

IN THE MATTER OF
PERMANENT CERTIFICATE
NUMBER 184275
ISSUED TO
VIRGINIA ELIZABETH DAVIS

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BEFORE THE ELIGIBILITY
AND DISCIPLINARY
COMMITTEE
OF 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.
Patricia R. Thomas
Executive Director of the Board

ORDER OF THE BOARD

TO: Virginia Elizabeth Davis
148 Country Drive
Waxahachie, Texas 75165

During open meeting held in Austin, Texas, on March 10, 2009, the Eligibility and Disciplinary Committee (hereinafter "Committee") heard the above-styled case. This case was heard, and based on the failure of the Respondent to appear as required by 22 TEX. ADMIN. CODE Ch. 213.

The Committee of the Texas Board of Nursing finds that notice of the facts or conduct alleged to warrant disciplinary action has been provided to Respondent in accordance with Texas Government Code § 2001.054(c) and Respondent has been given an opportunity to show compliance with all the requirements of the Nursing Practice Act, chapter 301 of the Texas Occupations Code, for retention of Respondent's license to practice vocational nursing in the State of Texas.

The Committee finds that the Formal Charges were properly initiated and filed in accordance with section 301.458, Texas Occupations Code.

The Committee finds that after proper and timely Notice regarding the violations alleged in the Formal Charges was given to Respondent in this matter, Respondent has failed to appear in accordance with 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that the Board is authorized to enter a default order pursuant to Texas Government Code § 2001.056.

The Eligibility and Disciplinary Committee, after review and due consideration, adopts the proposed findings of fact and conclusions of law as stated in the Formal Charges which are attached hereto and incorporated by reference for all purposes and the Staff's recommended sanction of revocation by default. This Order will be properly served on all parties and all parties will be given an opportunity to file a motion for rehearing (22 TEX. ADMIN.CODE § 213.2(j)). All parties have a right to judicial review of this Order.

All proposed findings of fact and conclusions of law filed by any party not specifically adopted herein are hereby denied.

NOW, THEREFORE, IT IS ORDERED that Permanent Certificate Number 184275, previously issued to VIRGINIA ELIZABETH DAVIS, to practice vocational nursing in the State of Texas be, and the same is hereby, REVOKED.

IT IS FURTHER ORDERED that Permanent Certificate Number 184275, previously issued to VIRGINIA ELIZABETH DAVIS, upon receipt of this Order, be immediately delivered to the office of the Texas Board of Nursing.

IT IS FURTHER ORDERED that this Order SHALL be applicable to Respondent's multi-state privilege, if any, to practice vocational nursing in the State of Texas.

Entered this 10th day of March, 2009.

TEXAS BOARD OF NURSING

BY: 
KATHERINE A. THOMAS, MN, RN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

Re: Permanent Certificate Number 184275
Issued to VIRGINIA ELIZABETH DAVIS
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 16th day of March, 2009, a true and correct copy of the foregoing DEFAULT ORDER was served by placement in the U.S. Mail via certified mail, and addressed to the following person(s):

Virginia Elizabeth Davis
148 Country Drive
Waxahchie, Texas 75165

BY:



KATHERINE A. THOMAS, MN, RN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

In the Matter of Permanent License § **BEFORE THE TEXAS**
Number 184275, Issued to §
VIRGINIA ELIZABETH DAVIS, Respondent § **BOARD OF NURSING**

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, VIRGINIA ELIZABETH DAVIS, is a Vocational Nurse holding license number 184275, which is in current status at the time of this pleading.

Written notice of the facts and conduct alleged to warrant adverse licensure action was sent to Respondent at Respondent's address of record and Respondent was given opportunity to show compliance with all requirements of the law for retention of the license prior to commencement of this proceeding.

CHARGE I.

From on or about January 1, 2008, to on or about November 6, 2008, while employed as a Licensed Vocational Nurse with Correctional Healthcare Management, Greenwood Village, Colorado, and assigned to Ellis County Sheriff's Office, Wayne Mc Collum Detention Center, Waxahachie, Texas, Respondent violated the professional boundaries of the nurse/client relationship by engaging in inappropriate sexual conduct with inmate R.T.. Specifically the Respondent kissed inmate R.T., touched his genitalia, and permitted inmate R.T. to touch Respondent's genitalia. Respondent's conduct sexually exploited inmate R.T., violated professional boundaries and was such as to cause emotional harm to the client, inmate R.T.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §§ 217.11(1)(B)&(J) and 217.12(6)(C),(D),(E),&(13).

CHARGE II.

From on or about January 1, 2008, to on or about February 29, 2008, while while employed as a Licensed Vocational Nurse with Correctional Healthcare Management, Greenwood Village, Colorado, and assigned to Ellis County Sheriff's Office, Wayne Mc Collum Detention Center, Waxahachie, Texas, Respondent violated the professional boundaries of the nurse/client relationship by engaging in an inappropriate personal relationship with inmate R.L. Specifically, Respondent provided inmate R.L. with special attention during medical visits and while he was a trustee, that was not provided to other inmates. Respondent's conduct violated professional boundaries and was such as to cause physical neglect of and emotional harm to other inmates of the Wayne McCollum Detention Center.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §§ 217.11(1)(B)&(J) and 217.12(6)(C),(D),(E),&(13).

CHARGE III.

From on or about March 1, 2008, to on or about May 1, 2008, while while employed as a Licensed Vocational Nurse with Correctional Healthcare Management, Greenwood Village, Colorado, and assigned to Ellis County Sheriff's Office, Wayne Mc Collum Detention Center, Waxahachie, Texas, Respondent violated the professional boundaries of the nurse/client relationship by engaging in inappropriate sexual contact with former inmate R.L. Specifically, the Respondent engaged in sexual intercourse with former inmate R.L. on several occasions.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §§ 217.11(1)(B)&(J) and 217.12(6)(C),(D),(E),&(13).

CHARGE IV.

On or about November 7, 2008, while employed as a Licensed Vocational Nurse with Correctional Healthcare Management, Greenwood Village, Colorado, and assigned to Ellis County Sheriff's Office, Wayne Mc Collum Detention Center, Waxahachie, Texas, Respondent violated the professional boundaries of the nurse/client relationship by engaging in sexual intercourse with former inmate R.T. Respondent's conduct sexually exploited former inmate R.T. and was such as to cause him emotional harm.

The above action constitutes grounds for disciplinary action in accordance with Section 301-452(b)(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §§ 217.11(1)(B)&(J) and 217.12(6)(C),(D),(E),&(13).

CHARGE V.

On or about November 7, 2008, while employed as a Licensed Vocational Nurse with Correctional Healthcare Management, Greenwood Village, Colorado, and assigned to Ellis County Sheriff's Office, Wayne Mc Collum Detention Center, Waxahachie, Texas, Respondent engaged in unprofessional conduct which was likely to deceive and defraud the public by knowingly facilitating the escape of inmate R.T. from the McCollum Detention Center, Waxahachie, Texas. Specifically, Respondent advised R.T. to cut himself and act suicidal in order to obtain a transfer to the Terrell State Hospital. Respondent provided R.T. with One Hundred and Fifty Dollars (\$150) in cash to give to an employee of the Terrell State Hospital who helped R.T. escape from the State Hospital. Respondent then provided R.T. with hotel accommodations for the night of November 7, 2008 and purchased a bus ticket for him to travel to Tennessee. Respondent's conduct enabled inmate R.T. to escape from Texas to Tennessee and would constitute a violation of Texas Penal Code Sections 38.05 and 38.07, if charged.

The above conduct constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE: 217.12(6)(A),(D),(H), &(13).