



BOARD OF VOCATIONAL NURSE EXAMINERS

333 GUADALUPE STREET, SUITE 3-400

AUSTIN, TEXAS 78701

512/305-8100

February 28, 2002

TONYA RENEE BARRICK
2605 LAKESIDE AVENUE
SAN ANGELO, TEXAS 76901

Certified Mail No. 7001 1140 0004 3338 6568

Dear Ms. Barrick:

Enclosed please find a sworn Complaint which has been filed against you alleging one or more statutory violations or grounds to take disciplinary action against you as a vocational nurse licensed under the Texas Occupations Code, Chapter 302.

Pursuant to the Board of Vocational Nurse Examiners' Rules, you are hereby offered the opportunity to schedule an Informal Conference, to be conducted at the Board's office, to discuss possible agreed resolution of this matter, in whole or in part. You may be represented by an attorney at the Informal Conference, or you may appear without an attorney. The dates of the Informal Conference are April 1 – 3, 2002.

You must file a "written answer to appear" within twenty (20) days from the date of this correspondence. You may file your answer via FAX (512) 305-8101, U.S. Mail and/or telephone Kirby W. Hattox, Supervising Investigator, at (512) 305-7664, **no later than** March 22, 2002 - to schedule your Informal Conference. Docket times are assigned by the Board staff. Be advised that conferences may not be held on the last day indicated, if we anticipate that we will not have enough cases to fill the docket.

You must arrive at the Board office at least thirty (30) minutes prior to the scheduled time in order to meet with your case investigator. Please bring with you a valid form of picture identification (Drivers License, I.D. Card, etc.).

A copy of the Board's rules pertaining to Informal Conferences is enclosed. The proceedings relating to the Informal Conference are confidential and your statements made at the conference will not be offered as evidence to support the allegations in the Complaint. However, if an Agreed Order is proposed as a result of the Informal Conference, it will become a public record if accepted and ratified by the Board of Vocational Nurse Examiners.

Due to security concerns, purses, briefcases, backpacks, etc., will not be allowed into the conference chambers. (Attorneys are exempt from this requirement). Please make prior arrangements for the safekeeping of your personal belongings, as the Board will not be responsible for these items.

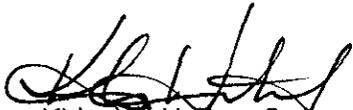
TONYA RENEE BARRICK
February 28, 2002
Page 2

FIREARMS ARE NOT PERMITTED IN THE BOARD OF VOCATIONAL NURSE EXAMINERS OFFICES AND/OR HEARING CHAMBERS.

FAILURE TO ANSWER THIS NOTICE OF COMPLAINT WILL RESULT IN THE ALLEGATIONS AGAINST YOU THAT ARE SET OUT IN THE NOTICE OF COMPLAINT BEING DEEMED ADMITTED AS TRUE. IN ADDITION, YOUR OPPORTUNITY TO OBJECT TO THE PROPOSED SANCTIONS AND YOUR OPPORTUNITY FOR HEARING ON THE COMPLAINT SHALL BE DEEMED TO HAVE BEEN WAIVED.

Should you have questions regarding the Informal Conference procedure, please contact the Enforcement Division (512) 305-7664.

Sincerely,



Kirby W. Hattox, Supervisor
Enforcement Division

LGP/cd

Enclosure: Complaint, Informal Conference Rules, Board Location Map

cc: Regular Mail

U.S. Postal Service	
CERTIFIED MAIL RECEIPT	
<i>(Domestic Mail Only; No International)</i>	
OFFICE	
Postage	\$ _____
Certified Fee	_____
Return Receipt Fee (Endorsement Required)	_____
Restricted Delivery Fee (Endorsement Required)	_____
Total Postage & Fees	_____
Sent To	TONYA RE
Street, Apt. No.; or PO Box No.	2605 LAKE SAN ANGE
City, State, ZIP+4	
PS Form 3800, January 2001	

9999 8338 4000 0471 1007

BOARD OF VOCATIONAL NURSE
EXAMINERS

VS.

TONYA RENEE BARRICK

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* 148146
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NOTICE

Notice is hereby given in the above-referenced and styled cause of action that a hearing will be held before the Executive Director with the Board of Vocational Nurse Examiners (hereinafter "BVNE"), pursuant to the Texas Occupations Code, Chapter 302, from April 1 – 3, 2002, at the William P. Hobby Building, Tower 3, 4th Floor, Suite 400, Austin, Texas.

The purpose of said hearing will be to determine whether TONYA RENEE BARRICK has violated the Texas Occupations Code, Chapter 302, by engaging in the alleged acts described in the Complaint filed and served on Respondent/Applicant, and which is incorporated herein for all purposes. In addition, should the Complaint contain an allegation regarding any felony or misdemeanor conviction you may have, the hearing shall also serve the purpose of determining whether or not the BVNE, can take disciplinary action against your license pursuant to the Texas Occupations Code, Chapter 53, § 53.021.

The hearing is being conducted under authority of the Texas Occupations Code and the Administrative Procedure Act, TEX. GOV'T CODE, ANN., Chapter 2001 (Vernon's Supp. 1998).

The Complaint is based on information received by the Board. You are hereby notified that such documentation, which may include certified business records submitted to the Board, is now on file and available for your inspection at the Board office during regular business hours prior to said hearing.

NOTICE
RE: TONYA RENEE BARRICK, LVN #148146
PAGE 2

When applicable, the staff will propose that the Executive Director take official notice of the following: Federal and/or State Drug Laws, relating to medical practice, the Physician's Desk Reference, the Encyclopedia and Dictionary of Medicine and Nursing, and former Orders of the Board.

According to the provisions of the aforementioned authority, you have the right to be present at the hearing and to be represented by counsel. You may also present and introduce evidence by testimony, documentation, or any other offer of proof as prescribed by the Rules of Evidence of the courts of this State in refuting the aforesaid charges.

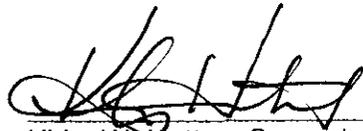
Pursuant to the Texas Occupations Code, Chapter 302, Section 302.403 and Section 302.451, relief such as revocation, suspension, suspension with probation, reprimand, warning, denial of licensure and/or imposition of administrative penalties (fines), may be recommended by the Board. Pursuant to Board 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).

PURSUANT TO BVNE RULE 239.44 (A) (7), YOUR FAILURE TO FILE A WRITTEN ANSWER TO APPEAR WILL RESULT IN THE ALLEGATIONS AGAINST YOU THAT ARE SET OUT IN THE NOTICE OF COMPLAINT BEING DEEMED ADMITTED AS TRUE. IN ADDITION YOUR OPPORTUNITY TO OBJECT TO THE PROPOSED SANCTIONS AND YOUR OPPORTUNITY FOR HEARING ON THE COMPLAINT SHALL BE DEEMED TO HAVE BEEN WAIVED. THE RELIEF SOUGHT IN THE NOTICE OF HEARING MAY BE GRANTED BY DEFAULT.

THE WRITTEN ANSWER OR OTHER RESPONSIVE PLEADING MUST BE FILED WITH THE BOARD OF VOCATIONAL NURSE EXAMINERS, 333 GUADALUPE, SUITE 3-400, AUSTIN, TEXAS 78701 VIA MAIL; OR FAXED TO (512) 305-8101; OR

NOTICE
RE: TONYA RENEE BARRICK, LVN #148146
PAGE 3

TELEPHONE THE SUPERVISOR OF THE ENFORCEMENT DIVISION (512) 305-7664; WITHIN TWENTY (20) DAYS (FROM THE DATE INDICATED ON THE ENCLOSED COVER LETTER).



Kirby W. Hattox, Supervisor
Enforcement Division
Board of Vocational Nurse Examiners

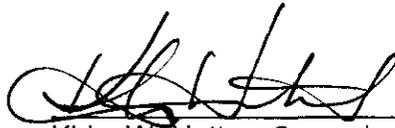
ENCLOSURE: BVNE ANSWER TO APPEAR

COMPLAINT/NOTICE INFORMAL CONFERENCE
RE: TONYA RENEE BARRICK, LVN #148146
PAGE 4

CERTIFICATE OF SERVICE

I hereby certify that on the 28th day of February, 2002, a true and correct copy of the foregoing complaint/notice was served by placement in the U.S. Mail, first class and certified return receipt, and addressed to the following person(s):

TONYA RENEE BARRICK
2605 LAKESIDE AVENUE
SAN ANGELO, TEXAS 76901



Kirby W. Hattox, Supervisor
Enforcement Division
Board of Vocational Nurse Examiners

BOARD OF VOCATIONAL NURSE
EXAMINERS

STATE OF TEXAS

VS.

TONYA RENEE BARRICK

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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 TONYA RENEE BARRICK, a practitioner of vocational nursing in Texas licensed by the Board of Vocational Nurse Examiners with license number 148146, hereinafter called Respondent.

I.

- a. Respondent's license to practice vocational nursing in the state of Texas expired on or about October 31, 1996 and became delinquent on or after November 1, 1996.
- b. On or about June 18, 2001, Respondent submitted an application for licensure renewal to the Board office. Said application was to renew Respondent's delinquent license.

II.

- a. Respondent was employed as a Licensed Vocational Nurse with Coleman County Medical Center in Coleman, Texas to include the dates from about February 14, 1997 through about November 1, 1998.

COMPLAINT

RE: TONYA RENEE BARRICK, LVN #148146

PAGE 2

b. While so employed with said facility, Respondent practiced vocational nursing while her vocational nursing license remained in a delinquent status.

III.

a. Respondent was employed as a Licensed Vocational Nurse with SCCI in San Angelo, Texas to include the dates from about January 28, 1999 through about August 16, 1999.

b. While so employed with said facility, Respondent practiced vocational nursing while her vocational nursing license remained in a delinquent status.

c. Additionally, Respondent fraudulently provided her employer with a license number which was not assigned to her by the Board of Vocational Nurse Examiners. Respondent's license number is 148146, however, Respondent furnished license number 146148 for verification purposes. Respondent provided information which was false and deceptive in connection with the practice of vocational nursing so that her employer would not be aware of the delinquency of Respondent's license.

IV.

a. Respondent was employed as a Licensed Vocational Nurse with Big Spring Care Center in Big Spring, Texas to include the dates from about August 17, 1999 through about October 23, 1999.

b. While so employed with said facility, Respondent practiced vocational nursing while her vocational nursing license remained in a delinquent status.

V.

a. Respondent was employed as a Licensed Vocational Nurse with Crockett County Care Center in Ozona, Texas to include the dates from about August 17, 2000 through about January 1, 2001.

b. While so employed with said facility, Respondent practiced vocational nursing while her vocational nursing license remained in a delinquent status.

COMPLAINT

RE: TONYA RENEE BARRICK, LVN #148146

PAGE 3

c. Additionally, Respondent fraudulently provided her employer with a license number which was not assigned to her by the Board of Vocational Nurse Examiners. Respondent's license number is 148146, however, Respondent furnished license number 146148 for verification purposes. Respondent provided information which was false and deceptive in connection with the practice of vocational nursing so that her employer would not be aware of the delinquency of Respondent's license.

VI.

a. On or about January 30, 2001, the Board of Vocational Nurse Examiners received a Computerized Criminal History report from the Texas Department of Public Safety showing that Respondent had been convicted of several misdemeanors.

b. On or about September 20, 1996, Respondent was convicted of the Misdemeanor Offense of: DRIVING WHILE INTOXICATED, in the County Court of Winkler County, Texas, under Cause Number 12,676. As a result of said conviction, Respondent was placed on probation for a period of one (1) year.

c. On or about February 10, 1997, Respondent violated the terms of her probation by failing to pay court fines, failing to report to her Probation Officer and failing to notify the Probation Department of her change in address. The Court subsequently extended Respondent's probation for a period of one (1) year from the date of the expiration of the original probation term.

d. On or about March 5, 1998, Respondent again violated the terms of her probation by failing to report to her Probation Officer, failing to complete an Alcohol Offender Program, failing to complete Community Service Restitution as ordered by the Court and failing to pay Court ordered fees. On June 22, 1998, the Court revoked Respondent's probation and sentenced Respondent to thirty (30) days incarceration.

e. Respondent has been convicted of a crime, which the Board considers to be directly related to the duties and responsibilities of a Licensed Vocational Nurse. Said conviction is inconsistent with the basic duties and responsibilities inherent in the occupation of vocational nursing in that said occupation requires knowledge and familiarity of drugs, and compliance with drug laws.

VII.

- a. On or about January 28, 1998, Respondent was convicted of the Misdemeanor Offense of: THEFT BY CHECK, in the County Court at Law No. 2 of Ector County, Texas, under Cause Number 97-3048. As a result of said conviction, Respondent was issued a one-hundred dollar (\$100.00) fine.
- b. On or about February 15, 2000, Respondent was convicted of the Misdemeanor Offense of: DRIVING WHILE LICENSE SUSPENDED, in the County Court of Howard County, Texas, under Cause Number 47,812. As a result of said conviction, Respondent was sentenced to probation for a period of six (6) months.
- 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 June 18, 2001, Respondent submitted an application for renewal to the Board office and falsely checked "no" in response to item (15): "Were you convicted of a felony or misdemeanor other than a minor traffic violation since your last renewal?" Furthermore, Respondent falsely checked "not applicable" in response to item 15(c): "Have you previously notified the Board of any and all convictions?"

VIII.

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:

- (8) providing information which was false, deceptive, or misleading in connection with the practice of vocational nursing or failing to answer specific questions that would have affected the decision to license, employ, certify or otherwise utilize a vocational nurse;
- (9) practicing vocational nursing in this state without a current Texas license;
- (27) failing to conform to the minimal standards of acceptable prevailing practice, regardless of whether or not actual injury to any person was sustained;
- (29) being convicted of a crime that relates to the practice of vocational nursing;
 - (iii) offenses involving fraud, dishonesty or deceit;
 - (iv) offenses related to drugs/alcohol.

IX.

Respondent has been convicted of a crime of the grade of a misdemeanor that relates to the practice of vocational nursing, in violation of the Texas Occupations Code, Chapter 302, Section 302.402 (a) (3) (B).

X.

Section 302.351 (f) of the Texas Occupations Code, states that, "A person who practices vocational nursing after the expiration of the person's license under this chapter is an illegal practitioner whose license may be revoked or suspended".

COMPLAINT
RE: TONYA RENEE BARRICK, LVN #148146
PAGE 6

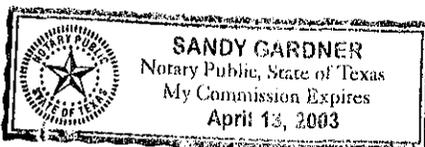
XI.

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 TONYA RENEE BARRICK, LVN #148146, 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 day 28th February 2002.



Sandy Gardner
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS
My Commission Expires 4/13/03

COMPLAINT
RE: TONYA RENEE BARRICK, LVN #148146
PAGE 7

Filed with the Board of Vocational Nurse Examiners on the 28th day of February 2002.



Kirby W. Hattox, Supervisor
Enforcement Division
Board of Vocational Nurse Examiners

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

TONYA RENEE BARRICK
2605 LAKESIDE AVENUE
SAN ANGELO, TEXAS 76901

LGP/April Informal Conference

MAR 12 2002

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) | B. Date of Delivery

To Barrick | *3-6-02*

C. Signature

X Tonya Barrick Agent Addressee

D. Is delivery address different from item 1? Yes

If YES, enter delivery address below: No

3. Service Type

- Certified Mail Express Mail
- Registered Return Receipt for Merchandise
- Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number **7001 1140 0004 3338 6568**
(Transfer from si)



BOARD OF VOCATIONAL NURSE EXAMINERS
333 GUADALUPE STREET, SUITE 3-400
AUSTIN, TEXAS 78701
512/305-8100

June 14, 2002

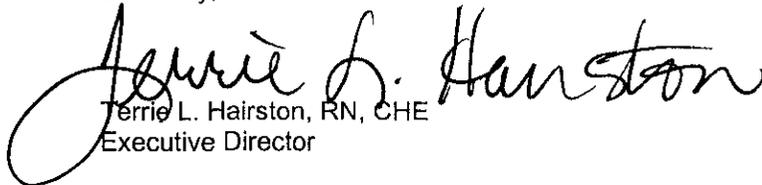
TANYA BARRICK
2605 LAKESIDE AVE
SAN ANGELO TX 76901

Dear Ms. Barrick:

The enclosed Agreed Board Order has been ratified by the Board of Vocational Nurse Examiners and is now in effect.

If you have any questions concerning this matter, please contact the Enforcement Division.

Sincerely,


Terrie L. Hairston, RN, CHE
Executive Director

TLH/ch

Enclosure: Agreed Order

BOARD OF VOCATIONAL
NURSE EXAMINERS

VS

TANYA RENEE BARRICK

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STATE OF TEXAS

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 148146, held by TANYA RENEE BARRICK hereinafter 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 April 2, 2002, at the office of the Board of Vocational Nurse Examiners. The conference was conducted by Terrie L. Hairston, R.N., C.H.E., Hearing Officer, assisted by Cathy Parrot, LVN, member of the Board of Vocational Nurse Examiners. Respondent was present and was not represented by counsel.

The conference was attended by Lynda G. Pringle, Investigator for the Board, and Ms. Melissa Juarez, 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 ratified by the Board.

AGREED BOARD ORDER
RE: TANYA RENEE BARRICK, LVN #148146
PAGE 2

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, subject to ratification by the Board of Vocational Nurse Examiners that License Number 148146, heretofore issued to TANYA RENEE BARRICK, to practice vocational nursing in the State of Texas be, and the same is hereby **SEVERELY REPRIMANDED**, and required to successfully complete the required forty (40) contact hours of Mandatory continuing Education (C.E.) as defined in board Rule 237.14 and submit documentation of successful completion of the C.E. requirements to the Board office within thirty (30) days of the ratification of this Order.

IT IS FURTHER ORDERED that Respondent pay an administrative fine in the amount of one-thousand five hundred dollars (\$1500.00), said fine shall be in the form of a cashier's check or money order, payable to the Board of Vocational Examiners. Said fine shall be paid in monthly installments of \$100.00, due on the 30th of each month, commencing the month following the date of the Boards ratification of this Order, and

AGREED BOARD ORDER
RE: TANYA RENEE BARRICK, LVN #148146
PAGE 3

continuing thereafter until the full amount of the fine has been paid. 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.

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 2nd day of April, 2002.

Tanya R. Barrick
Signature of Respondent

8382 Hwy 87 N
Current Address

San Angelo, Texas 76901
City, State and Zip

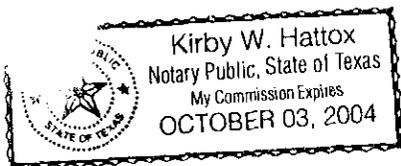
915 / 658-8860
Area Code and Telephone Number

AGREED BOARD ORDER
RE: TANYA RENEE BARRICK, LVN #148146
PAGE 4

The State of Texas
County of TRAVIS

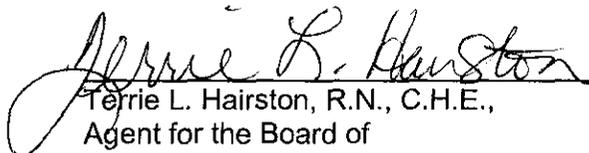
Before me, the undersigned authority, on this day personally appeared TANYA RENEE BARRICK who being duly sworn by me stated that he or she executed the above for the purpose therein contained, and that he or she understood same.

SWORN TO AND SUBSCRIBED before me this the 2nd day of April, 2002.



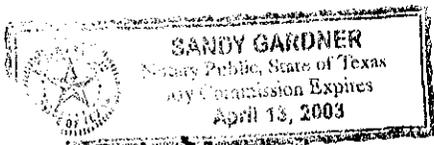


NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS
My Commission Expires _____



Terrie L. Hairston, R.N., C.H.E.,
Agent for the Board of
Vocational Nurse Examiners

SWORN TO AND SUBSCRIBED before me, the undersigned authority, on this the
3rd day of June, 2002.



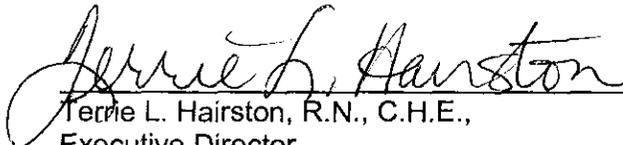


NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS
My Commission Expires 4/13/03

BOARD ORDER
RE: TANYA RENEE BARRICK, LVN #148146
PAGE 5

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 2nd day of April, 2002 by TANYA RENEE BARRICK, license number 148146 and that Said Order is Final.

Effective this 10th day of June, 2002.

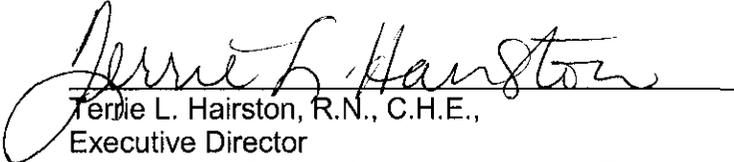

Terrie L. Hairston, R.N., C.H.E.,
Executive Director
On Behalf of Said Board

BOARD ORDER
RE: TANYA RENEE BARRICK, LVN #148146
PAGE 6

CERTIFICATE OF SERVICE

I hereby certify that on the 14th day of June, 2002, 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):

TANYA RENEE BARRICK
8382 HIGHWAY 87 NORTH
SAN ANGELO, TEXAS 76901


Terrie L. Hairston, R.N., C.H.E.,
Executive Director
Agent for the Board of Vocational Nurse Examiners



BOARD OF VOCATIONAL NURSE EXAMINERS
333 GUADALUPE STREET, SUITE 3-400
AUSTIN, TEXAS 78701
(512) 305-8100

March 7, 2003

TONYA BARRICK
2809 GUADALUPE
SAN ANGELO TX 76901

Certified Mail No. 7002 0860 0007 8848 3836

Dear Ms. Barrick:

Enclosed please find a sworn Complaint which has been filed against you alleging one or more statutory violations or grounds to take disciplinary action against you as a vocational nurse licensed under the Texas Occupations Code, Chapter 302.

Pursuant to the Board of Vocational Nurse Examiners' Rules, you are hereby offered the opportunity to schedule an Informal Conference, to be conducted at the Board's office, to discuss possible agreed resolution of this matter, in whole or in part. You may be represented by an attorney at the Informal Conference, or you may appear without an attorney. The date of the Informal Conference is April 3, 2003, May 1, 2003, and June 5, 2003.

You must file a "written answer to appear" within twenty (20) days from the date of this correspondence. You may file your answer via FAX (512) 305-8101, U.S. Mail and/or telephone Kirby W. Hattox, Supervising Investigator, at (512) 305-7664, **no later than** March 27, 2003, to schedule your Informal Conference. Docket times are assigned by the Board staff. Be advised that your conference will be scheduled on the first available date.

You must arrive at the Board office at least thirty (30) minutes prior to the scheduled time in order to meet with your case investigator. Please bring with you a valid form of picture identification (Drivers License, I.D. Card, etc.).

A copy of the Board's rules pertaining to Informal Conferences is enclosed. The proceedings relating to the Informal Conference are confidential and your statements made at the conference will not be offered as evidence to support the allegations in the Complaint. However, if an Agreed Order is proposed as a result of the Informal Conference, it will become a public record if accepted and ratified by the Board of Vocational Nurse Examiners.

Due to security concerns, purses, briefcases, backpacks, etc., will not be allowed into the conference chambers. (Attorneys are exempt from this requirement). Please make prior arrangements for the safekeeping of your personal belongings, as the Board will not be responsible for these items.

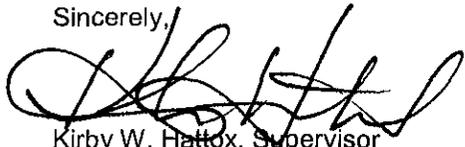
Tonya Barrick
March 7, 2003
Page 2

FIREARMS ARE NOT PERMITTED IN THE BOARD OF VOCATIONAL NURSE EXAMINERS OFFICES AND/OR HEARING CHAMBERS.

FAILURE TO ANSWER THIS NOTICE OF COMPLAINT WILL RESULT IN THE ALLEGATIONS AGAINST YOU THAT ARE SET OUT IN THE NOTICE OF COMPLAINT BEING DEEMED ADMITTED AS TRUE. IN ADDITION, YOUR OPPORTUNITY TO OBJECT TO THE PROPOSED SANCTIONS AND YOUR OPPORTUNITY FOR HEARING ON THE COMPLAINT SHALL BE DEEMED TO HAVE BEEN WAIVED.

Should you have questions regarding the Informal Conference procedure, please contact the Enforcement Division (512) 305-7664.

Sincerely,



Kirby W. Hattox, Supervisor
Enforcement Division

KWH/ch

Enclosure: Complaint, Informal Conference Rules, Board Location Map

cc: Regular Mail

959E 3836
8848 8848
2000 0990
0860 0007
7002 0860 0007

U.S. Postal Service CERTIFIED MAIL REC (Domestic Mail Only; No I	
Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Sent To Tonya Ba
Street, Apt. No.;
or PO Box No. 2809 G
City, State, ZIP+ 4 San Ang
PS Form 3800, April 2002

BOARD OF VOCATIONAL NURSE
EXAMINERS

VS.

TONYA BARRICK

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NOTICE

Notice is hereby given in the above-referenced and styled cause of action that a hearing will be held before the Executive Director with the Board of Vocational Nurse Examiners (hereinafter "BVNE"), pursuant to the Texas Occupations Code, Chapter 302, on April 3, 2003 at the William P. Hobby Building, Tower 3, 4th Floor, Suite 400, Austin, Texas.

The purpose of said hearing will be to determine whether TONYA BARRICK has violated the Texas Occupations Code, Chapter 302, by engaging in the alleged acts described in the Complaint filed and served on Respondent/Applicant, and which is incorporated herein for all purposes. In addition, should the Complaint contain an allegation regarding any felony or misdemeanor conviction you may have, the hearing shall also serve the purpose of determining whether or not the BVNE, can take disciplinary action against your license pursuant to the Texas Occupations Code, Chapter 53, § 53.021.

The hearing is being conducted under authority of the Texas Occupations Code and the Administrative Procedure Act, TEX. GOV'T CODE, ANN., Chapter 2001 (Vernon's Supp. 1998).

The Complaint is based on information received by the Board. You are hereby notified that such documentation, which may include certified business records submitted to the Board, is now on file and available for your inspection at the Board office during regular business hours prior to said hearing.

When applicable, the staff will propose that the Executive Director take official notice of the following: Federal and/or State Drug Laws, relating to medical practice, the Physician's Desk Reference, the Encyclopedia and Dictionary of Medicine and Nursing, and former Orders of the Board.

NOTICE
RE: TONYA BARRICK, LVN #148146
MARCH 7, 2003
PAGE 2

According to the provisions of the aforementioned authority, you have the right to be present at the hearing and to be represented by counsel. You may also present and introduce evidence by testimony, documentation, or any other offer of proof as prescribed by the Rules of Evidence of the courts of this State in refuting the aforesaid charges.

Pursuant to the Texas Occupations Code, Chapter 302, 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).

PURSUANT TO BVNE RULE 239.44 (A) (7), YOUR FAILURE TO FILE A WRITTEN ANSWER TO APPEAR WILL RESULT IN THE ALLEGATIONS AGAINST YOU THAT ARE SET OUT IN THE NOTICE OF COMPLAINT BEING DEEMED ADMITTED AS TRUE. IN ADDITION YOUR OPPORTUNITY TO OBJECT TO THE PROPOSED SANCTIONS AND YOUR OPPORTUNITY FOR HEARING ON THE COMPLAINT SHALL BE DEEMED TO HAVE BEEN WAIVED. THE RELIEF SOUGHT IN THE NOTICE OF HEARING MAY BE GRANTED BY DEFAULT.

THE WRITTEN ANSWER OR OTHER RESPONSIVE PLEADING MUST BE FILED WITH THE BOARD OF VOCATIONAL NURSE EXAMINERS, 333 GUADALUPE, SUITE 3-400, AUSTIN, TEXAS 78701 VIA MAIL; OR FAXED TO (512) 305-8101; OR TELEPHONE THE SUPERVISOR OF THE ENFORCEMENT DIVISION (512) 305-7664; WITHIN TWENTY (20) DAYS (FROM THE DATE INDICATED ON THE ENCLOSED COVER LETTER).



Kirby W. Hattox, Supervisor
Enforcement Division
Board of Vocational Nurse Examiners

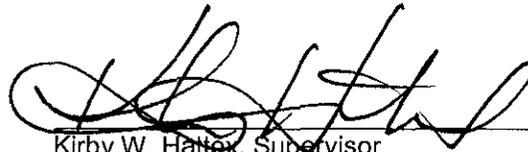
ENCLOSURE: BVNE ANSWER TO APPEAR

COMPLAINT/NOTICE INFORMAL CONFERENCE
RE: TONYA BARRICK, LVN #148146
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CERTIFICATE OF SERVICE

I hereby certify that on the 7th day of March, 2003, a true and correct copy of the foregoing complaint/notice was served by placement in the U.S. Mail, first class and certified return receipt, and addressed to the following person(s):

TONYA BARRICK
8382 HWY 87 N
SAN ANGELO, TX 76901



Kirby W. Hattox, Supervisor
Enforcement Division
Agent for the Board of Vocational Nurse Examiners

BOARD OF VOCATIONAL NURSE
EXAMINERS

VS.

TONYA BARRICK

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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 Carolyn Hudson, who after being by me duly sworn, did depose and say:

As an Investigator for the Board of Vocational Nurse Examiners, I, Carolyn Hudson, do hereby present to the Executive Director of the Board of Vocational Nurse Examiners, the following complaint against TONYA BARRICK, a practitioner of vocational nursing in Texas licensed by the Board of Vocational Nurse Examiners with license number 148146, hereinafter called Respondent.

I.

- a. On June 10, 2002, the Board of Vocational Nurse Examiners ratified an Agreed Board Order in which Respondent's license to practice Vocational Nursing in the State of Texas was assessed an Administrative Fine, in the amount of \$1500.00 (one-thousand five hundred dollars).
- b. Said Order stipulated, in part, that said fine shall be paid in monthly installments of \$100.00 due on the 30th of each month.
- c. Respondent has failed to submit monthly installments of \$100.00 on or before the due dates of September 30, 2002, October 30, 2002, November 30, 2002, December 30, 2002 and January 30, 2003.
- e. By said conduct Respondent has violated the terms of her probation.

COMPLAINT
RE: TONYA BARRICK, LVN #148146
PAGE 2

II.

Respondent has violated the Texas Occupations Code, a rule or order issued under this code, contrary to the Texas Occupations Code, Chapter 302, Section 302.402 (a) (1).

III.

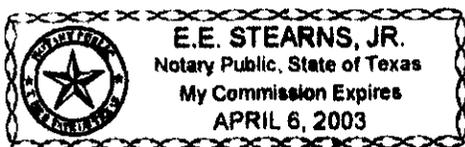
The foregoing acts constitute grounds for the Board of Vocational Nurse Examiners to take disciplinary action as provided under the Texas Occupations Code Chapter 302, Licensed Vocational Nurse, Section 302.403 and Section 302.451, relief such as revocation, suspension, suspension with probation, reprimand,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

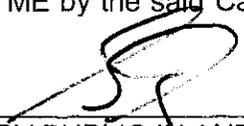
WHEREFORE, PREMISES CONSIDERED, I, Carolyn Hudson, do hereby suggest and request the Board of Vocational Nurse Examiners take disciplinary action against TONYA BARRICK, LVN # 148146, in accordance with the provisions of the laws of the State of Texas.



AFFIANT

SUBSCRIBED AND SWORN TO BEFORE ME by the said Carolyn Hudson, on this the 7th day of March 2003.





NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

COMPLAINT
RE: TONYA BARRICK, LVN #148146
PAGE 3

Filed with the Board of Vocational Nurse Examiners on the 7th day of March 2003.

A handwritten signature in black ink, appearing to read 'Kirby W. Halfox', written over a horizontal line.

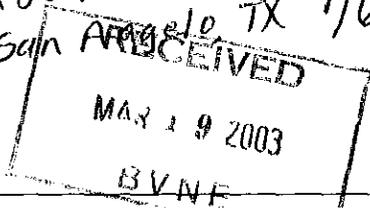
Kirby W. Halfox, Supervisor
Enforcement Division
Board of Vocational Nurse Examiners

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Tonga Barrick
2809 Guadalupe
San Angelo, TX 76901



COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Addressee
[Handwritten Signature]

B. Received by (Printed Name) C. Date of Delivery
Tonga Barrick *3-12-3*

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

7002 0860 0007 8848 3836

CH/APR/INF



BOARD OF VOCATIONAL NURSE EXAMINERS
333 GUADALUPE STREET, SUITE 3-400
AUSTIN, TEXAS 78701
(512) 305-8100

July 24, 2003

TONYA BARRICK
2701 WATSON
SAN ANGELO TX 76905

Dear Ms. Barrick:

You have successfully completed the terms of your Agreed Board Order dated June 10, 2002.

All pertinent information will remain in your permanent records. We urge you in the future to promote and uphold the ethical standards a Licensed Vocational Nurse should practice.

If you have any questions concerning this matter, please do not hesitate to contact our office.

Sincerely,

A handwritten signature in cursive script that reads "Carolyn Hudson".

Carolyn Hudson
Investigator

/ch