



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.  
*Henrietta Palmer*  
Executive Director of the Board

IN THE MATTER OF  
PERMANENT CERTIFICATE  
NUMBER 105386  
ISSUED TO  
HENRIETTA PALMER

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§

BEFORE THE ELIGIBILITY  
AND DISCIPLINARY  
COMMITTEE  
OF THE TEXAS  
BOARD OF NURSING

**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:

A handwritten signature in cursive script, appearing to read 'Katherine A. Thomas', is written over a horizontal line.

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 16<sup>th</sup> 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).

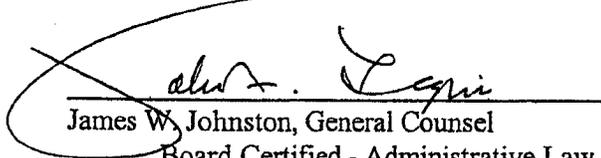
NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, [www.bon.state.tx.us](http://www.bon.state.tx.us).

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](http://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 11<sup>th</sup> 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

VS.

HENRIETTA THOMAS

\* STATE OF TEXAS

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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,

AGREED BOARD ORDER  
RE: HENRIETTA THOMAS, LVN #105386  
PAGE 2

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.

AGREED BOARD ORDER  
RE: HENRIETTA THOMAS, LVN #105386  
PAGE 4

*Henrietta Thomas*  
Signature of Respondent

4609 Leffingwell  
Current Address

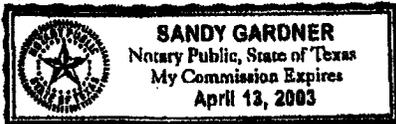
Houston Texas 77026  
City, State and Zip

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.

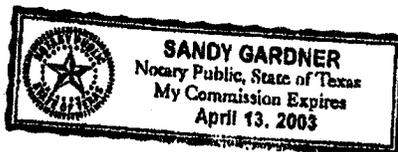
SWORN TO AND SUBSCRIBED before me this the 14<sup>th</sup> day of August, 2000.



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

*Mary M. Strange*  
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 17<sup>th</sup> day of August, 2000.



*Sandy Gardner*  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS

BOARD ORDER  
RE: HENRIETTA THOMAS, LVN #105386  
PAGE: 2

**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 14<sup>th</sup> day of August, 2000 by license number 105386 and that Said Order is Final.

Effective this 11<sup>th</sup> day of September, 2000.

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

**BOARD ORDER**

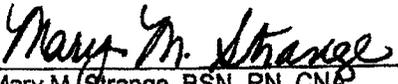
RE: HENRIETTA THOMAS, LVN #105386

PAGE: 3

**CERTIFICATE OF SERVICE**

I hereby certify that on the 15<sup>TH</sup> 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, BSN, RN, CNA

Executive Director  
Agent for the Board of Vocational Nurse Examiners

BOARD OF VOCATIONAL NURSE  
EXAMINERS

VS.

HENRIETTA THOMAS

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STATE OF TEXAS

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 9749869. 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 248<sup>th</sup> 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.

COMPLAINT  
RE: HENRIETTA THOMAS, LVN #105386  
PAGE 2

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.

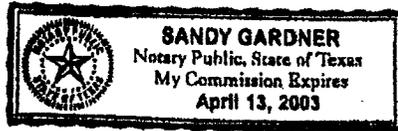
The foregoing acts constitute grounds for the Board of Vocational Nurse Examiners to take disciplinary action as provided under the Texas Occupations Code, Chapter 302, Licensed Vocational Nurse, Section 302.403 and Section 302.451, relief such as revocation, suspension, suspension with probation, reprimand, 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.

COMPLAINT  
RE: HENRIETTA THOMAS, LVN #105386  
PAGE 3

Lynda G. Pringle  
AFFIANT

SUBSCRIBED AND SWORN TO BEFORE ME by the said Lynda G. Pringle, on this the 13<sup>th</sup> 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 Pyles 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

MAY 2 9 1991

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, VN

Deis A. Parkerson

Norma Jean Clend

Charlotte G. Safford, VN

Sharon L. Johnson

Bill Taylor

Virginia M. Bauman

Annice Mae Pappas, VN

Wayne L. White

Carrie M. Dady

CERTIFICATE OF SERVICE

I hereby certify that on the 12<sup>th</sup> 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*

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