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

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Registered Nurse	§	AGREED
License Number 670790	§	
issued to LASHANDA KAYE SILVAS	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Boar considered the matter of LASHANDA KAYE SILVAS, Registered Nurse License Number 670790, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(10), Texas Occupations Code, (eff. date 09/01/03), and Section 301.452(b)(2)&(10), Texas Occupations Code, (eff. date 09/01/05). Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on May 19, 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.

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 a Diploma in Nursing from Methodist Hospital, Lubbock, Texas, on May 1, 2000. Respondent was licensed to practice professional nursing in the State of Texas on July 18, 2000.

5. Respondent's nursing employment history is unknown.

6. On or about May 30, 2004, Respondent was arrested by the Lubbock Police Department, Lubbock, Texas, and subsequently charged under Cause No. 2004-406334 for OBSTRUCTION OR RETALIATION (a 3rd Degree felony offense), and Cause No. 2004-489243 for ASSAULT DOMESTIC VIOLENCE (a Class A misdemeanor offense).

7. On or about November 4, 2004, Respondent entered a plea of Guilty and was convicted of ASSAULT DOMESTIC VIOLENCE (a Class A misdemeanor offense committed on May 30, 2004), in the County Court at Law No. 2, Lubbock County, Texas, under Cause No. 2004-489243. As a result of the conviction, Respondent was sentenced to confinement in the Lubbock County Jail for a period of three hundred sixty-five (365) days; however, the imposition of sentence of confinement was suspended, and Respondent was placed on probation for a period of one (1) year. Additionally, Respondent was ordered to pay a fine and court costs.

8. On or about November 8, 2004, Cause No. 2004-406334 was dismissed in the 140th District Court of Lubbock County, Texas, for the reason: "The Defendant has been convicted in Cause No. 2004-489243 in County Court #2."

9. In response to Finding of Fact Numbers Six (6), Seven (7), and Eight (8), Respondent states that in 2004 she was diagnosed with Grave's disease (hyperthyroidism). She was also having marital problems. One evening she and her ex-husband were drinking, got into an argument, and she called 911. Her ex-husband hung up on 911 three times. During the argument, the phone busted Respondent's lip and her ex-husband had a scratch on his arm. The police arrived and Respondent refused to leave. Her ex-husband was wealthy and well known to the officers, as he was a former DEA . She was angry because she had called 911 and the police officers were taking her ex-husband's side, so she talked back to them. She went to jail and her ex-husband dropped the charges.

10. On or about September 7, 2006, Respondent entered a plea of Guilty and was convicted of DWI (a Class B misdemeanor offense committed on April 5, 2006), in the County Court at Law No. 2, Lubbock County, Texas, under Cause No. 2006-499075 As a result of the conviction, Respondent was sentenced to confinement in the Lubbock County Jail for a period of one hundred twenty (120) days; however, the imposition of sentence of confinement was suspended, and Respondent was placed on probation for a period of twenty-four (24) months. Additionally, Respondent was ordered to pay a fine and court costs.

11. In response to Finding of Fact Number Ten (10), Respondent states she went out with friends for a birthday party. As they were leaving the bar, she put her car in reverse and got out, thinking she had put the car in park. Her car rolled and hit a car, denting it slightly. The cops were called. They were in the parking lot and she never drove, but the key was in the ignition, so she had to go to jail. She completed her probation, paid her fines and attended mandatory DWI courses.

12. Formal Charges were filed on February 9, 2010.

13. Formal Charges were mailed to Respondent on February 10, 2010.

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 Section 301.452(b)(10), Texas Occupations Code, (eff. date 09/01/2003), and Section 301.452(b)(2)&(10), Texas Occupations Code, (eff. date 09/01/2005), and 22 TEX. ADMIN. CODE §217.12(13).

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 670790, heretofore issued to LASHANDA KAYE SILVAS, including revocation of Respondent's license to practice professional 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 is 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 FIVE HUNDRED DOLLARS ($500.00). 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) contact 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 to practice nursing in the State of Texas and RESPONDENT shall be eligible for nurse licensure compact privileges, if any.

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

Signed this 10th day of September, 2010

LaShanda Kaye Silvas

LASHANDA KAYE SILVAS, Respondent

Sworn to and subscribed before me this 10th day of September, 2010.

SEAL

GILLIAN NORTH
Notary Public
State of Texas
My Comm. Expires 10-19-2011

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 10th day of September, 2010, by LASHANDA KAYE SILVAS, Registered Nurse License Number 670790, and said Order is final.

Effective this 15th day of September, 2010.

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