



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 A. Plummer
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of §
Vocational Nurse License Number 194871 §
issued to SHAYLA RUTH MAHMALJI §

ORDER OF THE BOARD

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Vocational Nurse License Number 194871, issued to SHAYLA RUTH MAHMALJI, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived representation by counsel, informal proceedings, notice and hearing.

The Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Respondent's license to practice vocational nursing in the State of Texas is currently in delinquent status.
2. Respondent waived representation by counsel, informal proceedings, notice and hearing.
3. Respondent received a Certificate in Vocational Nursing from Victoria College, Cuero, Texas on August 13, 2004. Respondent was licensed to practice vocational nursing in the State of Texas in September 16, 2004.
4. Respondent's vocational nursing employment history includes:

9/2004 - 3/2005	LVN	Detar Hospital Navarro Victoria, Texas
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Respondent's vocational nursing employment history includes:

4/2005 - 7/2005	LVN	Yorktown Manor Yorktown, Texas
7/2005 - 9/2005	unknown	
9/2005 - 10/2005	LVN	Retama Manor West Victoria, Texas
10/2005 - 2/2006	LVN	Twin Pines Victoria, Texas
10/2005 - 11/2007	LVN	Health Force Medical Staff Relief Victoria, Texas
3/2006 - 9/2006	LVN	Heritage Park Austin, Texas
1/2007 - 11/2007	LVN	Cuero Nursing and Rehabilitation Cuero, Texas
11/2007 - 8/2008	LVN	Satellite Dialysis Center Austin, Texas
5/2008 - unknown	LVN	Chisholm Trail Nursing and Rehab Lockhart, Texas
8/2008 - unknown	LVN	Golden Age Home Lockhart, Texas
8/2008 - present	unknown	

5. On or about January 27, 2011, Respondent was issued the sanction of REPRIMAND WITH STIPULATIONS through an Agreed Order issued by the Texas Board of Nursing. A copy of the Findings of Fact, Conclusions of Law, and Agreed Order dated January 27, 2011, is attached and incorporated, by reference, as part of this Order.
6. On or about December 21, 2011, Respondent pled Guilty to "Attempt to Commit Robbery by Threat," a 3rd Degree Felony committed on or about October 20, 2011, in the 299th District Court of Travis County, Austin, Texas, under Cause Number D1DC11205663. As a result of the plea, the proceedings against Respondent were deferred without entering an adjudication of guilt and Respondent was placed on Community Supervision for a period of four (4) years.

7. On or about January 18, 2012, Respondent pled Guilty to "Attempted Theft from a Person," a Class A Misdemeanor committed on or about October 20, 2011, in the 299th District Court of Travis County, Austin, Texas, under Cause Number D1DC11205664. Respondent was sentenced to two (2) days confinement in the Travis County Jail, Austin, Texas. Subsequently, this sentence ran concurrently with Cause Number D1D11205663.
8. Formal Charges were filed on May 15, 2013.
9. Formal Charges were mailed to Respondent on May 17, 2013.
10. On July 3, 2013, the Board received a notarized statement from Respondent voluntarily surrendering the right to practice nursing in Texas. A copy of Respondent's notarized statement, dated July 1, 2013, is attached and incorporated herein by reference as part of this Order.

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 violation(s) of 22 TEX. ADMIN. CODE §217.12(13).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(3) & (10), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 194871, heretofore issued to SHAYLA RUTH MAHMALJI, including revocation of Respondent's license(s) to practice nursing in the State of Texas.
5. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
6. Under Section 301.453(d), Texas Occupations Code, the Board may impose conditions for reinstatement of licensure.
7. Any subsequent reinstatement of this license will be controlled by Section 301.453(d), Texas Occupations Code, and 22 TAC §§213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

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ORDER

NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Vocational Nurse License Number 194871, heretofore issued to SHAYLA RUTH MAHMALJI, to practice nursing in the State of Texas, is accepted by the Executive Director on behalf of the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL NOT practice vocational nursing, use the title of "vocational nurse" or the abbreviation "LVN" or wear any insignia identifying herself as a vocational nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a vocational nurse during the period in which the license is surrendered.
2. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

Effective this 3rd day of July, 2013.

TEXAS BOARD OF NURSING

By:



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

Respondent's nursing employment history continued:

April 2005 - July 2005	LVN/Charge Nurse Yorktown Manor Yorktown, Texas
August 2005	Unknown
September 2005 - October 13, 2005	LVN/Charge Nurse Retama Manor West Victoria, Texas
October 1, 2005 - November 5, 2007	LVN/Contract Health Force Medical Staff Relief Victoria, Texas
October 15, 2005 - February 15, 2006	LVN/Charge Nurse Twin Pines Victoria, Texas
March 2006 - September 2006	LVN/Charge Nurse Heritage Park Austin, Texas
October 2006 - January 9, 2007	Unknown
January 10, 2007 - November 5, 2007	LVN/Charge Nurse Cuero Nursing and Rehabilitation Center Cuero, Texas
November 9, 2007 - August 14, 2008	LVN/Dialysis Nurse Satellite Dialysis Center Austin, Texas
May 19, 2008 - Present	Medication Nurse Chisholm Trail Nursing & Rehabilitation Center Lockhart, Texas
August 20, 2008 - Present	LVN/Charge Nurse/Treatment Nurse Golden Age Home Lockhart, Texas

6. On or about March 25, 2010, Respondent entered a plea of Nolo Contendere to CRIMINAL TRESPASS (a Class B misdemeanor offense committed on June 11, 2009), in the County Court at Law No. 1 of Hays County, Texas, under Cause No. 094639. 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 two (2) years. Additionally, Respondent was ordered to pay a fine and court costs.

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 violation of Section 301.452(b)(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(13).
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 194871, heretofore issued to SHAYLA RUTH MAHMALJI, including revocation of Respondent's license(s) to practice 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 REPRIMAND WITH STIPULATIONS, 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 nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that while Respondent's license(s) is/are encumbered by this Order, Respondent may not work outside the State of Texas pursuant to a nurse licensure compact privilege without the written permission of the Texas Board of Nursing and the Board of Nursing in the party state where Respondent wishes to work.

IT IS FURTHER AGREED that:

(1) 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>.*

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete the course "Sharpening Critical Thinking Skills," a 3.6 contact hour online program provided by the National Council of State Boards of Nursing (NCSBN) Learning Extension. In order to receive credit for completion of this program, RESPONDENT SHALL SUBMIT the continuing education certificate of completion for this program to the Board's office, to the attention of Monitoring. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure. *Information regarding this workshop may be found at the following*

web address: <http://ncsbn.hivelive.com/hives/a0f6f3e8a0/summary>.

IT IS FURTHER AGREED, SHOULD RESPONDENT PRACTICE AS A NURSE IN THE STATE OF TEXAS, RESPONDENT WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING AND RESPONDENT MUST WORK IN SUCH SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING STIPULATIONS FOR TWO (2) YEARS OF EMPLOYMENT. THE LENGTH OF THE STIPULATION PERIOD WILL BE EXTENDED UNTIL SUCH TWENTY-FOUR (24) MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE THE USE OF A VOCATIONAL NURSE (LVN) LICENSE WILL NOT APPLY TO THIS STIPULATION PERIOD:

(3) RESPONDENT SHALL notify each present employer in nursing of this Order of the Board and the stipulations on RESPONDENT'S license. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each present employer within five (5) days of receipt of this Order. RESPONDENT SHALL notify all future employers in nursing of this Order of the Board and the stipulations on RESPONDENT'S license. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each future employer prior to accepting an offer of employment.

(4) RESPONDENT SHALL CAUSE each present employer in nursing to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within five (5) days of employment as a nurse.

(5) RESPONDENT SHALL be supervised by a Registered Nurse or Licensed Vocational Nurse who is on the premises. The supervising nurse is not required to be on the same unit or ward as RESPONDENT, but should be on the facility grounds and readily available to provide assistance and intervention if necessary. The supervising nurse shall have a minimum of two (2) years experience in the same or similar practice setting to which the Respondent is currently working. RESPONDENT SHALL work only regularly assigned, identified and predetermined unit(s). RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(6) RESPONDENT SHALL CAUSE each employer to submit, on forms provided to the Respondent by the Board, periodic reports as to RESPONDENT'S capability to practice nursing. These reports shall be completed by the Registered Nurse or Licensed Vocational Nurse who supervises the RESPONDENT. These reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) month period for two (2) year(s) of employment as a nurse.

(7) RESPONDENT SHALL CAUSE her probation officer to submit written reports on forms provided to the Respondent by the Board. The reports shall indicate the RESPONDENT'S compliance with the court ordered probation. The reports shall be furnished each and every three (3) month period until RESPONDENT is released from probation.

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

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 violation 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 this Order is subject to ratification by the Board. When this Order is ratified, the terms of this Order become effective, and 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(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 17th day of December, 2010.

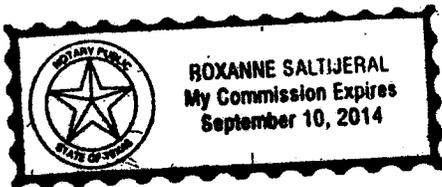
Shayla Ruth Mahmalji
SHAYLA RUTH MAHMALJI, Respondent

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

SEAL

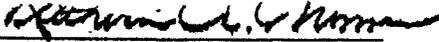
Roxanne Saltijeral

Notary Public in and for the State of TEXAS



WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 17th day of December, 2010, by SHAYLA RUTH MAHMALJI, Vocational Nurse License Number 194871, and said Order is final.

Effective this 27th day of January, 2011.



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

Attn Lekisha Artley

My name is Shayla Mahmalji, I spoke to you Friday June 28. I need to submit a change of address from 188 Onyx Lake Dr, Kyle, TX 78640 to 900 lakeshore Dr apt#304, Moose Lake, MN 55767. Also I would like to voluntarily surrender my license, #194871. I have not received and forwarded letters from the board and have not been told of and letters from the board being received at Onyx lake address. So I had no knowledge of any attempts to contact me from the board.

Thank you,
Shayla Mahmalji
512-800-5773

Shayla Mahmalji 7/1/13

