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

BEFORE THE TEXAS BOARD OF NURSING

****

In the Matter of Nurse	§	AGREED
License Number 182338	§	
issued to KEWAHNEE SHARARR AMIE	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the I considered the matter of KEWAHNEE SHARARR AMIE, Vocational Nurse License Number 182338, 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 June 23, 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 vocational nursing in the State of Texas.

4. Respondent received a Certificate in Nursing from Tyler Junior College, Tyler, Texas, on August 10, 2001. Respondent was licensed to practice vocational nursing in the State of Texas on October 25, 2001.

5. Respondent's Vocational nursing employment history is unknown.

6. On or about May 24, 1995, Respondent entered a plea of No Contest and Respondent was convicted of FAILURE TO MAINTAIN FINANCIAL RESPONSIBILITY (a Class B misdemeanor offense), in the County Court At Law #2, Smith County, Texas, under Cause No. 114,669-A. Respondent was ordered to pay a fine and court costs.

7. On or about May 24, 1995, Respondent entered a plea of No Contest and Respondent was convicted of POSSESSION OF MARIHUANA (a Class B misdemeanor offense), in the County Court At Law #2, Smith County, Texas, under Cause No. 114, 277-A. Respondent was sentenced to confinement in the County Jail for a period of sixty (60) days with credit for time served.. Additionally, Respondent was ordered to pay a fine and court costs.

8. On or about May 24, 1995, Respondent entered a plea of No Contest and Respondent was convicted of POSSESSION OF MARIHUANA (a Class B misdemeanor offense), in the County Court At Law #2, Smith County, Texas, under Cause No. 115,054. Respondent was sentenced to confinement in the County Jail for a period of sixty (60) days with credit for time served. Additionally, Respondent was ordered to pay a fine and court costs.

9. On or about October 2, 1995, Respondent entered a plea of No Contest and Respondent was convicted of DRIVING WHILE LICENSE SUSPENDED (a misdemeanor offense), in the County Court At Law, Smith County, Texas, under Cause No. 118,132. Respondent was sentenced to confinement in the County Jail for a period of sixty (60) days with credit for time served. Additionally, Respondent was ordered to pay a fine and court costs.

10. On or about August 27, 1996, Respondent entered a plea of No Contest and Respondent was convicted of DRIVING WHILE LICENSE SUSPENDED (a Class B misdemeanor offense), in the County Court #2 At Law, Smith County, Texas, under Cause No. 123,735-A. Respondent was sentenced to confinement in the Smith County Jail for a period of forty-five (45) days with credit for time served. Additionally, Respondent was ordered to pay a fine and court costs.

11. On or about November 18, 1997, Respondent entered a plea of Guilty and Respondent was convicted of EVADING ARREST or DETENTION (a Class B misdemeanor offense), in the County Court #2 At Law, Smith County, Texas, under Cause No. 002-84665-96. Respondent was sentenced to confinement in the Smith County Jail for a period of ninety (90) days with credit for time served. Additionally, Respondent was ordered to pay a fine and court costs.

12. On or about November 18, 1997, Respondent entered a plea of Guilty and Respondent was convicted of DRIVING WHILE LICENSE SUSPENDED (a Class B misdemeanor offense), in the County Court #2 At Law, Smith County, Texas, under Cause No. 002-83473-96. Respondent was sentenced to confinement in the Smith County Jail for a period of ninety (90) days with credit for time served. Additionally, Respondent was ordered to pay a fine and court costs.

13. On or about May 10, 2001, Respondent submitted an Application for Licensure By Examination to the Board of Vocational Nurse Examiners in which Respondent provided false, deceptive, and/or misleading information, in that Respondent answered "No" to the question which reads, "Have you ever been convicted of a misdemeanor other than a minor traffic violation?..."

14. Respondent failed to disclose that:

A. On or about May 24, 1995, Respondent entered a plea of No Contest and Respondent was convicted of FAILURE TO MAINTAIN FINANCIAL RESPONSIBILITY (a Class B misdemeanor offense), in the County Court At Law #2, Smith County, Texas, under Cause No. 114,669-A. Respondent was ordered to pay a fine and court costs.

B. On or about May 24, 1995, Respondent entered a plea of No Contest and Respondent was convicted of POSSESSION OF MARIHUANA (a Class B misdemeanor offense), in the County Court At Law #2, Smith County, Texas, under Cause No. 114, 277-A. Respondent was sentenced to confinement in the County Jail for a period of sixty (60) days with credit for time served.. Additionally, Respondent was ordered to pay a fine and court costs.

C. On or about May 24, 1995, Respondent entered a plea of No Contest and Respondent was convicted of POSSESSION OF MARIHUANA (a Class B misdemeanor offense), in the County Court At Law #2, Smith County, Texas, under Cause No. 115,054. Respondent was sentenced to confinement in the County Jail for a period of sixty (60) days with credit for time served. Additionally, Respondent was ordered to pay a fine and court costs.

D. On or about October 2, 1995, Respondent entered a plea of No Contest and Respondent was convicted of DRIVING WHILE LICENSE SUSPENDED (a misdemeanor offense), in the County Court At Law, Smith County, Texas, under Cause No. 118,132. Respondent was sentenced to confinement in the County Jail for a period of sixty (60) days with credit for time served. Additionally, Respondent was ordered to pay a fine and court costs.

E. On or about August 27, 1996, Respondent entered a plea of No Contest and Respondent was convicted of DRIVING WHILE LICENSE SUSPENDED (a Class B misdemeanor offense), in the County Court #2 At Law, Smith County, Texas, under Cause No. 123,735-A. Respondent was sentenced to confinement in the Smith County Jail for a period of forty-five (45) days with credit for time served. Additionally, Respondent was ordered to pay a fine and court costs.

F. On or about November 18, 1997, Respondent entered a plea of Guilty and Respondent was convicted of EVADING ARREST or DETENTION (a Class B misdemeanor offense), in the County Court #2 At Law, Smith County, Texas, under Cause No. 002-84665-96. Respondent was sentenced to confinement in the Smith County Jail for a period of ninety (90) days with credit for time served. Additionally, Respondent was ordered to pay a fine and court costs.

G. On or about November 18, 1997, Respondent entered a plea of Guilty and Respondent was convicted of DRIVING WHILE LICENSE SUSPENDED (a Class B misdemeanor offense), in the County Court #2 At Law, Smith County, Texas, under Cause No. 002-83473-96. Respondent was sentenced to confinement in the Smith County Jail for a period of ninety (90) days with credit for time served. Additionally, Respondent was ordered to pay a fine and court costs.

14. In response to Findings of Facts Numbers Six (6) through Thirteen (13), Respondent states, because the incidents happened over 10 years ago, he is not able to explain what led up to each incident. The only thing he can be sure about, is that he was young and made bad choices. Respondent also states that the conditions of the court for each incident have either been met or dismissed.

15. Charges were filed on April 2, 2010.

16. Charges were mailed to Respondent on May 7, 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 violation of Section 302.402(b)(2)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §239.11(8).

4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 182338, heretofore issued to KEWAHNEE SHARARR AMIE, 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 <u>not</u> 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 five hundred ($500) dollars. RESPONDENT SHALL pay this fine within forty-five days of the suspension being stayed. 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.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, RESPONDENT shall be eligible for nurse licensure compact privileges, if any.

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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 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 August, 2010.

KEWAHNEE SHARARR AMIE, Respondent

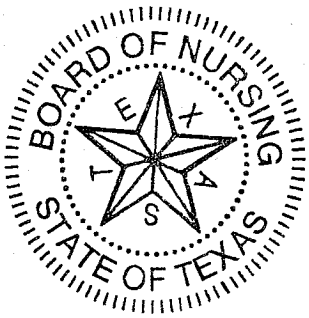
Sworn to and subscribed before me this 18 day of Aug, 2010.

SEAL

OFFICIAL SEAL
L. JAN STAIGER
State of Texas
My Commission
Expires03/31/2011

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 18th day of August, 2010, by KEWAHNEE SHARARR AMIE, Vocational Nurse License Number 182338, and said Order is final.



Effective this 26th day of August, 2010.

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