



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 § AGREED ORDER
LESLIE MICHELLE MILLER, § FOR
Vocational Nurse License Number 166734 and § DISCIPLINE & ELIGIBILITY
PETITIONER for Eligibility for Licensure §

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of Vocational Nurse License Number and the Petition for Declaratory Order and supporting documents filed by LESLIE MICHELLE MILLER, hereinafter referred to as PETITIONER, together with any documents and information gathered by staff and Petitioner's Certification contained herein.

Information received by the Board produced evidence that PETITIONER may be subject to discipline and ineligible for licensure pursuant to Sections 301.452(b)(3)&(10) and 301.453, Texas Occupations Code.

PETITIONER waived representation by counsel, notice and hearing, and agreed to the entry of this Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on December 7, 2015.

FINDINGS OF FACT

1. On or about September 18, 2015, PETITIONER submitted a Petition for Declaratory Order requesting a determination of eligibility for licensure in compliance with Sections 301.252, 301.253, 301.257 and 301.258, Texas Occupations Code, and the Board's Rules at 22 TEX. ADMIN. CODE §213.30.
2. Petitioner waived representation by counsel, informal proceedings, notice and hearing, and consented to the entry of this Order.
3. Petitioner was licensed to practice Vocational Nursing in the State of Texas on February 24, 1998, Petitioner received a Certificate in Vocational Nursing from Vernon College, Wichita Falls, Texas, on December 18, 1997. Petitioner was enrolled in a Professional Nursing Program at Vernon College, Vernon, Texas, at the time of this petition.

4. On June 29, 2010, a Remedial Education with a Fine Order was issued against Petitioner's LVN license #166734. A copy of the Remedial Education with a Fine Order is attached and incorporated by reference as part of this Order.
5. On July 21, 2011, a Warning with Stipulations Order was issued against Petitioner's LVN license #166734. A copy of the Warning with Stipulations Order is attached and incorporated by reference as part of this Order.
6. Petitioner completed the Petition for Declaratory Order and answered "Yes" to the question which reads as follows: *"For any criminal offense, including those pending appeal, have you:*
 - 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 judgment/punishment/action?*

(You may only exclude Class C misdemeanor traffic violations.)"
7. Petitioner disclosed the following criminal history, to wit:
 - A. On or about January 30, 1988, Petitioner was arrested by the Wichita County Sheriff's Office, Wichita Falls, Texas, for THEFT 0-\$20 U-\$200.

On or about March 7, 1988, Petitioner was convicted of THEFT 0-\$20 U-\$200, a misdemeanor offense. As a result of the conviction, Petitioner was ordered to pay a fine.
 - B. On or about September 24, 1988, Petitioner was arrested by the Wichita County Sheriff's Office, Wichita Falls, Texas, for DWLS.

On or about October 12, 1988, Petitioner was convicted of DWLS, a misdemeanor offense. As a result of the conviction, Petitioner was sentenced to confinement for a period of three (3) days, and ordered to pay a fine.

- C. On or about October 29, 1995, Petitioner was arrested by the Texas Highway Patrol, Region 5, District A, Lubbock, Texas, for FAIL TO IDENTIFY FUGITIVE FROM JUSTICE, a Class B misdemeanor offense.

On or about January 8, 1996, Petitioner entered a plea of Guilty and was convicted of FAIL TO IDENTIFY FUGITIVE FROM JUSTICE, a Class B misdemeanor offense committed on October 29, 1995, in the County Court at Law No. 1, Lubbock County, Texas, under Cause No. 35543. As a result of the conviction, Petitioner was ordered to pay a fine and court costs.

- D. On or about November 12, 2010, Petitioner was arrested by the Archer County Constables Office, Precinct 4, Archer City, Texas, for DRIVING WHILE INTOXICATED, a Class B misdemeanor offense, POSS MARIJ < 2OZ, a Class B misdemeanor offense, and OBSTRUCTING HIGHWAY PASSAGEWAY, a Class B misdemeanor offense.

Petitioner was subsequently charged under Cause No. CR-2010-00255 for DRIVING WHILE INTOXICATED, a Class B misdemeanor offense committed on or about November 12, 2010. On or about June 1, 2011, Cause No. CR-2010-00255 was dismissed in the County Court, Archer County, Texas, for the reason: "The Defendant has pleaded guilty on this date to the companion charge of Obstruct Highway Passageway in cause no. CR-2011-00126 in the County Court of Archer County, Texas was sentenced to One (1) Year Deferred Adjudication Community Supervision and a fine of \$1,200.00. Therefore, in accordance with a plea bargain agreement, the State dismissed the charge of Driving While Intoxicated-1st offense against the Defendant for which she was arrested on November 12, 2010"

Petitioner was subsequently charged under Cause No. CR-2010-00256 for POSS MARIJ < 2OZ, a Class B misdemeanor offense committed on or about November 12, 2010. On or about June 1, 2011, Cause No. CR-2010-00256 was dismissed in the County Court, Archer County, Texas, for the reason: "The Defendant has pleaded guilty on this date to the companion charge of Obstruct Highway Passageway in cause no. CR-2011-00126 in the County Court of Archer County, Texas was sentenced to One (1) Year Deferred Adjudication Community Supervision and a fine of \$1,200.00. Therefore, in accordance with a plea bargain agreement, the State dismissed the charge of Driving While Intoxicated-1st offense against the Defendant for which she was arrested on November 12, 2010"

On or about June 1, 2011, Petitioner entered a plea of Guilty to OBSTRUCT HIGHWAY PASSAGEWAY, a Class B misdemeanor offense committed on November 12, 2010, in the County Court, Archer County, Texas, under Cause No. CR-2011-00126. As a result of the plea, the proceedings against Petitioner were deferred without entering an adjudication of guilt and Petitioner was placed on probation for a period of one (1) year, and ordered to pay a fine and court costs. On or about May 31, 2012, Petitioner was discharged from probation.

8. There is no evidence of any subsequent criminal conduct.
9. Petitioner has sworn that, with the exception of matters disclosed in connection with the Petition for Declaratory Order, her past behavior conforms to the Board's professional character requirements at 22 TEX. ADMIN. CODE §213.27.
10. Petitioner presented no evidence of behavior which is inconsistent with good professional character.
11. The Executive Director considered evidence of Petitioner's past behavior in light of the character factors set out in 22 TEX. ADMIN. CODE §213.27 and determined that Petitioner currently demonstrates the criteria required for good professional character.
12. The Executive Director considered evidence of Petitioner's past criminal conduct in light of the considerations and criteria provided in 22 TEX. ADMIN. CODE §§213.28 & 213.33, and, if applicable, Chapter 53, Section 53.001 *et seq.*, Texas Occupations Code.
13. Licensure of Petitioner poses no direct threat to the health and safety of patients or the public provided Petitioner complies with the stipulations outlined in this Order.
14. The Executive Director's review of the grounds for potential ineligibility has been made on the basis of Petitioner's disclosures.
15. Petitioner has been advised by the Board that any information found to be incomplete, incorrect or misleading to the Board or a subsequent discovery of a basis of ineligibility will be considered by the Board and may result in an ultimate determination of ineligibility or the later revocation of a license obtained through fraud or deceit.
16. Petitioner shall immediately notify the Board of any fact or event that could constitute a ground of ineligibility for licensure under Section 301.452(b), Texas Occupations Code.

CONCLUSIONS OF LAW

1. The Board has jurisdiction over this matter pursuant to Sections 301.452 and 301.453, Texas Occupations Code.
2. On or about September 18, 2015, PETITIONER submitted a Petition for Declaratory Order requesting a determination of eligibility for licensure in compliance with Sections 301.252, 301.253, 301.257 and 301.258, Texas Occupations Code, and the Board's Rules at 22 TEX. ADMIN. CODE §213.30.
3. Petitioner's history reflects conduct which may constitute grounds for discipline and denial of a license under Section 301.452(b)(3)&(10), Texas Occupations Code.
4. The Board may probate the denial of a license under conditions for a specified term pursuant to Section 301.453, Texas Occupations Code.

5. The Board may license an individual who has been previously convicted, adjudged guilty by a court, pled guilty or pled nolo contendere to any crime whether or not a sentence was imposed upon consideration of the factors set out in 22 TEX. ADMIN. CODE §213.28 and evaluating the direct relationship to nursing according to 22 TEX. ADMIN. CODE §213.28 and, if applicable, Chapter 53, Section 53.001 *et seq.*, Texas Occupations Code.
6. The Board may license an individual with prior behaviors inconsistent with the Board's character requirements if, upon evaluation of the factors in 22 TEX. ADMIN. CODE §213.27, and pursuant to 22 TEX. ADMIN. CODE §213.33, the Board is satisfied that the individual is able to consistently conform her conduct to the requirements of the Nursing Practice Act, the Board's Rules and Regulations, and generally accepted standards of nursing practice.
7. This Order is conditioned upon the accuracy and completeness of Petitioner's disclosures. Any subsequently discovered discrepancies will result in investigation and possible disciplinary action, up to revocation of Petitioner's license(s).

ORDER

NOW, THEREFORE, IT IS AGREED that, PETITIONER SHALL receive the sanction of a Eligibility Order, and upon meeting the requirements for graduation of an appropriate program in nursing education and payment of any required fees, PETITIONER is ELIGIBLE to sit for the National Council Licensure Examination for Practical Nurses (NCLEX-PN® Examination) and/or the National Council Licensure Examination for Registered Nurses (NCLEX-RN® Examination), as applicable.

IT IS FURTHER AGREED that PETITIONER SHALL NOT be eligible for temporary authorization to practice as a Graduate Vocational Nurse (GVN) and/or as a Graduate Nurse (GN), as applicable, in the State of Texas.

IT IS FURTHER AGREED that, upon payment of any required fees and upon attaining a passing grade on the appropriate National Council Licensure Examination, PETITIONER shall be issued the applicable license to practice nursing in the State of Texas, and while under the terms of this Order, all licenses issued to PETITIONER shall be subject to the following stipulations:

PETITIONER SHALL obtain and read the Texas Nursing Practice Act and the Rules and Regulations Relating to Nurse Education, Licensure, and Practice.

PETITIONER 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 PETITIONER'S nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that while PETITIONER'S license(s) is/are encumbered by this Order, PETITIONER 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 PETITIONER wishes to work.

(1) PETITIONER SHALL, within one (1) year of entry of this Order, successfully complete a course in Texas nursing jurisprudence and ethics. PETITIONER 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.

PETITIONER 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 PETITIONER'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: www.bon.texas.gov/compliance.*

(2) PETITIONER 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, PETITIONER 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 Board-approved courses may be found at the following Board website address: <http://www.bon.texas.gov/disciplinaryaction/stipscourses.html>.*

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

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PETITIONER'S CERTIFICATION

I am the Petitioner in this matter. I have fully and truthfully disclosed all of my past conduct which could constitute grounds for licensure ineligibility, and I have caused a complete and accurate criminal history to be submitted to the Texas Board of Nursing from each jurisdiction in which I have been adjudged guilty by way of conviction or deferred order. I certify that my past behavior, except as disclosed in my application and/or petition, has been in conformity with the Board's character rule. I have provided the Board with complete and accurate documentation of my past conduct in violation of the penal law of any jurisdiction which was disposed of through any procedure short of conviction, such as: conditional discharge, deferred adjudication or dismissal. I have no criminal prosecution pending in any jurisdiction.

In connection with my application and/or petition, I acknowledge that I have read and I understand Sections 301.157(d), 301.252, 301.253, 301.257, 301.258, 301.260, 301.452, and 301.453, Texas Occupations Code, and Chapter 53, Section 53.001 *et seq.*, Texas Occupations Code, and 22 TEX. ADMIN. CODE §§213.27, 213.28, 213.29, and 213.30. I agree with all terms of this Order, including the Findings of Fact and Conclusions of Law and any stipulations as set out in this Order. I acknowledge that this Order is stipulated and I understand that I am not eligible to receive a Temporary Permit to practice nursing. I agree to inform the Board of any other fact or event that could constitute a ground for denial of licensure prior to accepting any license from the Texas Board of Nursing.

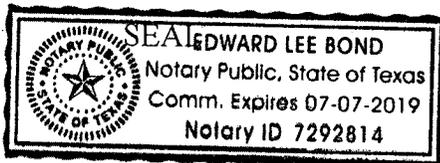
I understand that if I fail to comply with all terms and conditions of this Order, I will be subject to investigation and disciplinary sanction, including revocation of my license(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

I understand that I can be represented by an attorney in this matter. I waive representation, notice, administrative hearing, and judicial review of this Order and request that the Texas Board of Nursing ratify this Order.

Signed this 22 day of January, 2016.

Leslie Michelle Miller
LESLIE MICHELLE MILLER, PETITIONER

Sworn to and subscribed before me this 22nd day of JANUARY, 2016.



Edward Lee Bond
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 Eligibility Order that was signed on the 22nd day of January, 2016, by LESLIE MICHELLE MILLER, Vocational Nurse License Number 166734 and PETITIONER for Eligibility for Licensure, and said Order is final.

Effective this 1st day of February, 2016.



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



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 166734 §
issued to LESLIE MICHELLE MILLER § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Bo considered the matter of LESLIE MICHELLE MILLER, Vocational Nurse License Number 166734, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(10), Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on April 13, 2011, by Katherine A. Thomas, MN, RN, Executive Director, subject to ratification by the Board.

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 Vernon Regional Junior College, Wichita Falls, Texas, on December 18, 1997. Respondent was licensed to practice vocational nursing in the State of Texas on February 24, 1998.
5. Respondent's vocational nursing employment history includes:

02/98 - 08/98	LVN	Community Health Care Clinic Wichita Falls, Texas
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Respondent's vocational nursing employment history continued:

09/98 - Present LVN North Texas State Hospital
Wichita Falls, Texas

6. On June 29, 2010, Respondent was issued the sanction of Remedial Education with a Fine by the Texas Board of Nursing. A copy of the Findings of Fact, Conclusions of Law, and Agreed Order dated June 29, 2010, is attached and incorporated, by reference, as part of this Order.
7. At the time of the initial incident, Respondent was employed as a Licensed Vocational Nurse with North Texas State Hospital, Wichita Falls, Texas, and had been in this position for ten (10) years and five (5) months.
8. On or about February 27, 2009, while employed with North Texas State Hospital, Wichita Falls, Texas, Respondent told Patient Medical Record Number 656-77402 "I couldn't (expletive) you anyway because you can't get out of the chair." Respondent's conduct exposed the patient unnecessarily to the risk of verbal and emotional abuse.
9. Respondent admits to the conduct outlined in Finding of Fact Number Eight (8). She states that this was the most stressful time since she had been employed at the facility and while that is no excuse it may explain her behavior. She states that patient was an extremely difficult client, cursing and hitting staff and refusing medications, and she had just reached her "point stress wise." She states that she was up front with the Adult Protective Services officer because she knew that her behavior on that day wasn't normal, and she believes her supervisor realized it also. She states that the patient is still a client of the facility, and he has become a favorite of hers. She adds that she has been employed at the facility for twelve (12) years and eight (8) months and is still on the same unit where the incident occurred.

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(4) & (6)(C).

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 166734, heretofore issued to LESLIE MICHELLE MILLER, 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 WARNING WITH STIPULATIONS AND 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, while under the terms of this Order, this Order SHALL apply to any and all future licenses issued to Respondent to practice nursing in the State of Texas.

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) The stipulations outlined and required herein SHALL supercede all previous stipulations required by any Order entered by the Texas Board of Nursing.

(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 relicensure. *Board-approved courses may be found at the following Board website address:*
<http://www.bon.state.tx.us/disciplinaryaction/stipscourses.html>

(3) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in "Detecting and Preventing Abuse and Neglect ...," a five (5) contact hour workshop presented in various locations by the Texas Department of Aging and Disability Services. In order to receive credit for completion of this workshop, RESPONDENT SHALL SUBMIT the continuing education certificate of completion for this workshop 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 website: <http://www.dads.state.tx.us/providers/Training/jointtraining.cfm> or by contacting (512) 438-2201.*

(4) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in "Resident Rights and Quality of Life," a 6.0 contact hours workshop presented in various locations by the Texas Department of Aging and Disability Services. In order to receive credit for completion of this workshop, RESPONDENT SHALL SUBMIT the continuing education certificate of completion for this workshop 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 website: <http://www.dads.state.tx.us/providers/Training/jointtraining.cfm> or by contacting (512) 438-2201.*

(5) 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://learningext.com/hives/a0f6f3e8a0/summary>.*

(6) RESPONDENT SHALL pay a monetary fine in the amount of five hundred dollars (\$500.00). 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, 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 ONE (1) YEAR(S) OF EMPLOYMENT. THE LENGTH OF THE STIPULATION PERIOD WILL BE EXTENDED UNTIL SUCH TWELVE (12) 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:

(7) RESPONDENT SHALL notify each present employer in nursing of this Order of the Board and the stipulations on RESPONDENT'S license(s). 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(s). 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.

(8) 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.

(9) RESPONDENT SHALL be supervised by a Registered Nurse or a 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.

(10) 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 one (1) year(s) of employment as a nurse.

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.

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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 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 3 day of June, 2011.
Leslie Michelle Miller
LESLIE MICHELLE MILLER, Respondent

Sworn to and subscribed before me this 3 day of June, 2011.

SEAL



[Signature]
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 3rd day of June, 2011, by LESLIE MICHELLE MILLER, Vocational Nurse License Number 166734, and said Order is final.

Effective this 21st day of July, 2011.



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

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Vocational Nurse	§	AGREED
License Number 166734	§	
issued to LESLIE MICHELLE MILLER	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of LESLIE MICHELLE MILLER, Vocational Nurse License Number 166734, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Article 4528c, sec.10(a) (2)&(9), Texas Revised Civil Statute {eff 9/1/97}. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on January 15, 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.
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 Nursing from Vernon Regional Junior College, Wichita Falls, Texas, on February 18, 1998. Respondent was licensed to practice vocational nursing in the State of Texas, on February 24, 1998.
5. Respondent's complete nursing employment history is unknown.

6. On or about March 7, 1988, Respondent entered a plea of Guilty and was convicted of THEFT OF PROPERTY OVER \$20 UNDER \$200 (a Misdemeanor offense), in the County Court At Law #1, Wichita County, Texas, under Cause No. 02.184.5611. As a result, Respondent was ordered to pay a fine and court costs.
7. In response to Finding of Fact Number Six (6), Respondent states she stole two cartons of cigarettes from Wal-Mart. She was a completely different person then.
8. On or about October 12, 1988, Respondent entered a plea of Guilty and was convicted of DRIVING WHILE LICENSE SUSPENDED (a Misdemeanor offense), in the County Court At Law #1, Wichita County, Texas, under Cause No. 07-1126-8375. Respondent was sentenced to confinement in the Wichita County Jail for a period of seventy-two (72) hours. Additionally, Respondent was ordered to pay a fine and court costs.
9. In response to Finding of Fact Number Eight (8), Respondent states she did not think about the offense, or what led up to the event.
10. On or about January 8, 1996, Respondent entered a plea of Guilty and was convicted of FAILURE TO IDENTIFY TO A PEACE OFFICER (a Class B misdemeanor offense committed on October 29, 1995), in the County Court At Law No. 1, Wichita County, Texas, under Cause No. 07-2975-35543. Respondent was ordered to pay a fine and court costs.
11. In response to Finding of Fact Number Ten (10), Respondent states while out with friends she failed to identify herself to a police officer because she was concerned she had a ticket that had not been paid.
12. On or about December 4, 1997, Respondent submitted an 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 that:

On or about March 7, 1988, Respondent entered a plea of "guilty" and was convicted of THEFT OF PROPERTY OVER \$20 UNDER \$200 (a Misdemeanor offense), in the County Court At Law #1, Wichita County, Texas, under Cause No. 02.184.5611.

On or about October 12, 1988, Respondent entered a plea of Guilty and was convicted of DRIVING WHILE LICENSE SUSPENDED (a Misdemeanor offense), in the County Court At Law #1, Wichita County, Texas, under Cause No. 07-1126-8375.

On or about January 8, 1996, Respondent entered a plea of Guilty and was convicted of FAILURE TO IDENTIFY TO A PEACE OFFICER (a Class B misdemeanor offense committed on October 29, 1995), in the County Court At Law No. 1, Wichita County, Texas, under Cause No. 07-2975-35543.

13. In response to Finding of Fact Number Twelve (12), Respondent states she disclosed the 1988 Theft over 20 when she was in LVN school to the administrator but has no proof of this.

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, sec.10(a) (2)&(9), Texas Revised Civil Statute {eff. 9/1/97}.
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 166734, heretofore issued to LESLIE MICHELLE MILLER, 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 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 is 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 two hundred fifty dollars (\$250.00). 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 to practice nursing in the State of Texas and 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 9 day of JUNE, 2010.

Leslie Michelle Miller
LESLIE MICHELLE MILLER, Respondent

Sworn to and subscribed before me this 9 day of June, 2010.



Clayton Swenson
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 9th day of June, 2010, by LESLIE MICHELLE MILLER, Vocational Nurse License Number 166734, and said Order is final.



Effective this 29th day of June, 2010.

Katherine A. Thomas

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