

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Registered Nurse §
License Number 517752 §
issued to LINDA F. BURKS §



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 P. Thomas
Executive Director of the Board

ORDER OF THE BOARD

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Registered Nurse License Number 517752, issued to LINDA F. BURKS, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived representation by counsel, informal proceedings, notice and hearing.

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

FINDINGS OF FACT

1. Respondent is currently licensed to practice professional nursing in the State of Texas.
2. Respondent waived representation by counsel, informal proceedings, notice and hearing.
3. Respondent received an Associate Degree in Nursing from Kilgore College, Kilgore, Texas on May 1, 1984. Respondent was licensed to practice professional nursing in the State of Texas on August 24, 1984.
4. Respondent's complete professional nursing employment history is unknown.

5. On or about December 16, 2008, while holding a license as a Registered Nurse in the State of Texas, Respondent submitted a License Renewal Form to the Texas Board of Nursing, in which she answered "Yes" to the question: "In the past 5 years, have you been diagnosed with or treated or hospitalized for schizophrenia or other psychotic disorder, bipolar disorder, paranoid personality disorder, or borderline personality disorder?". As a result of the above answer Respondent was offered a referral to the Texas Peer Assistance Program for Nurses, which she subsequently declined on November 10, 2009.
6. On June 9, 2010, Respondent submitted a notarized statement to the Board voluntarily surrendering the right to practice professional nursing in Texas. A copy of Respondent's notarized statement, dated June 9, 2010, is attached and incorporated herein by reference as part of this Order.
9. The Board policy implementing Rule 213.29 in effect on the date of this Agreed Order provides discretion by the Executive Director for consideration of conditional reinstatement after proof of twelve (12) consecutive months of having functioned in a manner consistent with the behaviors required of nursing under the Nursing Practice Act and Board rules, followed by licensure limitations/stipulations and/or peer assistance program participation.

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 301.452(b)(12), Texas Occupations Code.
4. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
5. Under Section 301.453(d), Texas Occupations Code, the Board may impose conditions for reinstatement of licensure.
6. Any subsequent reinstatement of this license will be controlled by Section 301.452 (b), Texas Occupations Code, and 22 TAC §§213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

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ORDER

NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Registered Nurse License Number 517752, heretofore issued to LINDA F. BURKS, to practice professional nursing in the State of Texas, is accepted by the Executive Director on behalf of the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL NOT practice professional nursing, use the title of Registered Nurse or the abbreviation "RN" or wear any insignia identifying herself as a registered nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a registered nurse during the period in which the license is surrendered.
2. RESPONDENT SHALL NOT petition for reinstatement of licensure until: one (1) year has elapsed from the date of this Order.
3. 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.

Effective this 30th day of June, 2010.

TEXAS BOARD OF NURSING



By:

Katherine A. Thomas

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

Linda F. Burks
312 East Second Street
Weatherford, Texas 76086
Texas RN License #517752

Voluntary Surrender Statement

June 4, 2010

Dear Texas Board of Nursing:

I no longer desire to be licensed as a professional nurse. Accordingly, I voluntarily surrender my license/licenses to practice in Texas. I waive representation by counsel and consent to the entry of an Order which outlines requirements for reinstatement of my license. I understand that I will be required to comply with the Board's Rules and Regulations in effect at the time I submit any petition for reinstatement.

Signature Linda F. Burks

Date 6-9-10

Texas Nursing License Number/s 517752

The State of Texas

Before me, the undersigned authority, on this date personally appeared Linda F. Burks who, being duly sworn by me, stated that she executed the above for the purpose therein contained and that she understood same.

Sworn to before me the 9th day of June, 2010.

SEAL

Nannie Jo Ogle
Notary Public in and for the State of Texas

