BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Vocational Nurse	§	AGREED
License Number 174543	§	
issued to PAMELA ANN ARMENTOR	§	ORDER

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

On this day the Texas Board of Nursing, hereinafter referred to as the Boa considered the matter of PAMELA ANN ARMENTOR, Vocational Nurse License Number 174543, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 302.402(a)(2)&(10), Texas Occupations Code (effective September 1, 2001). Respondent waived informal proceedings, notice and hearing, and agreed to the entry of this Order offered on February 2, 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 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 Vocational Nursing from Louisiana Technical College, new Iberia, Louisiana, on November 10, 1995. Respondent was licensed to practice vocational nursing in the State of Texas on November 23, 1999.

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

6. On or about July 15, 2002, Respondent was arrested by the Mitchell Police Department, Mitchell, South Dakota, and charged with POSSESSION OF TWO OUNCES OF MARIJUNA OR LESS (a misdemeanor offense), INGEST INTOXICANT OTHER THAN ALCOHOLIC BEVERAGE (a misdemeanor offense), and USE OR POSSESSION OF DRUG PARAPHERNALIA (a misdemeanor offense), in Davison County, South Dakota. On or about September 26, 2002, Respondent entered a plea of "Not Guilty" to INGEST INTOXICANT OTHER THAN ALCOHOLIC BEVERAGE and USE OR POSSESSION OF DRUG PARAPHERNALIA, which were both disposed of on November 27, 2002. On or about November 27, 2002, Respondent entered a plea of "Guilty" and was convicted of POSSESSION TWO OUNCES OF MARIJUNA OR LESS, in Davison County, South Dakota. As a result of the conviction, Respondent was placed on probation for a period of ninety (90) days and ordered to pay a fine and court costs.

7. On or about August 15, 2004, Respondent submitted a Texas Online Renewal Document Licensed Vocational Nurse to the Board of Nurse Examiners for the State of Texas in which she provided false, deceptive, and/or misleading information, in that she 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 on or about November 27, 2002, Respondent entered a plea of "Guilty" and was convicted of POSSESSION TWO OUNCES OF MARIJUNA OR LESS, in Davison County, South Dakota

8. In response to Findings of Fact Numbers Six (6) and Seven (7), Respondent states while on vacation in 2002, she lost her purse. She left it on the trunk of her car and drove off. She was informed it had been turned in to the police and she would need to come in person to identify it. When she went to pick it up, a very small amount of marijuana and an empty pack of papers had been found inside. She paid $600 for bail and was allowed to leave. When she returned home to Texas, she contacted a lawyer in Mitchell, South Dakota to represent her. She sent him the fee and he appeared in court. She asked him about her license renewal and was advised it was not a conviction because it had not gone to court yet. So she renewed her license with out marking anything about the incident on the renewal application.

9. As a requirement of this Order, Respondent was to, within one (1) year of entry of this Order, successfully complete a course in Texas nursing jurisprudence and ethics. On or about February 3, 2009, Respondent completed the "Nursing in Texas: A Safe Regulatory Foundation for Safe Practice", which satisfied the aforementioned requirement.

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 302.402(a)(2)&(10), Texas Occupations Code (effective September 1, 2001) and 22 TEX. ADMIN. CODE §239.11(8)(effective September 1, 2003).

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 174543, heretofore issued to PAMELA ANN ARMENTOR, including revocation of Respondent's license to practice 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 a 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 multistate licensure privilege, 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

multistate licensure 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 two hundred and fifty dollars ($250). 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.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT's license and RESPONDENT shall be eligible for multistate licensure privileges, if any, to practice nursing in the State of Texas.

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RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. 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 vocational nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 5 day of MAY, 2010.

PAMELA ANN ARMENTOR, Respondent

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

SEAL

CHERYL A. REGISTER
Notary Public
STATE OF TEXAS
My Comm. Exp. 03-12-2012

Notary Public in and for the State of Texas

Approved as to form and substance.

TARALYNN MACKAY, Attorney for Respondent

Signed this 16th day of June, 2010.

Jun 16 10 12:05p Taralynn Mackay 512-281-9559 p.2

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 May, 2010, by PAMELA ANN ARMENTOR, Vocational Nurse License Number 174543, and said Order is final.

Effective this 18th day of June, 2010.

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