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

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In the Matter of Registered Nurse	§	AGREED
License Number 255586	§	
issued to CELESTE JEAN ALLEN	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of CELESTE JEAN ALLEN, Registered Nurse License Number 255586, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(1),(2)&(10), Texas Occupations Code. Respondent informal proceedings, notice and hearing, and agreed to the entry of this Order offered on January 7, 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 informal proceedings, notice and hearing, and agreed to the entry of this Order.

3. Respondent's license to practice professional nursing in the State of Texas is in MSR invalid status.

4. Respondent received an Associate Degree in Nursing from Texarkana Community College, Texarkana, Texas, on May 1, 1981. Respondent was licensed to practice professional nursing in the State of Texas on September 8, 1981.

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

6. On or about June 1, 2008, Respondent was arrested by the Cass County Sheriff's Office,

Linden, Texas, for DRIVING WHILE INTOXICATED (a Class B misdemeanor offense).

On or about April 6, 2009, Respondent entered a plea of Guilty and was convicted of DRIVING WHILE INTOXICATED (a Class B misdemeanor offense committed on June 1, 2008), in the County Court at Law of Cass County, Texas, under Cause No. CCLM090012. As a result of the conviction, Respondent was sentenced to confinement in the Cass County Jail for a period of six (6) months; however, the imposition of the sentence of confinement was suspended, and Respondent was placed on probation for a period of one (1) year. Additionally, Respondent was ordered to pay a fine and court costs.

7. On or about November 6, 2008, Respondent submitted an Online Renewal Document Registered Nurse to the Texas Board of Nursing in which she provided false, deceptive, and/or misleading information, in that she answered "No" to the question: "Have you, within the past 24 months or since your last renewal, for any criminal offense, including those pending appeal:

   A. been convicted of a misdemeanor?
   B. been convicted of a felony?
   C. pled nolo contendere, no contest, or guilty?
   D. received deferred adjudication?
   E. been placed on community supervision or court-ordered probation, whether or not adjudicated guilty?
   F. been sentenced to serve jail or prison time? court-ordered confinement?
   G. been granted pre-trial diversion?
   H. been arrested or have any pending criminal charges?
   I. been cited or charged with any violation of the law?
   J. been subject of a court-martial; Article 15 violation; or received any form of military judgement/punishment/action?"

   Respondent failed to disclose that on or about June 1, 2008, Respondent was arrested by the Cass County Sheriff's Office, Linden, Texas, for DRIVING WHILE INTOXICATED in Cass County, Texas.

8. On or about September 22, 2009, through May 10, 2010, Respondent's license to practice professional nursing in the State of Texas was placed in "invalid" status, after she declared Arkansas as her home state. Respondent did not have a license to practice nursing nor did she obtain a license to practice nursing in Arkansas, and was not authorized to practice in any compact state. Respondent's conduct deceived residents, their families, fellow care givers, and the public in that they believed Respondent's nursing practice was in compliance with all Board Rules and Regulations.

9. In response to Finding of Fact Number Eight (8), Respondent states that she called the Board

to tell the Board of her address change and was told exactly what to write in the letter to the Board regarding the address change. She never indicated that she wanted her Texas license inactivated. She has never worked in Arkansas nor did she plan to do so. Arkansas is her legal residence but since she did not have an Arkansas license, it made no sense for her to declare that she was going to work under an Arkansas license.

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 301.452(b)(1),(2)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(6)(I)(H)&(11)(B).

4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take discipli nary action against Registered Nurse License Number 255586, heretofore issued to CELESTE JEAN ALLEN, including revocation of Respondent's license to practice professional 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 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 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.

(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) contact 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 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 professional nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 17 day of May, 2010.

Celeste Jean Allen

CELESTE JEAN ALLEN, Respondent

Sworn to and subscribed before me this 17th day of May, 2010.

SEAL

Stephanie A Platz

Notary Public in and for the State of Texas

STEPHANIE A PLATZ
Notary Public, State of Texas
My Commission Expires
February 20, 2011

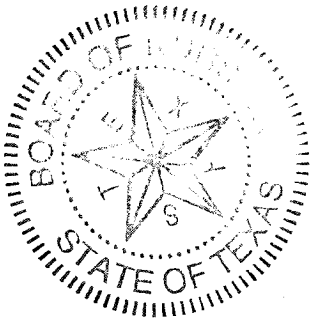
Approved as to form and substance.

Taralynn R. MacKay

Taralynn Mackay, Attorney for Respondent

Signed this 17th day of May, 2010.

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 27th day of May, 2010, by CELESTE JEAN ALLEN, Registered Nurse License Number 255586, and said Order is final.



Effective this 3rd day of June, 2010.

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