a result of the conviction, Respondent was sentenced to confinement in the San Patricio County Jail for a period of seventy-five (75) days. Additionally, Respondent was ordered to pay a fine and court costs.

7. In response to Finding of Fact Number Six (6), Respondent states that she was with her brother when they stopped at an Ace Hardware store. Her brother then took a lawnmower that was on display outside of the store. Respondent states she was unaware her brother had planned to do this.

8. On or about October 19, 2009, Respondent was arrested by the Portland Police Department, Portland, Texas, for AGGRAVATED ROBBERY (a State Jail felony offense). On or about March 15, 2010, Respondent entered a plea of Guilty and was convicted of ROBBERY (a lesser included 2nd Degree felony offense committed on October 19, 2009), in the 36th Judicial District Court of San Patricio County, Texas, under Cause No. S-09-3423-2CR. As a result of the conviction, Respondent was sentenced to confinement in the Institutional Division of the Texas Department of Criminal Justice for a period of four (4) years; however, the imposition of sentence of confinement was suspended and Respondent was placed on probation for a period of four (4) years. Additionally, Respondent was ordered to pay a fine and court costs.

9. In response to Finding of Fact Number Eight (8), Respondent states that she and her brother stopped at Reed's Grocery Store to purchase some meat. Respondent states she went into the store and got a nine dollar ($9.00) roast and was going to pay for it, but realized she did not have her ATM card on her. Respondent's brother then told her to take the meat and she said "no." Respondent's brother then put the meat in Respondent's purse. As Respondent was walking out the door, an employee followed her. When both Respondent and her brother got into their vehicle (which was already running due to ignition problems), the store employee was standing behind the vehicle writing down the license plate number. In an effort to drive off without hitting the store employee, Respondent's brother then "cut the wheels to back up 'til he finally got out". The store employee would later claim that Respondent's brother "brushed her leg with the bumper".

10. Respondent, by her signature to this Order, expresses her desire to voluntarily surrender her license to practice nursing in the State of Texas.

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 violations of Sections 301.452(b)(3)&(10), Texas Occupations Code (effective September 1, 2007) and 301.4535(15), and 22 TEX. ADMIN. CODE §217.12(13) (effective September 28, 2004).

4. The evidence received is sufficient cause pursuant to Section 301.453(a), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 152691, heretofore issued to GLENDA SUE ARNOLD, including revocation of Respondent's license to practice nursing in the State of Texas.

5. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.

6. Under Section 301.453(d), Texas Occupations Code, as amended, the Board may impose conditions for reinstatement of licensure.

7. Any subsequent reinstatement of this license will be controlled by Section 301.453(d), Texas Occupations Code, and 22 TEX. ADMIN. CODE §213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

ORDER

NOW, THEREFORE, IT IS AGREED and ORDERED that the VOLUNTARY SURRENDER of Vocational Nurse License Number 152691, heretofore issued to GLENDA SUE ARNOLD, to practice nursing in the State of Texas, is accepted by the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL NOT practice vocational nursing, use the title "vocational nurse" or the abbreviation "LVN" or wear any insignia identifying as a vocational nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a vocational nurse during the period in which the license is surrendered.

3. RESPONDENT SHALL NOT petition for reinstatement of licensure until: one (1) year has elapsed from the date of this Order.

4. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

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.

BALANCE OF PAGE INTENTIONALLY LEFT BLANK.

CONTINUED ON NEXT PAGE.

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 this Order becomes final when accepted by the Executive Director at which time the terms of this Order become effective and a copy will be mailed to me.

Signed this 27 day of Sept, 2010.

Glenda Sue Arnold

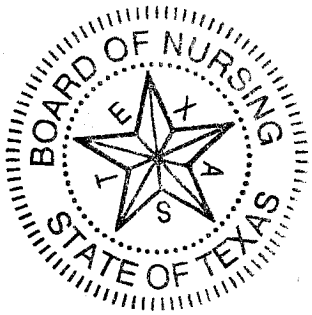
GLENDA SUE ARNOLD, Respondent

Sworn to and subscribed before me this 27 day of SEPTEMBER, 2010.

SEAL

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 accept the voluntary surrender of Vocational Nurse License Number 152691, previously issued to GLENDA SUE ARNOLD.



Effective this 15th day of October, 2010.

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