BOARD OF NURSING TEXAS
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.
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

****

In the Matter of	§	AGREED
Vocational Nurse License Number 105386	§	
issued to HENRIETTA PALMER	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of HENRIETTA PALMER, Vocational Nurse License Number 105386, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may be subject to discipline pursuant to Section 301.452(b)(1)&(10), Texas Occupations Code. Respondent waived notice and hearing and agreed to the entry of this Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on July 30, 2015.

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 notice and hearing, and agreed to the entry of this Order.

3. Respondent's license to practice as a vocational nurse in the State of Texas is in current status.

4. Respondent received a Certificate in Vocational Nursing from Houston Vocational Nursing Program, Houston, Texas, on February 3, 1984. Respondent was licensed to practice vocational nursing in the State of Texas on May 30, 1984.

5. Respondent's vocational nursing employment history includes:

1984	LVN	Methodist Hospital Houston, Texas

Respondent's vocational nursing employment history continued:

1984	LVN	Jefferson Davis Hospital Houston, Texas
1988 -1991	LVN	Ben Taub Hospital Houston, Texas
1991	LVN	MD Anderson Hospital Houston, Texas
1992	LVN	HRI Rehabilitation Institute Houston, Texas
1993	LVN	CPC Hospital Santa Ana, California
1997	LVN	Allied Home Health Houston, Texas
1999 - 2001	LVN	Select Specialty Hospital Houston, Texas
2002	LVN	Jacinto City Hospital Houston, Texas
2004	LVN	Golden Age Manor Dublin, Texas
2004	LVN	Sam Houston Gardens Houston, Texas
2005	LVN	Lawrence Street Nursing Tomball, Texas
2007	LVN	Spanish Meadows Katy, Texas
2008 - 2010	LVN	Quality Infusion Care Houston, Texas
2010 - present	Not employed in nursing	

6. On or about July 9, 1991, Respondent's license to practice vocational nursing in the State of Texas was Suspended by the Board of Vocational Nurse Examiners. The suspension was stayed, and Respondent was placed on probation for two (2) years. A copy of the Findings of Fact, Conclusions of Law, and Agreed Order dated July 9, 1991, is attached and incorporated, by reference, as part of this Order.

7. On or about September 11, 2000, Respondent's license to practice vocational nursing in the State of Texas was Suspended by the Board of Vocational Nurse Examiners. The suspension was stayed upon completion of a nursing program course, and Respondent was placed on probation for two (2) years. A copy of the Findings of Fact, Conclusions of Law, and Agreed Order dated September 11, 2000, is attached and incorporated, by reference, as part of this Order.

8. On or about November 9, 2010, Respondent's license to practice vocational nursing in the State of Texas was Revoked by the Texas Board of Nursing. A copy of the Findings of Fact, Conclusions of Law, and Agreed Order dated November 9, 2010, is attached and incorporated, by reference, as part of this Order.

9. On or about February 12, 2013, Respondent was issued a Reinstatement Agreed Order by the Texas Board of Nursing. A copy of the Findings of Fact, Conclusions of Law, and Agreed Order dated February 12, 2013, is attached and incorporated, by reference, as part of this Order.

10. On or about April 10, 2014, Respondent failed to comply with the Agreed Order issued to her by the Texas Board of Nursing on February 12, 2013. Noncompliance is the result of Respondent's failure to comply with Stipulation Number One (1) of the Agreed Order which states, in pertinent part:

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

11. On or about April 10, 2014, Respondent failed to comply with the Agreed Order issued to her by the Texas Board of Nursing on February 12, 2013. Noncompliance is the result of Respondent's failure to comply with Stipulation Number Two (2) of the Agreed Order which states, in pertinent part:

    "(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete the course 'Sharpening Critical Thinking Skills'..."

12. In response to Findings of Fact Numbers Ten (10) and Eleven (11), Respondent states she is making every effort to take the required classes so that she can be in compliance with her Agreed Order.

13. Formal Charges were filed on June 16, 2015.

14. Formal Charges were mailed to Respondent on June 22, 2015.

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(11)(B).

4. The evidence received is sufficient cause pursuant to Section 301.452(b)(1)&(10), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 105386, heretofore issued to HENRIETTA PALMER, including revocation of Respondent's license(s) to practice nursing in the State of Texas.

TERMS OF ORDER

I. SANCTION

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that Vocational Nurse License Number 105386, previously issued to HENRIETTA PALMER, to practice nursing in Texas is hereby **SUSPENDED** and said suspension is **ENFORCED** until Respondent:

A. **Successfully completes a Board-approved course in Texas nursing jurisprudence and ethics** that 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. Home study courses and video programs will not be approved.

B. **Successfully completes 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 the above course(s), RESPONDENT SHALL CAUSE the instructor to submit a Verification of Course Completion form or SHALL submit the continuing education certificate, as applicable, to the attention of Monitoring at the Board's office. RESPONDENT SHALL first obtain Board approval of any course prior to enrollment if the course is not being offered by a pre-approved provider. *Information about Board-approved courses and Verification of Course Completion forms are available from the Board at www.bon.texas.gov/compliance.*

IT IS FURTHER AGREED, upon verification of successful completion of the above requirement(s), the Suspension will be **STAYED**, and RESPONDENT will be placed on **PROBATION,** in accordance with the terms of this Order.

II. FURTHER COMPLAINTS

If, during the period of probation, an additional allegation, accusation, or petition is reported or filed against the Respondent's license(s), the probationary period shall not expire and shall automatically be extended until the allegation, accusation, or petition has been acted upon by the Board.

III. COMPLIANCE WITH PRIOR ORDER

The Order of the Board issued to RESPONDENT on February 12, 2013, is still in effect in its entirety and RESPONDENT SHALL be responsible for completing the terms of that Order.

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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(s) alleged herein. By my signature on this Order, I agree to the entry of this 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 possible revocation of my license(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 6 day of October, 20 15.

Henrietta Palmer

HENRIETTA PALMER, Respondent

Sworn to and subscribed before me this 6TH day of OCTOBER, 20 15.

SEAL

Otis Wayne Wiley Sr

Notary Public in and for the State of TEXAS

OTIS WAYNE WILEY, SR.
Notary Public, State of Texas
My Commission Expires
December 15, 2016

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 6th day of October, 2015, by HENRIETTA PALMER, Vocational Nurse License Number 105386, and said Order is final.

Effective this 10th day of November, 2015.

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

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Vocational Nurse	§	REINSTATEMENT
License Number 105386	§	
issued to HENRIETTA PALMER	§	AGREED ORDER

On this day came to be considered by the Texas Board of Nursing, hereinafter referred to as the Board, the Petition for Reinstatement of Vocational Nurse License Number 105386, held by HENRIETTA PALMER, hereinafter referred to as Petitioner.

An informal conference was held on October 9, 2012, at the office of the Texas Board of Nursing, in accordance with Section 301.464, Texas Occupations Code.

Petitioner appeared in person. Petitioner was notified of her right to be represented by legal counsel and elected to waive representation by counsel. In attendance were Bonnie Cone, MSN, RN, Executive Director's Designee; Kathy Leader-Horn, LVN, Board Member; Kyle Hensley, Assistant General Counsel; Anthony L. Diggs, MSCJ, Director of Enforcement; Ramona Gaston-McNutt, BSN, RN, Nurse Consultant; and Carolyn Hudson, Investigator.

FINDINGS OF FACT

1. Prior to institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was served on Petitioner and Petitioner was given an opportunity to show compliance with all requirements of the law for retention of the license(s).

2. Petitioner waived representation by counsel, notice and hearing, and consented to the entry of this Order.

3. Petitioner received a Certificate in Vocational Nursing from Houston Vocational Nursing Program, Houston, Texas, on February 3, 1984. Petitioner was originally licensed to practice vocational nursing in the State of Texas on May 30, 1984.

4. Petitioner's vocational nursing employment history includes:

1984	LVN	Methodist Hospital Houston, Texas
1984	LVN	Jefferson Davis Hospital Houston, Texas
1988 -1991	LVN	Ben Taub Hospital Houston, Texas
1991	LVN	MD Anderson Hospital Houston, Texas
1992	LVN	HRI Rehabilitation Institute Houston, Texas
1993	LVN	CPC Hospital Santa Ana, California
1997	LVN	Allied Home Health Houston, Texas
1999 - 2001	LVN	Select Specialty Hospital Houston, Texas
2002	LVN	Jacinto City Hospital Houston, Texas
2004	LVN	Golden Age Manor Dublin, Texas
2004	LVN	Sam Houston Gardens Houston, Texas
2005	LVN	Lawrence Street Nursing Tomball, Texas
2007	LVN	Spanish Meadows Katy, Texas
2008 - 2010	LVN	Quality Infusion Care Houston, Texas
2010 - present	Not employed in nursing	

5. On July 9, 1991, Petitioner's license to practice vocational nursing in the State of Texas was Suspended by the Board of Vocational Nurse Examiners for the State of Texas. The suspension was stayed, and Petitioner was placed on probation for two (2) years. A copy of the July 9, 1991, Agreed Order, is attached and incorporated, by reference, as part of this Order.

6. On September 11, 2000, Petitioner's license to practice vocational nursing in the State of Texas was Suspended by the Board of Vocational Nurse Examiners for the State of Texas. The suspension was stayed, and Petitioner was placed on probation for two (2) years. A copy of the September 11, 2000, Agreed Order, is attached and incorporated, by reference, as part of this Order.

7. On November 9, 2010, Petitioner's license to practice vocational nursing in the State of Texas was revoked by the Texas Board of Nursing. A copy of the November 9, 2010 Order, is attached and incorporated, by reference, as a part of this Order.

8. On or about March 9, 2012, Petitioner submitted a Petition for Reinstatement of License to practice vocational nursing in the State of Texas.

9. Petitioner presented the following in support of her petition:

   9.1. Letter of support, from Deborah A. Smith, Registered Pharmacist, states that she has known Petitioner on a personal as well as a professional level. Ms. Smith states that as the Administrator/CEO and the direct supervisor to Petitioner for approximately five years, Petitioner exhibited excellent nursing infusion skills. Petitioner had excellent leadership skills and was very caring, compassionate, and dependable. Ms. Smith states that Petitioner has grown as an individual and a professional. Petitioner continues to think of others rather than herself. Ms. Smith recommends reinstatement of Petitioner's nursing license.

   9.2. Letter of support, from Carol Seamon, BS, RN, states that she has known Petitioner for the past twenty-five (25) years and worked directly with Petitioner for five (5) years. Ms. Seamon states that she has witnessed Petitioner's ability to effectively care for patients with professional expertise. Petitioner is kind and caring and has excellent leadership skills. Ms. Seamon states that Petitioner will be a valued team member in nursing.

   9.3. Letter of support, from Monica L. Martin, LVN, states that she has worked with Petitioner in the field of long term nursing and rehabilitation. Ms. Martin states that Petitioner was skilled and knowledgeable, as well as dedicated and compassionate. Petitioner exemplifies outstanding character in the most difficult situations which challenge nursing professionals. Ms. Martin states that Petitioner is a friend and colleague.

   9.4. Letter of support, from Pastor Viney J. Collier, Phd., RN, BSN, states that she has known Petitioner for a number of years and she has shared work experiences with Petitioner through the church and professionally. Petitioner is a smart, motivated, and multi-tasked individual who has proven herself to be an awesome civic leader, business woman, and dedicated leader. Ms. Collier states that Petitioner is a reliable, hard working, and a courteous person.

9.5. Letter of support, from Lionese Robinson, Administrative Assistant, Star of Hope Men's Development Center, Houston, Texas, states that Petitioner has been one of her most valued friends for over fifteen (15) years. Ms. Robinson states that Petitioner is a person of solid integrity who has a commitment to the foundation of biblical principles in every aspect of her life. Petitioner's standard of living encourages others to desire to align themselves with a manner of living that requires honesty and respect. Ms. Robinson states that she has worked with Petitioner for fifteen years and Petitioner has been an icon of professional experience in nursing. Petitioner portrays professionalism in working with others, multiple service providers, staff, and volunteers.

9.6. Verification of successful completion of twenty (20) Type I Continuing Education Contact Hours.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.

2. Pursuant to Section 301.467, Texas Occupations Code, the Board may refuse to issue or renew a license, and may set a reasonable period that must lapse before reapplication. Pursuant to 22 TEX. ADMIN. CODE §213.26, the Board may impose reasonable conditions that a Petitioner must satisfy before reissuance of an unrestricted license.

ORDER

IT IS THEREFORE AGREED, subject to ratification by the Texas Board of Nursing, that the petition of HENRIETTA PALMER, Vocational Nurse License Number 105386, to practice nursing in the state of Texas, be and the same is hereby GRANTED, AND SUBJECT TO THE FOLLOWING STIPULATIONS SO LONG AS THE PETITIONER complies 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 the stipulations contained in 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 Petitioner to practice nursing in the State of Texas.

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 State of Texas and the Board of Nursing in the party state where Petitioner wishes to work.

(1) PETITIONER SHALL pay all re-registration fees and be issued a license to practice vocational nursing in the State of Texas, which shall bear the appropriate notation. Said license issued to PETITIONER, shall be subject to the following agreed post-licensure conditions:

(2) PETITIONER SHALL, within one (1) year of relicensure, 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: http://www.bon.texas.gov/disciplinaryaction/stipscourses.html.*

(3) PETITIONER SHALL, within one (1) year of relicensure, 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. *Board-approved courses may be found at the following Board website address: http://www.bon.texas.gov/disciplinaryaction/stipscourses.html.*

IT IS FURTHER AGREED, SHOULD PETITIONER CHOOSE TO WORK AS A NURSE IN TEXAS, PETITIONER WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING PROBATION CONDITIONS FOR THREE (3) YEARS OF EMPLOYMENT. THE LENGTH OF THE PROBATION PERIOD WILL BE EXTENDED UNTIL SUCH THIRTY-SIX (36) MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE THE USE OF A REGISTERED NURSE (RN) OR A VOCATIONAL NURSE (LVN) LICENSE, AS APPROPRIATE, WILL NOT APPLY TO THIS STIPULATION PERIOD:

(4) PETITIONER SHALL notify all future employers in vocational nursing of this Order of the Board and the stipulations on PETITIONER's license. PETITIONER 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.

(5) PETITIONER SHALL CAUSE each future employer to submit the Notification of Employment form, which is provided to the Petitioner by the Board, to the Board's office within five (5) days of employment as a vocational nurse.

(6) For the first year of employment as a vocational nurse under this Order, PETITIONER SHALL be directly supervised by a Licensed Vocational Nurse or a Registered Nurse if licensed as a Licensed Vocational Nurse. Direct supervision requires another professional or vocational nurse to be working on the same unit as PETITIONER and immediately available to provide assistance and intervention. PETITIONER SHALL work only on regularly assigned, identified and predetermined unit(s). The PETITIONER SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. PETITIONER SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(7) For the remainder of the stipulation period, PETITIONER 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 PETITIONER, 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 Petitioner is currently working. PETITIONER SHALL work only regularly assigned, identified and predetermined unit(s).

PETITIONER SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. PETITIONER SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(8) PETITIONER SHALL CAUSE each employer to submit, on forms provided to the Petitioner by the Board, periodic reports as to Petitioner's capability to practice vocational nursing. These reports shall be completed by the Registered Nurse or Licensed Vocational Nurse who supervises the PETITIONER. These reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) months for three (3) years of employment as a vocational nurse.

(9) PETITIONER SHALL participate in therapy with a "professional counselor" possessing credentials approved by the Board. PETITIONER SHALL CAUSE the therapist to submit written reports, on forms provided by the Board, as to the PETITIONER'S progress in therapy, rehabilitation and capability to safely practice nursing. The report must indicate whether or not the PETITIONHER'S stability is sufficient to provide direct patient care safely. Such reports are to be furnished each and every month for three (3) months. If therapy is recommended beyond the initial three (3) months, the reports shall then be required at the end of each three (3) month period for the remainder of the stipulation period, or until PETITIONER is dismissed from therapy.

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 shall be eligible for nurse licensure compact privileges, if any.

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PETITIONER'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Reinstatement Agreed Order. I waive representation by counsel. I certify that my past behavior, except as disclosed in my Petition for Reinstatement of Licensure, has been in conformity with the Board's professional character rule. I have provided the Board with complete and accurate documentation of my past behavior in violation of the penal law of any jurisdiction which was disposed of through any procedure short of convictions, such as: conditional discharge, deferred adjudication or dismissal. I have no criminal prosecution pending in any jurisdiction.

I have reviewed this Order. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order. 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 agree to inform the Board of any other fact or event that could constitute a ground for denial of licensure prior to reinstating my license to practice vocational nursing in the state of Texas. I understand that if I fail to comply with all terms and conditions of this Order, my license(s) to practice nursing in the State of Texas will be revoked, as a consequence of my noncompliance.

Signed this 27 day of December, 2012

HENRIETTA PALMER, Petitioner

Sworn to and subscribed before me this 27 day of December, 2012

SEAL

VIRGINIA WASHINGTON
My Commission Expires
December 13, 2015

Notary Public in and for the State of Texas

Approved as to form and substance.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Reinstatement Agreed Order that was signed on the 27th day of December, 2012, by HENRIETTA PALMER, Vocational Nurse License Number 105386, and said Order is final.

Effective this 12th day of February, 2013.

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

IN THE MATTER OF	§	BEFORE THE ELIGIBILITY
	§	
PERMANENT CERTIFICATE	§	AND DISCIPLINARY
	§	
NUMBER 105386	§	COMMITTEE
	§	
ISSUED TO	§	OF THE TEXAS
	§	
HENRIETTA PALMER	§	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.
Executive Director of the Board

ORDER OF THE BOARD

TO: Henrietta Palmer
21703 Manitou Falls
Katy, Texas 77449

During open meeting held in Austin, Texas, on November 9, 2010, the Eligibility and Disciplinary Committee (hereinafter "Committee") heard the above-styled case, 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

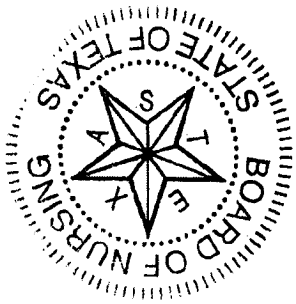
proposed findings of fact and conclusions of law as stated in the Formal Charges which are attached hereto and incorporated by reference for all purposes and the Staff's recommended sanction of revocation by default. This Order will be properly served on all parties and all parties will be given an opportunity to file a motion for rehearing [22 TEX. ADMIN.CODE § 213.16(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 105386, previously issued to HENRIETTA PALMER, to practice vocational nursing in the State of Texas be, and the same is hereby, REVOKED.

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

Entered this 9th day of November, 2010.



TEXAS BOARD OF NURSING

BY: _____

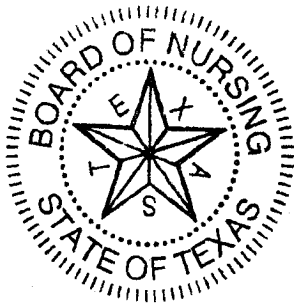
KATHERINE A. THOMAS, MN, RN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

Re: Permanent Certificate Number 105386
Issued to HENRIETTA PALMER
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 16th day of November, 2010, 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):

Henrietta Palmer
21703 Manitou Falls
Katy, Texas 77449



BY: Katherine A. Thomas

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

In the Matter of Permanent License Number 105386, Issued to HENRIETTA PALMER, Respondent	§ § §	**BEFORE THE TEXAS BOARD OF NURSING**

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, HENRIETTA PALMER, is a Vocational Nurse holding license number 105386, 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.

On or about October 25, 2004, Respondent entered a plea of Guilty to FRAUDULENT USE/POSSESSION IDENTIFYING INFO, (a State Jail Felony offense committed on July 2, 2003), in the 176th District Court, Harris County, Texas, under Cause No. 972092. 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 five (5) years. Additionally, Respondent was ordered to pay a fine and court costs. On or about July 17, 2006, Respondent's community supervision was terminated unsatisfactorily.

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 §217.12(13).

CHARGE II.

On or about December 7, 2004, Respondent submitted a Texas Online Document to the Board of Nurse Examiners in which Respondent provided false, deceptive, and/or misleading information, in that Respondent 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 the last renewal?"

On or about October 25, 2004, Respondent entered a plea of Guilty to FRAUDULENT USE/POSSESSION IDENTIFYING INFO, (a State Jail Felony offense committed on July 2, 2003), in the 176th District Court, Harris County, Texas, under Cause No. 972092. As a result of the plea, the proceedings against Respondent were deferred without entering an adjudication of guilt.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(2)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(6)(I).

NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of up to revocation of Respondent's license to practice nursing in the State of Texas pursuant to the Board's rules, 22 TEX. ADMIN. CODE §§ 213.27 - 213.33. Additionally, staff will seek to impose on Respondent the administrative costs of the proceeding pursuant to § 301.461, TEX. OCC. CODE ANN. The cost of proceedings shall include, but is not limited to, the cost paid by the Board to the State Office of Administrative Hearings and the Office of the Attorney General or other Board counsel for legal and investigative services, the cost of a court reporter and witnesses, reproduction of records, Board staff time, travel, and expenses. These shall be in an amount of at least one thousand two hundred dollars ($1200.00).

NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, www.bon.state.tx.us.

NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Sanction Policies for Lying and Falsification which can be found at the Board's website, www.bon.state.tx.us.

NOTICE IS ALSO GIVEN that Respondent's past disciplinary history, as set out below and described in the Order which is attached and incorporated by reference as part of these charges, will be offered in support of the disposition recommended by staff: Agreed Board Order dated July 9, 1991, and Agreed Board Order dated September 11, 2000.

Filed this 11th day of March, 2010.

TEXAS BOARD OF NURSING

James W. Johnston, General Counsel
Board Certified - Administrative Law
Texas Board of Legal Specialization
State Bar No. 10838300
Jena Renee Koslan Abel, Assistant General Counsel
State Bar No. 24036103
Robert Kyle Hensley, Assistant General Counsel
State Bar No. 50511847
John F. Legris, Assistant General Counsel
State Bar No. 00785533
Ronald Lloyd Simpson, Jr., Assistant General Counsel
State Bar No. 24067868
TEXAS BOARD OF NURSING
333 Guadalupe, Tower III, Suite 460
Austin, Texas 78701
P: (512) 305-6824
F: (512) 305-8101 or (512)305-7401

Attachments: Order of the Board dated July 9, 1991
Order of the Board dated September 11, 2000

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BOARD OF VOCATIONAL NURSE EXAMINERS	*	STATE OF TEXAS
VS.	*	
HENRIETTA THOMAS	*	COUNTY OF TRAVIS

AGREED BOARD ORDER

On this day came to be considered by the Board of Vocational Nurse Examiners for the State of Texas, hereinafter referred to as the Board, the matter of vocational nurse license number 105386, held by HENRIETTA THOMAS herein, after called Respondent.

A sworn Complaint has been filed and served on the Respondent, which alleges violations of the Texas Occupations Code, Chapter 302, and grounds to take disciplinary action against Respondent.

An informal conference was held on August 14, 2000, at the office of the Board of Vocational Nurse Examiners. The conference was conducted by Mary M. Strange, R.N., Executive Director of the Board, assisted by Betty Sims, RN, member of the Board of Vocational Nurse Examiners. Respondent was present and was not represented by counsel.

The conference was attended by Kathleen S. Davies, Investigator for the Board, and Joe Pitner, Assistant Attorney General. By their notarized signature on this Order, Respondent does hereby waive the right to Notice of Formal Hearing and a Formal Hearing of the Complaint before the Board, and to judicial review of this disciplinary action after this Order is endorsed by the Board.

After reviewing the Complaint and information provided at the informal conference, Respondent agrees to the entry of an Order dispensing with the need for further proceedings on the Complaint. By Respondent's signature on this Order, Respondent neither admits nor denies the truth of the allegations stated in the Complaint. By Respondent's signature on this Order,

Respondent acknowledges that they have read and understood this Order and have approved it for consideration by the Board. Notice of this disciplinary action will appear in the Board's newsletter sent to Texas employers.

ORDER OF THE BOARD

NOW THEREFORE, IT IS ORDERED, that license number 105386, heretofore issued to HENRIETTA THOMAS to practice vocational nursing in the State of Texas be, and the same is hereby suspended until such time as Respondent enrolls in or audits and successfully completes nursing program course(s) encompassing the following areas of study: Nursing Ethics, and submits proof of successful course completion to the Board office. Respondent shall be responsible for locating said course(s) and obtaining prior written approval of Board staff prior to enrollment or audit. Said course(s) shall be in-house at a community college, university, or nursing program, and/or tutored by a state approved, licensed nursing program faculty member. The expense of said course(s) shall be borne by Respondent.

It is further ordered that upon receipt of said documentation reflecting satisfactory completion of said course(s), the suspension of said license shall be automatically stayed and the license placed on probation for a period of two (2) years.

The probation of said license is subject to the following stipulations, to wit:

1. That if Respondent's place of employment, name, address or telephone number changes, Respondent is to notify the Board office immediately, or no later than ten (10) days after said change has occurred. Said notification shall be in the form of a written letter or report.

2. That Respondent shall comply with Federal, State, and local laws, and all the provisions of the Texas Occupations Code, Chapter 302 and Rules and Regulations of the Board.

3. That by copy of this Board Order, Respondent shall provide notice of Board disciplinary action to his/her immediate nursing supervisor(s) and Director(s) of Nursing, throughout the term of probation.

4. That Respondent shall be responsible for causing his/her immediate nursing supervisor(s) to submit satisfactory reports directly to the Board office on a monthly basis for the first six (6) months of probation. Thereafter, and throughout the remainder of said probation, Respondent shall be responsible for causing his/her immediate nursing supervisor(s) to submit satisfactory reports directly to the Board office on a quarterly basis. The receipt of an unfavorable and/or untimely report shall be considered a violation of probation.

5. That any period(s) of nursing unemployment must be documented in writing by Respondent and submitted to the Board office, as provided in Stipulation No. four (4).

6. That Respondent shall work only under the supervision of a licensed medical professional (MD, RN, LVN) who is physically present on the work premises during Respondent's shift assignment(s), throughout the term of the probation.

7. That Respondent shall not be employed by a nurse registry, temporary nurse employment agency, home health agency, or as a private duty nurse, throughout the term of probation.

8. That Respondent shall not be the only licensed medical professional in the facility throughout the term of probation.

9. That if Respondent is discharged from court ordered probation, prior to completion of this probationary term, Respondent shall be responsible for causing his/her probation officer to submit a final satisfactory report directly to the Board office.

10. That Respondent shall pay a Probation Monitoring fee in the amount of thirty ($30.00) dollars in the form of a cashier's check or money order, payable to the Board of Vocational Nurse Examiners. Said fee shall be paid quarterly, due on the 15th of each quarter, commencing the quarter following the date of the Board's endorsement of the Order, and continuing thereafter until the successful completion of Respondent's probation. Said fee shall be sent to the Board office, addressed to the "Board of Vocational Nurse Examiners, 333 Guadalupe, Suite 3-400, Austin, TX 78701". Failure by Respondent to make any quarterly payment on time shall constitute a violation of probation.

This Agreed Order shall not be effective or take effect and become enforceable in accordance with its terms until ratified by a majority of the Board present and voting, at its next regularly called session.

Dated this the 14 day of August, 2002.

Signature of Respondent

4609 Jeffmywell
Current Address

Houston Texas 77026
City, State and Zip

713, 675-0948
Area Code and Telephone Number

The State of Texas
County of TRAVIS

Before me, the undersigned authority, on this day personally appeared HENRIETTA THOMAS, who being duly sworn by me stated that he or she executed the above for the purpose therein contained, and that he or she understood same.

SWORN TO AND SUBSCRIBED before me this the 14th day of August, 2000.

SANDY GARDNER
Notary Public, State of Texas
My Commission Expires
April 13, 2003

NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS
My Commission Expires 4/13/2003

Mary M. Strange, BSN, RN, CNA
Agent for the Board of
Vocational Nurse Examiners

SWORN TO AND SUBSCRIBED before me, the undersigned authority, on this the 17th day of August, 2000

SANDY GARDNER
Notary Public, State of Texas
My Commission Expires
April 13, 2003

NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

WHEREFORE, PREMISES CONSIDERED, the Board of Vocational Nurse Examiners for the State of Texas does hereby ratify and adopt the Agreed Board Order, notarized on the 14th day of August, 2000 by license number 105386 and that Said Order is Final.

Effective this 11th day of September, 2000.

Mary M. Strange

Mary M. Strange, BSN, RN, CNA
Executive Director
On Behalf of Said Board

CERTIFICATE OF SERVICE

I hereby certify that on the 15TH day of September, 2000, a true and correct copy of the foregoing **BOARD ORDER** was served by placement in the U.S. Mail first class mail, and addressed to the following person(s):

HENRIETTA THOMAS
4609 LEFFINGWELL
HOUSTON TX 77026

Mary M. Strange

Mary M. Strange, BSN, RN, CNA
Executive Director
Agent for the Board of Vocational Nurse Examiners

BOARD OF VOCATIONAL NURSE EXAMINERS	*	STATE OF TEXAS
VS.	*	
HENRIETTA THOMAS	*	COUNTY OF TRAVIS

COMPLAINT

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Lynda G. Pringle, who after being by me duly sworn, did depose and say: As an Investigator for the Board of Vocational Nurse Examiners, I, Lynda G. Pringle, do hereby present to the Executive Director of the Board of Vocational Nurse Examiners, the following complaint against HENRIETTA THOMAS, a practitioner of vocational nursing in Texas licensed by the Board of Vocational Nurse Examiners with license number 105386, hereinafter called Respondent.

I.

a. On or about September 28, 1999, Respondent was convicted of the Misdemeanor Offense of: THEFT BY CHECK, in the County Criminal Court at Law No. 9 of Harris County, Texas, under Cause Number 9749669. As a result of said conviction, Respondent was issued a fine by the Court and sentenced to five days confinement in jail.

b. On or about September 28, 1999, Respondent was convicted of the Misdemeanor Offense of: THEFT BY CHECK, in the County Criminal Court at Law No. 9 of Harris County, Texas, under Cause Number 9923582. As a result of said conviction, Respondent was issued a fine by the Court and sentenced to five days confinement in jail.

c. Respondent has been convicted of crimes, which the Board considers to be directly related to the duties and responsibilities of a Licensed Vocational Nurse. Said convictions are inconsistent with the basic duties and responsibilities inherent in the occupation of vocational nursing in that said occupation requires the maintenance of accurate and complete records, and safeguarding personal property of the patient, client, and employer.

d. On or about December 6, 1999, Respondent pled guilty to the felony charge of: UNAUTHORIZED USE OF A MOTOR VEHICLE, in the 248th Judicial District Court of Harris County, Texas, under Cause Number 821289. As a result of said plea of guilty, Respondent was placed on community supervision for two years.

II.

The foregoing acts constitute unprofessional or dishonorable conduct that, in the opinion of the Board, is likely to deceive, defraud, or injure the public, in violation of the Texas Occupations Code, Chapter 302, Section 302.402 (a) (10) and Rule 239.11 of the Rules and Regulations of the Board of Vocational Nurse Examiners, Title 22, Texas Administrative Code. Rule 239.11, provides in pertinent part: that "Unprofessional Conduct" shall include, but not be limited to:

(29) being convicted of a crime that relates to the practice of vocational nursing.

(A) Those crimes which the Board considers to be directly related to the duties and responsibilities of a licensed vocational nurse shall include, but are not limited to:

(iii) offenses involving fraud, dishonesty or deceit.

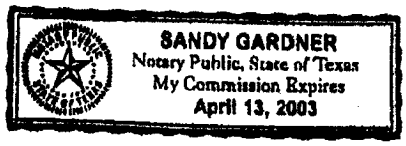
III.

The foregoing acts constitute grounds for the Board of Vocational Nurse Examiners to take disciplinary action as provided under the Texas Occupations Code, Chapter 302, Licensed Vocational Nurse, Section 302.403 and Section 302.451, relief such as revocation, suspension, suspension with probation, reprimand, warning, denial of licensure and/or imposition of administrative penalties (fines), may be recommended by the Board. Pursuant to Board Rule 239.19 the Board may assess penalties (fines), in the minimum amount of two hundred fifty dollars ($250.00), not to exceed two thousand dollars ($2,000.00).

WHEREFORE, PREMISES CONSIDERED, I, Lynda G. Pringle, do hereby suggest and request the Board of Vocational Nurse Examiners take disciplinary action against HENRIETTA THOMAS, LVN # 105386, in accordance with the provisions of the laws of the State of Texas.

Lynda G. Pringle
AFFIANT

SUBSCRIBED AND SWORN TO BEFORE ME by the said Lynda G. Pringle, on this the 13th day July 2000.



Sandy Gardner
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

Filed with the Board of Vocational Nurse Examiners on the 13th day of July 2000.

Mary M. Strange
Mary M. Strange, BSN, RN, CNA
Executive Director
Board of Vocational Nurse Examiners

BOARD OF VOCATIONAL NURSE EXAMINERS	*	STATE OF TEXAS
VS.	*	
HENRIETTA THOMAS	*	COUNTY OF TRAVIS

AGREED BOARD ORDER

On this day came to be considered by the Board of Vocational Nurse Examiners the matter of vocational nurse license number 105386 held by HENRIETTA THOMAS, hereinafter called Respondent.

By letter, the Board of Vocational Nurse Examiners sent preliminary notice to Respondent of its intent to take disciplinary action with respect to said license held by Respondent as a result of a complaint and subsequent investigation. Said investigation produced evidence indicating that Respondent has engaged in unprofessional or dishonorable conduct that, in the opinion of the Board, is likely to deceive, defraud, or injure the public, in violation of Article 4528c, Section 10 (a) (9), Revised Civil Statutes of Texas, in the following manner:

a. Respondent was employed as a Licensed Vocational Nurse at the University of Texas MD Anderson Cancer Center in Houston, Texas from about October 29, 1990 through about March 11, 1991.

b. While so employed with MD Anderson Cancer Center on about February 25, 1991, Respondent was involved with the misuse of confidential hospital personnel information.

c. On said February 25, 1991, Respondent applied at Walter Pyes for a credit card using the Social Security Card Number of an employee of MD Anderson Cancer Center named Annamma Thomas.

By Respondent's signature on this Order, Respondent neither admits nor denies the truth of the matters previously set out in this Order with respect to the above mentioned investigation. By Respondent's signature on this Order

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105386

Respondent acknowledges that she has read and understood this Order and has approved it for consideration by the Board.

By her notarized signature on this Order, Respondent does hereby waive the right to Notice of Formal Hearing, to a Formal Hearing before the Board of Vocational Nurse Examiners, and to judicial review of this disciplinary action. Notice of this disciplinary action will appear in the Board's newsletter sent to Texas employers.

ORDER OF THE BOARD

THEREFORE, PREMISES CONSIDERED, the Board of Vocational Nurse Examiners does hereby order that license number 105386, issued to HENRIETTA THOMAS, be suspended, suspension stayed and placed on probation for a period of two (2) years.

The probation of said license is subject to the following stipulations to wit:

1. That Respondent shall cause her nursing employer(s) to submit satisfactory reports to the Board office on a quarterly basis throughout the term of probation.

2. That Respondent shall not be employed by a nurse registry/temporary nurse agency or as a private duty nurse throughout the term of probation.

3. That Respondent work only under the direct supervision of a licensed medical professional throughout the term of probation.

4. That Respondent shall not work in an autonomous nursing position throughout the term of probation.

5. That Respondent must enroll in or audit and successfully complete a Financial/Fiscal Management within the first year of probation. Respondent shall be responsible for locating said course and obtaining approval of Board staff prior to enrollment or audit. Said course shall be in-house at a community college or university. The expense of said course shall be borne by Respondent.

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6. That any period(s) of unemployment must be documented in writing by Respondent and submitted to the Board office on a quarterly basis throughout the term of probation.

7. Further, that if Respondent's place of employment, name, address or telephone number changes, Respondent is to notify the Board office immediately.

8. It is also ordered that HENRIETTA THOMAS shall comply with all the provisions of Article 4528c, Revised Civil Statutes of Texas.

This Agreed Order shall not be effective or take effect and become enforceable in accordance with its terms until endorsed by a majority of the Board present and voting, at its next regularly called session.

Date this the 23 day of May, 1991.

Henrietta Thomas
Signature of Respondent

4609 Leffingwell
Current Address

Houston Texas 77026
City, State and Zip

713 / 790-0107
Area Code and Telephone Number

The State of Texas
County of Harris

Before me, the undersigned authority, on this day personally appeared HENRIETTA THOMAS, who being duly sworn by me stated that he or she executed the above for the purpose therein contained, and that he or she understood same.

SWORN TO AND SUBSCRIBED before me on this the 23 day of May, 1991.

Charlotte Long
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS
My Commission Expires 11-30-92

Marjorie A. Bronk
Marjorie A. Bronk, R.N.
Agent for the Board of
Vocational Nurse Examiners

MAY 29 1991

105386

Respondent acknowledges that she has read and understood this Order and has approved it for consideration by the Board.

By her notarized signature on this Order, Respondent does hereby waive the right to Notice of Formal Hearing, to a Formal Hearing before the Board of Vocational Nurse Examiners, and to judicial review of this disciplinary action. Notice of this disciplinary action will appear in the Board's newsletter sent to Texas employers.

ORDER OF THE BOARD

THEREFORE, PREMISES CONSIDERED, the Board of Vocational Nurse Examiners does hereby order that license number 105386, issued to HENRIETTA THOMAS, be suspended, suspension stayed and placed on probation for a period of two (2) years.

The probation of said license is subject to the following stipulations to wit:

1. That Respondent shall cause her nursing employer(s) to submit satisfactory reports to the Board office on a quarterly basis throughout the term of probation.

2. That Respondent shall not be employed by a nurse registry/temporary nurse agency or as a private duty nurse throughout the term of probation.

3. That Respondent work only under the direct supervision of a licensed medical professional throughout the term of probation.

4. That Respondent shall not work in an autonomous nursing position throughout the term of probation.

5. That Respondent must enroll in or audit and successfully complete a Financial/Fiscal Management within the first year of probation. Respondent shall be responsible for locating said course and obtaining approval of Board staff prior to enrollment or audit. Said course shall be in-house at a community college or university. The expense of said course shall be borne by Respondent.

105386

ENDORSEMENT OF THE BOARD
To The Agreed Board Order
in the matter of Vocational Nurse
License No. 105386
Issued to HENRIETTA THOMAS

At its regularly called session, 9th day of July, 1991, came on to be considered the indicated Agreed Board Order pertaining to HENRIETTA THOMAS. The Board having reviewed the contents of said Order, the Order should be, and is hereby, endorsed as an Order of the Board and made an official act of the Board of Vocational Nurse Examiners for the State of Texas.

Said Order is rendered this the 9th day of July, 1991.

Sandra U. Knight, LVN
Doris A. Parkerson
Norma Jean Clark
Charlotte J. Sifford LVN
[illegible]
[illegible]

Virginia M. Bauman
Annie Mae Parker LVN
Wayne L. [illegible]
Carrie M. Daly

105386

CERTIFICATE OF SERVICE

I hereby certify that on the 12th day of July, 1991, a true and correct copy of the foregoing Order was served by placement in the U.S. Mail, first class, and addressed to the following person(s):

Henrietta Thomas
4609 Leffingwell
Houston, Texas 77026

Marjorie A. Bronk, R.N.
Executive Director
Agent for the Board of Vocational Nurse Examiners