



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 TEXAS BOARD OF NURSING

In the Matter of Vocational Nurse § AGREED
License Number 151923 §
issued to MYRA JANE JOHNSON § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of MYRA JANE JOHNSON, Vocational Nurse License Number 151923, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(2)&(10), Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on July 21, 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(s).
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 Breckenridge--CT, Breckenridge, Texas, on February 23, 1995. Respondent was licensed to practice vocational nursing in the state of Texas on March 31, 1995.
5. Respondent's nursing employment history is unknown.
6. On or about April 3, 2003, Respondent was arrested by the Community Supervision Corrections Department, Breckenridge, Texas, for THEFT OF PROPERTY >=\$20 <\$500 BY CHECK (a Class B misdemeanor offense committed on November 3, 2001).

On or about April 3, 2003, Respondent entered a plea of Guilty and was convicted of THEFT OF PROPERTY >=\$20 <\$500 BY CHECK (a Class B misdemeanor offense committed on November 3, 2001) in the 90th District Court of Stephens County, Texas, under Cause No. 29,327. As a result of the conviction, Respondent was sentenced to confinement in the County Jail for a period of sixty (60) days; however, the imposition of 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. In response to Finding of Fact Number Seven (7), Respondent states that at the time she was working as a CNA. She and her husband did not have a lot of money and managed to let their bank account get out of control. Respondent was under the impression the check had cleared the bank, but by the time she found out it did not, it was too late.

8. On or about December 10, 2005, Respondent submitted a License Renewal Form to the Board of Nurses Examiners for the State of Texas in which he provided false, deceptive, and/or misleading information in that he answered "No" to the question:

"Have you been convicted, adjudged guilty by a court, plead guilty, no contest or nolo contendere to any crime in any state, territory or country, whether or not a sentence was imposed, including any pending criminal charges or unresolved arrest (excluding minor traffic violations) since your last renewal? This includes expunged offenses and deferred adjudications with or without prejudice of guilt. Please note that DUIs, DWIs, and PI's must be reported and are not considered minor traffic violations. (One time minor in possession [MIP] or minor in consumption [MIC] does not need to be disclosed; therefore, you may answer "No." If you have two or more MIPs or MICs, you must answer "Yes".)"

Respondent failed to disclose that on or about April 3, 2003, Respondent entered a plea of Guilty and was convicted of THEFT OF PROPERTY >=\$20 <\$500 BY CHECK (a Class B misdemeanor offense committed on November 3, 2001) in Stephens County, Texas, under Cause No. 29,327.

9. In response to Finding of Fact Number Eight (8), Respondent states that she did not intend to check the wrong box and admits that she was embarrassed about the incident.

10. On or about February 2, 2006, Respondent was arrested by the Stephens County Sheriff's Office, Breckenridge, Texas, for THEFT OF PROPERTY >=\$1500 <\$20K (a State Jail felony offense committed between on or about October 28, 2002 and November 15, 2002). Respondent was subsequently charged for THEFT OF PROPERTY >=\$1500 <\$20K (a State Jail felony offense) under Cause No. 30, 055.

On or about February 2, 2006, Cause No. 30, 055 was dismissed for the reason of: "defendant has paid restitution in full". Respondent paid her fees and completed a Financial Recovery Course successfully.

11. In response to Finding of Fact Number Ten (10), Respondent states that her husband borrowed money from a doctor he was working for at the time. Respondent's husband wrote a check to the doctor and asked him to hold off on cashing it until he could pay him back. After a disagreement between the doctor and Respondent's husband, the doctor cashed the check. Additionally, Respondent states that she was placed on probation for this and her probation was extended due to not having the funds to pay her fine. Eventually, Respondent paid her fine and was released from probation.
12. On or about January 13, 2008, Respondent submitted a License Renewal Form 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 February 2, 2006, Respondent was arrested by the Stephens County Sheriff's Office, Breckenridge, Texas, for THEFT OF PROPERTY>= \$1500 <\$20K (a State Jail felony offense committed between on or about October 28, 2002 and November 15, 2002). Respondent was subsequently charged for THEFT OF PROPERTY>= \$1500 <\$20K (a State Jail felony offense) under Cause No. 30, 055.

13. In response to Finding of Fact Number Twelve (12), Respondent states that she falsified her renewal application because she was not paying attention to the questions. Additionally, Respondent states that she made a mistake and did not intend on being dishonest.

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)(2)&(10), Texas Occupations Code (effective September 1, 2005), and 22 TEX. ADMIN. CODE §217.12(6)(I) (effective September 28, 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 151923, heretofore issued to MYRA JANE JOHNSON, 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 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 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 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, 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 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 pay a monetary fine in the amount of five hundred dollars (\$500). 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.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT'S license(s) 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 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(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 21st day of September, 2010.

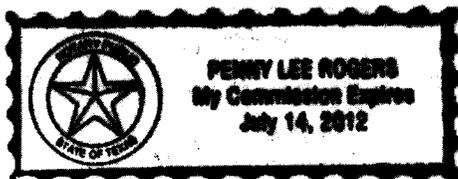
Myra Jane Johnson
MYRA JANE JOHNSON, Respondent

Sworn to and subscribed before me this 21st day of September, 2010.

SEAL

Penny Lee Rogers

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 21st day of September, 20 10, by MYRA JANE JOHNSON, Vocational Nurse License Number 151923, and said Order is final.

Effective this 15th day of October, 20 10.



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