IN THE MATTER OF	§	BEFORE THE ELIGIBILITY
	§	
PERMANENT CERTIFICATE	§	AND DISCIPLINARY
	§	
NUMBER 149440	§	COMMITTEE
	§	
ISSUED TO	§	OF THE TEXAS
	§	
LESLIE PAUL ALLEN JR	§	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

ORDER OF THE BOARD

TO: Leslie Paul Allen Jr
Po Box 404
Bogata, Texas 75417

During open meeting held in Austin, Texas, on Tuesday August 17, 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 vocational 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 149440, previously issued to LESLIE PAUL ALLEN JR, to practice vocational nursing in the State of Texas be, and the same is hereby, REVOKED.

IT IS FURTHER ORDERED that this Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice vocational nursing in the State of Texas.

Entered this 17th day of August, 2010.

TEXAS BOARD OF NURSING

BY: Katherine A. Thomas

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

Re: Permanent Certificate Number 149440
Issued to LESLIE PAUL ALLEN JR
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 19th day of August, 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):

Leslie Paul Allen Jr
Po Box 404
Bogata, Texas 75417

BY: Katherine A. Thomas

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

In the Matter of Permanent License	§	**BEFORE THE TEXAS**
Number 149440, Issued to	§	
LESLIE PAUL ALLEN JR, Respondent	§	**BOARD OF NURSING**

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, LESLIE PAUL ALLEN JR, is a Vocational Nurse holding license number 149440, which is in delinquent 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 November 26, 1985, Respondent entered a plea of Guilty and was convicted of DRIVING WHILE INTOXICATED(a Misdemeanor offense committed on August 19, 1985), in the County Court at Law, Walker County, Texas, under Cause Number 85-777. As a result of the conviction, Respondent was placed on probation for a period of two (2) years.

The above action constitutes grounds for disciplinary action in accordance with Article 4525(b)(9), TEX. REV. CIV. STAT. ANN. (effective 9/1/1985).

CHARGE II.

On or about December 17, 1996, Respondent entered a plea of Guilty and was convicted of DRIVING WHILE INTOXICATED (a Misdemeanor offense committed on January 13, 1990), in the County Court for Lamar County, Texas, under Cause Number 24864. As a result of the conviction, Respondent was sentenced to confinement in the Lamar County Jail for a period of one (1) year; however, the imposition of sentence of confinement was suspended, and Respondent was placed on probation for a period of two (2) years. Additionally, Respondent was ordered to pay a fine and court costs.

The above action constitutes grounds for disciplinary action in accordance with Article 4525(b)(9), TEX. REV. CIV. STAT. ANN. (effective 9/1/1995), and is a violation of 22 TEX. ADMIN. CODE. §239.11(29)(A)(effective through 9/28/2004).

CHARGE III.

On or about June 7, 2005, Respondent entered a plea of Guilty and was convicted of THEFT OF SERVICE >=$20K <$100K (a 2nd Degree Felony offense committed on January 31, 2004), in the 102nd Judicial District Court of Red River County, Texas, under Cause Number CR00353. As a result of the conviction, Respondent was sentenced to confinement in the Texas Department of Criminal Justice, Institutional Division for a period of ten (10) years; however, the imposition of sentence of confinement was suspended, and Respondent was placed on probation for a period of ten (10) years. Additionally, Respondent was ordered to pay a fine and court costs, and twenty-one thousand, one hundred forty-eight dollars and seventeen cents ($21,148.17) in restitution.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(a)(3)&(10),Texas Occupations Code(effective 9/1/2003), and is a violation of and 22 TEX. ADMIN. CODE §217.12(13) (effective 9/28/2004).

CHARGE IV.

On or about November 17, 2005, Respondent submitted a License Renewal Form Licensed Vocational Nurse to the Board of Nurse Examiners for the State of Texas, in which he provided false, deceptive, and/or misleading information, in that he answered "No" to the question:

> "Have you ever been convicted, adjudicated guilty by a court, plead guilty, no contest or nolo contendere to any crime in any state, territory or country, whether or not a sentence was imposed, including any pending criminal charges or unresolved arrests (excluding minor traffic violations) since your last renewal? This includes expunged offenses and deferred adjudications with or without prejudice of guilt. Please note that DUIs, DWIs, and PI's 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".)"

Respondent failed to disclose that on or about June 7, 2005, Respondent entered a plea of Guilty and was convicted of THEFT OF SERVICE >=$20K <$100K (a 2nd Degree Felony offense committed on January 31, 2004), in the 102nd Judicial District Court of Red River County, Texas, under Cause Number CR00353.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(a)(2)&(10),Texas Occupations Code (effective 9/1/2005), and is a violation of and 22 TEX. ADMIN. CODE §217.12(6)(I) (effective 9/28/2004).

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. 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 Lying and Falsification, for Fraud, Theft & Deception, which can be found at the Board's website, www.bon.state.tx.us.

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.

NOTICE IS ALSO GIVEN that Respondent's past disciplinary history, as set out below and described in the Order which is attached and incorporated by reference as part of these charges, will be offered in support of the disposition recommended by staff: Agreed Order dated September 13, 1994.

Filed this 13th day of April, 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
Robert Kyle Hensley, Assistant General Counsel
State Bar No. 50511847
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

Attachments: Order of the Board dated September 13, 1994

0999/D

BOARD OF VOCATIONAL NURSE EXAMINERS
9101 BURNET ROAD - SUITE 105
AUSTIN, TEXAS 78758
TELEPHONE 512/835-2071

149440

September 16, 1994

Leslie Paul Allen
Route 9, Box 1213
Paris, TX 75462

Dear Mr. Allen:

On September 13, 1994, the Board of Vocational Nurse Examiners endorsed the enclosed Agreed Board Order, and it is now in effect.

As a result of this action, the Board has permitted you to write the examination for licensure. Upon obtaining a passing score, your license will be issued, but suspended, suspension stayed and placed on probation for a period of one (1) year. Your probation is subject to certain conditions as outlined in the Agreed Board Order.

After your examination score is received, our Investigation Division will send you additional information concerning the reports or documentation required during the course of your probation.

This is a final Order, and you must comply with all terms and conditions.

Sincerely,

Marjorie A. Bronk

Marjorie A. Bronk, R.N.
Executive Director

MAB/jf
Enclosure

149440

BOARD OF VOCATIONAL NURSE EXAMINERS	*	STATE OF TEXAS
VS.	*	
	*	
LESLIE PAUL ALLEN	*	COUNTY OF TRAVIS

AGREED BOARD ORDER

On this day came to be considered by the Board of Vocational Nurse Examiners the matter of LESLIE PAUL ALLEN, an Applicant for Licensure by Examination, hereinafter called Applicant.

By letter, the Board of Vocational Nurse Examiners sent preliminary notice to Applicant of its intent to take disciplinary action with respect to said Application for Licensure as a result of a subsequent investigation. Said investigation produced evidence indicating that Applicant has been convicted of a crime of the grade of felony or a crime of a lesser grade which involves moral turpitude, in violation of Article 4528c, Section 10 (a) (3), Revised Civil Statutes of Texas, in the following manner:

a. On or about July 25, 1994, Applicant submitted his Application for Licensure by Examination to the Board of Vocational Nurse Examiners for the State of Texas. On said Application, Applicant answered "yes" to item 30 asking: "Have you ever been convicted of a felony or misdemeanor other than a minor traffic violation?".

b. On or about January 28, 1985, Applicant was convicted of the felony offense of Forgery (three counts), in the District Court of Red River County, Texas, 102nd Judicial District, under Cause Nos. 13,580, 13,581, 13,582.

c. On or about February 22, 1985, Applicant was convicted of the felony offense of Theft of Property Over the Value of $750.00, in the District Court of Lamar County, Sixth Judicial District of Texas, under Cause No. 9846.

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d. Said convictions are inconsistent with the basic duties and responsibilities inherent in the occupation of vocational nursing in that said occupation requires the maintenance of accurate and complete records, and safeguarding personal property of the patient, client, and employer.

By Applicant's signature on this Order, Applicant neither admits nor denies the truth of the matters previously set out in this Order with respect to the above mentioned investigation. By Applicant's signature on this Order, Applicant acknowledges that he has read and understood this Order and has approved it for consideration by the Board.

By his notarized signature on this Order, Applicant does hereby waive the right to Notice of a Formal Hearing, and a Formal Hearing before the Board of Vocational Nurse Examiners, and to judicial review of this disciplinary action. Notice of this disciplinary action will appear in the Board's newsletter sent to Texas employers.

ORDER OF THE BOARD

THEREFORE, PREMISES CONSIDERED, The Board of Vocational Nurse Examiners does hereby order that LESLIE PAUL ALLEN be allowed to write the examination for licensure and upon obtaining a passing score be issued a license to practice vocational nursing in the State of Texas. Said license shall be suspended, with said suspension stayed and placed on probation for a period of one (1) year.

The probation of said license is subject to the following stipulations, to wit:

149440

AGREED BOARD ORDER
RE: LESLIE ALLEN PAUL, EXAM APPLICANT
PAGE 3

1. That by copy of this Board Order Applicant shall provide notice of Board disciplinary action to his nursing employer(s), throughout the term of probation.

2. That Applicant shall cause his nursing employer(s) to submit satisfactory reports directly to the Board office on a quarterly basis throughout the term of probation.

3. That any period(s) of unemployment must be documented in writing by Applicant and submitted to the Board office on a quarterly basis, throughout the term of probation.

4. That if Applicant's place of employment, name, address, or telephone number changes, Applicant is to notify the Board office immediately, or no later than ten (10) days after said change has occurred. Said notification shall be in the form of a written letter or report.

5. It is also ordered that LESLIE PAUL ALLEN shall comply with all the provisions of Article 4528c, Revised Civil Statutes of Texas.

This Agreed Order shall not be effective or take effect and become enforceable in accordance with its terms until endorsed by a majority of the Board present and voting, at its next regularly called session.

Dated this the 30th day of August, 1994.

Leslie Paul Allen
Signature of Applicant

Rt 9 Box 1213
Current Address

Paris Tx 75462
City, State and Zip

903 785-0987
Area Code and Telephone Number

The State of Texas
County of Lamar

149440

AGREED BOARD ORDER
RE: LESLIE ALLEN PAUL, EXAM APPLICANT
PAGE 4

Before me, the undersigned authority, on this day personally appeared LESLIE PAUL ALLEN, who being duly sworn by me stated that he or she executed the above for the purpose therein contained, and that he or she understood same.

SWORN TO AND SUBSCRIBED before me this the 30th day of August, 1994.

RITA TAPP
Notary Public
State of Texas
My Comm. Exp. Feb. 25, 1998

Rita Tapp
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS
My Commission Expires 2-25-98

Marjorie A. Bronk, RN
Marjorie A. Bronk, RN
Agent for the Board of
Vocational Nurse Examiners

SWORN TO AND SUBSCRIBED before me, the undersigned authority, on this the 7th day of September, 1994.

LINDA LEE KENT
NOTARY PUBLIC
STATE OF TEXAS
EXPIRES
10-24-97

Linda Lee Kent
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

149440

ENDORSEMENT OF THE BOARD
To The Agreed Board Order
in the matter of Leslie Paul Allen
EXAM APPLICANT

At its regularly called session, 13th day of September, 1994, came on to be considered the indicated Agreed Board Order pertaining to Leslie Paul Allen. The Board having reviewed the contents of said Order, the Order should be, and is hereby, endorsed as an Order of the Board and made an official act of the Board of Vocational Nurse Examiners for the State of Texas.

Said Order is rendered this the 13th day of September, 1994.

[illegible]	[illegible]
Olivia Rivas	Melba Lee Chesey
Susie S. Cheney	
Opal Robinson	
Janet Wood-Yañez Lon	
[illegible]	
Pangie F. Perez	
Betty Fox McLemare	

149440

CERTIFICATE OF SERVICE

I hereby certify that on the 16th day of September, 1994, a true and correct copy of the foregoing Order was served by placement in the U.S. Mail, first class, and addressed to the following person(s):

LESLIE PAUL ALLEN
ROUTE 9, BOX 1213
PARIS, TX 75462

Marjorie H Bronk, RN

Marjorie Bronk, R.N.
Executive Director
Agent for the Board of Vocational Nurse Examiners