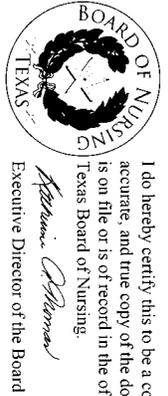


BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Vocational Nurse § AGREED  
License Number 181271 §  
issued to SHARLENE ANN BLACK § ORDER



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.

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of SHARLENE ANN BLACK, Vocational Nurse License Number 181271, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Article 4528c Section (10)(a)(9), Tex. Rev. Civ. Ann, (effective 9/1/1993 and 9/1/1995) and Section 302.402(a)(2)&(10)(effective 9/1/1999), Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on January 5, 2009, 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 vocational nursing in the State of Texas.
- 4. Respondent received a Certificate in Vocational Nursing from Odessa College, Monahans, Texas, on August 3, 2001. Respondent was licensed to practice vocational nursing in the State of Texas on September 18, 2001.
- 5. Respondent's vocational nursing employment history is unknown.

6. On or about July 7, 1994, Respondent entered a plea of No Contest and was convicted of THEFT(a Class B Misdemeanor offense committed on June 23, 1994), in the County Court of Midland County, Texas, under Cause Number 65545. As a result of the conviction, Respondent was ordered to pay restitution, a fine and court costs.
7. On or about July 7, 1994, Respondent entered a plea of No Contest and was convicted of THEFT(a Class B Misdemeanor offense committed on June 23, 1994), in the County Court of Midland County, Texas, under Cause Number 65546. As a result of the conviction, Respondent was ordered to pay restitution, a fine and court costs.
8. On or about May 18, 1995, Respondent entered a plea of Guilty to FORGERY BY PASSING (a 3rd Degree Felony offense committed on September 30, 1994), in the District Court 238th Judicial District Court Midland County, Texas, under Cause Number 21,437. As a result of the plea, the proceedings against Respondent were deferred without entering an adjudication of guilt and Respondent was placed on probation for a period of ten (10) years. Additionally, Respondent was ordered to pay a fine and court costs.
9. On or about July 22, 1996, Respondent entered a plea of No Contest and was convicted of THEFT(a Class B Misdemeanor offense committed on September 7, 1994), in the County Court of Midland County, Texas, under Cause Number 67341. As a result of the conviction, Respondent was ordered to pay restitution, a fine and court costs.
10. On or about July 22, 1996, Respondent entered a plea of No Contest and was convicted of THEFT(a Class B Misdemeanor offense committed on September, 7, 1994), in the County Court of Midland County, Texas, under Cause Number 67342. As a result of the conviction, Respondent was ordered to pay restitution, a fine and court costs.
11. On or about July 22, 1996, Respondent entered a plea of No Contest and was convicted of THEFT(a Class B Misdemeanor offense committed on September 7, 1994), in the County Court of Midland County, Texas, under Cause Number 67343. As a result of the conviction, Respondent was ordered to pay restitution, a fine and court costs
12. On or about June 22, 2001, Respondent submitted a 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 question:

"Have you ever been convicted of a misdemeanor other than a minor traffic violation?..,"

Respondent failed to disclose on or about July 7, 1994, Respondent entered a plea of No Contest and was convicted of 2 COUNTS OF THEFT, in the County Court of Midland County, Texas, under Cause Numbers 65545 and 65546.

On or about July 22, 1996, Respondent entered a plea of No Contest and was convicted of 3 COUNTS OF THEFT, in the County Court of Midland County, Texas, under Cause Numbers 67341, 67342, and 67343.

13. In response to Findings of Fact Numbers Six (6) through Twelve(12), Respondent states: That all episodes coincide with her separation and divorce from her husband. She had moved out of the house with their small children. Her husband was supposed to be depositing his paycheck into their joint checking account, but was not. She was not receiving overdraft notices because she had moved out and he was not informing her that there was a problem. She regrets any and all actions she has committed. Regarding the forgery, it was her ex-husband's check on an account for his business. He wrote the check for her to be able to get gasoline and lunch money for the children but he didn't sign it. She called him from the store and told him that he forgot to sign it and he told her to sign his name. Later they got into an argument and he went to the county clerk and filed charges for forgery on her. She didn't mean to deceive the board. Her Attorney told her that since she received deferred adjudication she would not be required to say she had been convicted of a felony and the other charges were misdemeanors.

#### 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 Article 4528c Section (10)(a)(9), Tex. Rev. Civ. Ann, (effective 9/1/1993 and 9/1/1995) and Section 302.402(a)(2)&(10)(effective 9/1/1999), Texas Occupations Code, and 22 TEX. ADMIN. CODE §239.11(8)(effective 1/31/2004).
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 181271, heretofore issued to SHARLENE ANN BLACK, 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 fifty (\$250) dollars. 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 re-licensure. *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, 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 vocational nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 17 day of March, 2010.

Sharlene Ann Black  
SHARLENE ANN BLACK, Respondent

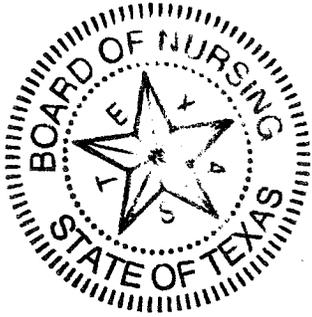
Sworn to and subscribed before me this 17<sup>th</sup> day of March, 2010.

SEAL

Bertha Heredia  
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 17th day of March, 2010, by SHARLENE ANN BLACK, Vocational Nurse License Number 181217, and said Order is final.



Effective this 22nd day of March, 2010.

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