

BEFORE THE 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.
Katherine A. Thomas
Executive Director of the Board

In the Matter of Registered Nurse § AGREED
License Number 686609 and §
Vocational Nurse License Number 164361 §
issued to BYRONICA KEITHSHURN PICKNEY § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of BYRONICA KEITHSHURN PICKNEY, Registered Nurse License Number 686609 and Vocational Nurse License Number 164361, 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 March 1, 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. Respondent holds a license to practice vocational nursing in the State of Texas, which is in delinquent status.
4. Respondent received a Certificate in Vocational Nursing from Lamar University, Port Arthur, Texas, on August 15, 1997, and an Associate Degree in Nursing from Lamar University, Port Arthur, Texas, on May 10, 2002. Respondent was licensed to practice vocational nursing in the State of Texas on September 18, 1997, and Respondent was licensed to practice professional nursing in the State of Texas on June 13, 2002.

5. Respondent's nursing employment history is unknown.
6. On or about June 19, 1997, Respondent submitted an Application for Licensure by Examination to the Board of Vocational Nurse Examiners for the State of Texas in which she provided false, deceptive, and/or misleading information, in that she answered "No" to the questions: "Have you ever been convicted of a felony?" and "Have you ever been convicted of a misdemeanor other than a minor traffic violation?"
7. On or about March 11, 2002, Respondent submitted an Application for Initial Licensure by Examination to the Board of Nurse Examiners for the State of Texas in which she provided false, deceptive, and/or misleading information, in that she attested to the truth of the statement: (I) "have never been convicted of any crime other than a minor traffic violation."
8. On or about April 20, 1995, Respondent was arrested by the United States Naval Investigative Services, with Headquarters at the Washington Navy Yard, Washington, D.C., for THEFT FROM US MAIL; FALSE POLICE REPORT; CREDIT CARD FRAUD; AND NSF CHECKS.
9. In response to Findings of Fact Numbers Six (6) through Eight (8), Respondent states: That in April of 1995, she shared an apartment off base with a co-worker. While the co-worker was away at sea, Respondent picked up her mail, activated her credit card and made purchases to maintain their household. When the co-worker found out about the purchases she was upset and Respondent denied that she had made the purchases. When her co-worker filed the police report, Respondent again lied that she hadn't picked up the credit card with her other mail. Around this same time, Respondent was called in to her commander's office for checks that she didn't have the money to clear. After looking at the dates and places of purchases, NCIS pieced the information together that she had made the credit card purchases. In February 1996, Respondent agreed to plead to the amended charges of Larceny and Forgery. The plea included a reduction in rank, restitution and two (2) months of suspended jail time. Respondent states that she did not disclose this information because she was under the impression that she would have an offense-free record. Also, she understood it to be a part of her military record. It was not her intention to defraud the Board.

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)(2)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(6)(I).

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 686609 and Vocational Nurse License Number 164361, heretofore issued to BYRONICA KEITHSHURN PICKNEY, including revocation of Respondent's licenses to practice professional and vocational 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). 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) 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.

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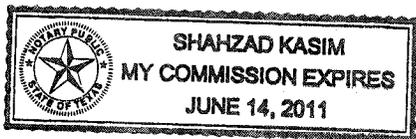
RESPONDENT'S CERTIFICATION

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 and vocational nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 5th day of June, 2010.
Byronica Keithshurn Pickney
BYRONICA KEITHSHURN PICKNEY, Respondent

Sworn to and subscribed before me this 5th day of June, 2010.

SEAL



[Signature]
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 5th day of June, 2010, by BYRONICA KEITHSHURN PICKNEY, Registered Nurse License Number 686609 and Vocational Nurse License Number 164361, and said Order is final.

Effective this 29th day of June, 2010.



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

