



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

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of Professional License Number 660580 § AGREED
and Vocational License Number 163837
issued to MARTHA SUE BROWN § ORDER

On this day the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, considered the matter of MARTHA SUE BROWN, Registered Nurse License Number 660580 and Vocational Nurse License Number 163837, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Articles 4525(b)(2), Revised Civil Statutes of Texas, as amended and Article 4528(c) §10(a)(2). Respondent waived representation by counsel, informal conference, notice and hearing, and agreed to the entry of this Order offered on June 2, 2006, 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 conference, 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's license to practice vocational nursing in the State of Texas is currently in "delinquent" status.
4. Respondent received a Certificate in Vocational Nursing from McLennan Community College, Waco, Texas, on August 14, 1997, and received an Associate Degree in Nursing from McLennan Community College, Waco, Texas, on May 17, 1999. Respondent was

licensed to practice vocational nursing in the State of Texas on September 12, 1997, and professional nursing in the State of Texas, on June 17, 1999.

5. Respondent's complete nursing employment history is unknown.
6. On or about July 14, 1997, Respondent submitted an application for vocational nursing in the State of Texas in which she provided false, deceptive, and/or misleading information, in that she answered "no" to the following question:

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

On or about September 15, 1978, Respondent was convicted of Driving While Intoxicated. Respondent was sentenced to six (6) months probation and assessed a Fine in the amount of three hundred thirty-eight dollars (\$338.00).

7. On or about May 19, 1999, Respondent submitted an application for professional nursing in the State of Texas in which she provided false, deceptive, and/or misleading information, in that she attested to the truth of the following statement:

"I, the applicant understand the requirements for licensure and I (1) have never been convicted of any crime other than a minor traffic violation"

On or about September 15, 1978, Respondent was convicted of Driving While Intoxicated. Respondent was sentenced to six (6) months probation and assessed a Fine in the amount of three hundred thirty-eight dollars (\$338.00).

8. On or about January 23, 2003, Respondent submitted a renewal application 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 following question:

Since issuance or last renewal, have you plead guilty (including no contest plea) been found guilty or convicted of any felony or misdemeanor other than a minor traffic violation? (Note: DWI, or DUI, including first offenses, are not considered minor traffic violations)."

On or about March 15, 2001, Respondent was convicted of Driving While Intoxicated, Class B Misdemeanor, in the County Court at Law, Waco, Texas, Cause # 20004121CR1. Respondent was sentenced to one hundred twenty days (120) confinement in the McLennan County jail and assessed a Fine in the amount of two thousand dollar (\$2,000.00), with jail sentence suspended and placed on eighteen (18) months probation.

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 Articles 4528(c) §10(a)(2). and 4525(b)(2), TEX. REV. CIV. STAT. ANN.
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 660580 and Vocational Nurse License Number 163837, heretofore issued to MARTHA SUE BROWN, including revocation of Respondent's license to practice professional and vocational nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Board of Nurse Examiners, that RESPONDENT SHALL receive the sanction of REMEDIAL EDUCATION WITH A FINE, and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas as amended, Texas Occupations Code §§301.001 *et seq.*, the Rules and Regulations Relating to Professional and Vocational Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.01 *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 professional and vocational 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 deliver the wallet-sized license issued to MARTHA SUE

BROWN to the office of the Board of Nurse Examiners within ten (10) days of the date of ratification of this Order for appropriate notation.

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in Texas nursing jurisprudence. 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, and documentation of care. 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 on the Board's website, www.bne.state.tx.us (under BNE events).*

(3) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in nursing 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. The course shall be a minimum of six (6) contact hours in length. In order for the course to be approved, the target audience shall include Nurses. The course shall include content on the following: principles of nursing ethics; confidentiality; and professional boundaries. RESPONDENT SHALL CAUSE the sponsoring institution to submit a

Verification of Course Completion form, provided by the Board, to verify RESPONDENT's successful completion of the course. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure. *Board approved courses may be found on the Board's website, www.bne.state.tx.us (under BNE events).*

(4) RESPONDENT SHALL pay a monetary fine in the amount of Seven Hundred Fifty Dollars (\$750.00). RESPONDENT SHALL pay this fine within forty-five (45) days of entry of this Order. Payment is to be made directly to the Board of Nurse Examiners 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, RESPONDENT SHALL be issued an unencumbered licenses and multistate licensure privileges, if any, to practice professional and vocational 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 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 licenses to practice professional and vocational nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 21 day of August, 2007.

Martha Sue Brown
MARTHA SUE BROWN, Respondent

Sworn to and subscribed before me this 21 day of August, 2007

SEAL

Lesia Jones
Notary Public in and for the State of Texas



WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Board of Nurse Examiners for the State of Texas, does hereby ratify and adopt the Agreed Order that was signed on the 21st day of August, 2007, by MARTHA SUE BROWN, Registered Nurse License Number 660580 and Vocational Nurse License Number 163837, and said Order is final.

Effective this 24th day of August, 2007.



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