



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.
Patricia O'Rourke
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Registered Nurse §
License Number 524332 §
issued to GAY ELLEN PLACK §

ORDER OF THE BOARD

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Registered Nurse License Number 524332, issued to GAY ELLEN PLACK, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived representation by counsel, informal proceedings, notice and hearing.

The Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Respondent's license to practice professional nursing in the State of Texas is currently in revoked status.
2. Respondent waived representation by counsel, informal proceedings, notice and hearing.
3. Respondent received a Diploma in Nursing from Englewood Hospital, Englewood, New Jersey on June 1, 1984. Respondent was licensed to practice professional nursing in the State of Texas on August 8, 1985.
4. Respondent's professional nursing employment history is unknown.
5. On or about September 13, 2011, Respondent's license to practice professional nursing in Texas was Revoked by the Board. A copy of the Formal Charges and Order of the Board dated September 13, 2011, is attached and incorporated herein by reference as part of this Order.

6. Respondent filed a Motion for Rehearing with the Board and requested that she be allowed to voluntarily surrender her nursing license in lieu of revocation. On May 8, 2012, the Board granted Respondent's Motion for Rehearing, subject to the Respondent's execution of a voluntary surrender statement. A copy of the Order of the Board dated May 8, 2012, is attached and incorporated herein by reference as part of this Order.
7. On May 25, 2012, the Board received a notarized statement from Respondent voluntarily surrendering the right to practice nursing in Texas. A copy of Respondent's notarized statement, dated May 23, 2012, along with the Formal Charges filed by the Board against the Respondent's license on July 29, 2011, are attached and incorporated herein by reference as part of this Order.

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 a violation of Section 301.452(b)(8), Texas Occupations Code.
4. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
5. Under Section 301.453(d), Texas Occupations Code, the Board may impose conditions for reinstatement of licensure.
6. Any subsequent reinstatement of this license will be controlled by Section 301.452 (b), Texas Occupations Code, and 22 TAC §§213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

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CONTINUED ON NEXT PAGE.

ORDER

NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Registered Nurse License Number 524332, heretofore issued to GAY ELLEN PLACK, to practice professional nursing in the State of Texas, is accepted by the Executive Director on behalf of the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

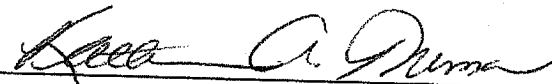
1. RESPONDENT SHALL NOT practice professional nursing, use the title of "registered nurse" or the abbreviation "RN" or wear any insignia identifying herself as a registered nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a registered nurse during the period in which the license is surrendered.
2. RESPONDENT SHALL NOT petition for reinstatement of licensure until: one (1) year has elapsed from the date of this Order.
3. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

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

Effective this 25th day of May, 2012.

TEXAS BOARD OF NURSING

By:


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

In the Matter of Permanent License
Number 524332, Issued to
GAY ELLEN PLACK, Respondent

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BEFORE THE TEXAS
BOARD OF NURSING

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, GAY ELLEN PLACK, is a Registered Nurse holding license number 524332, which is in delinquent 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 May 17, 2011, the Voluntary Surrender for Indefinite Suspension of Respondent's license to practice professional nursing in the Commonwealth of Virginia was accepted by the Virginia Board of Nursing, Henrico, Virginia. A copy of the Findings of Fact, Conclusions of Law, and Consent Order dated May 17, 2011, is attached and incorporated, by reference, as part of this pleading.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(8), Texas Occupations Code.

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 Nursing Practice Act, Chapter 301, Texas Occupations Code and 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 Section 301.461, Texas Occupations Code. 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, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, which can be found at www.bon.state.tx.us/disciplinaryaction/discp-matrix.html.

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: Virginia Board of Nursing Consent Order dated May 17, 2011.

Filed this 25th day of July, 2011.

TEXAS BOARD OF NURSING



James W. Johnston, General Counsel
Board Certified - Administrative Law
Texas Board of Legal Specialization
State Bar No. 10838300

Jena Abel, Assistant General Counsel
State Bar No. 24036103

Lance Robert Brenton, Assistant General Counsel
State Bar No. 24066924

Robert Kyle Hensley, Assistant General Counsel
State Bar No. 50511847

Nikki Hopkins, Assistant General Counsel
State Bar No. 24052269

John F. Legris, Assistant General Counsel
State Bar No. 00785533

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: Virginia Board of Nursing Consent Order of the Board dated May 17, 2011.

D/2010.12.28

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE:

GAY E. PLACK, R.N.

CONSENT ORDER

The Virginia Board of Nursing ("Board") and Gay E. Plack, R.N., as evidenced by her signature hereto, enter into the following Consent Order affecting Ms. Plack's license to practice professional nursing in Virginia.

The Board adopts the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Gay E. Plack, R.N., was issued License No. 0001-136733 to practice professional nursing by the Virginia Board of Nursing on March 18, 1994. Said license is set to expire on September 30, 2012. She also holds License No. 26NO08216400 to practice professional nursing in the State of New Jersey, which expires on May 31, 2012. Her primary state of residence is Virginia.
2. Ms. Plack was hospitalized in April and July, 2010, for mental health-related issues.
3. By letter to the Board dated August 13, 2010, Ms. Plack indicated that she wished to suspend her license in order to focus on healing. She indicated that she has not actively practiced nursing in over 15 years. She enclosed the actual license with this correspondence.

CONCLUSIONS OF LAW

Finding of Fact No. 2 constitutes a violation of § 54.1-3007(6) of the Code of Virginia (1950), as amended ("Code").

CONSENT

Gay E. Plack, by affixing her signature hereon, agrees to the following:

1. She has been advised to seek advice of counsel prior to signing this document;

2. She acknowledges that without her consent, no legal action can be taken against her except pursuant to the Virginia Administrative Process Act, § 2.2-4000(A) *et seq.* of the Code;
3. She acknowledges that she has the following rights, among others: the right to an informal fact finding conference before the Board, the right to reasonable notice of said hearing, the right to representation by counsel, and the right to cross-examine witnesses against her;
4. She waives all such right to an informal conference;
5. She admits to the Findings of Fact and Conclusions of Law contained herein and waives her right to contest such Findings of Fact and Conclusions of Law in any subsequent proceeding before the Board;
6. She consents to the entry of the following Order affecting her right to practice professional nursing in Virginia.

ORDER

WHEREFORE, on the basis of the foregoing, the Virginia Board of Nursing, effective upon entry of this Order, and in lieu of further proceedings, hereby ORDERS as follows:

1. The Board ACCEPTS the VOLUNTARY SURRENDER for INDEFINITE SUSPENSION of Gay E. Plack's license to practice professional nursing in the Commonwealth of Virginia.
2. The license will be recorded as suspended and no longer current.
3. At such time as Ms. Plack shall petition the Board for reinstatement of her license, an administrative proceeding will be convened to determine whether she is capable of resuming the safe and competent practice of practical nursing. Ms. Plack shall be responsible for any fees that may be required for the reinstatement and renewal of the license prior to issuance of the license to resume practice.
4. This suspension applies to any multistate privilege to practice professional nursing.

Pursuant to §§ 2.2-4023 and 54.1-2400.2 of the Code, the signed original of this Order shall remain in the custody of the Department of Health Professions as public record and shall be made available for public inspection or copying upon request.

FOR THE BOARD

Patricia M. Selig

Patricia M. Selig, R.N., F.N.P., Ph.D.
President, Virginia Board of Nursing

ENTERED: May 17, 2011

SEEN AND AGREED TO:

Gay E. Plack

Gay E. Plack, R.N.

Certified True Copy

By *Jamara Farmer*
Virginia Board of Nursing

COMMONWEALTH OF VIRGINIA,
COUNTY/CITY OF Fernando, TO WIT:

Subscribed and sworn to before me, Li Mie Woo Warren Notary Public, this 1st day of ~~March~~ April, 2011.

My commission expires: August 31, 2014

Registration Number: 112985

Li Mie Woo Warren
NOTARY PUBLIC

LI MIE WOO WARREN
NOTARY PUBLIC
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES AUGUST 31, 2014
COMMISSION # 112985

IN THE MATTER OF
PERMANENT CERTIFICATE
NUMBER 524332
ISSUED TO
GAY ELLEN PLACK

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

ORDER OF THE BOARD

TO: Gay Ellen Plack
9300 Montana, #2106
El Paso, TX 79925

During open meeting held in Austin, Texas, on September 13, 2011, 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 professional 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 524332, previously issued to GAY ELLEN PLACK, to practice professional 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 professional nursing in the State of Texas.

Entered this 13th day of September, 2011.

TEXAS BOARD OF NURSING

BY:



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

Attachment: Formal Charge filed July 29, 2011.

Re: Permanent Certificate Number 524332
Issued to GAY ELLEN PLACK
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 14th day of September, 2011, 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):

Gay Ellen Plack
9300 Montana, #2106
El Paso, TX 79925

BY:



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

In the Matter of Permanent License
Number 524332, Issued to
GAY ELLEN PLACK, Respondent

§
§
§

BEFORE THE TEXAS
BOARD OF NURSING

FORMAL CHARGES

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Filed this 25th day of July, 2011.

TEXAS BOARD OF NURSING



James W. Johnston, General Counsel
Board Certified - Administrative Law
Texas Board of Legal Specialization
State Bar No. 10838300

Jena Abel, Assistant General Counsel
State Bar No. 24036103

Lance Robert Brenton, Assistant General Counsel
State Bar No. 24066924

Robert Kyle Hensley, Assistant General Counsel
State Bar No. 50511847

Nikki Hopkins, Assistant General Counsel
State Bar No. 24052269

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State Bar No. 00785533

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D/2010.12.28

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE:

GAY E. PLACK, R.N.

CONSENT ORDER

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Finding of Fact No. 2 constitutes a violation of § 54.1-3007(6) of the Code of Virginia (1950), as amended ("Code").

CONSENT

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1. She has been advised to seek advice of counsel prior to signing this document;

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3. She acknowledges that she has the following rights, among others: the right to an informal fact finding conference before the Board, the right to reasonable notice of said hearing, the right to representation by counsel, and the right to cross-examine witnesses against her;
4. She waives all such right to an informal conference;
5. She admits to the Findings of Fact and Conclusions of Law contained herein and waives her right to contest such Findings of Fact and Conclusions of Law in any subsequent proceeding before the Board;
6. She consents to the entry of the following Order affecting her right to practice professional nursing in Virginia.

ORDER

WHEREFORE, on the basis of the foregoing, the Virginia Board of Nursing, effective upon entry of this Order, and in lieu of further proceedings, hereby ORDERS as follows:

1. The Board ACCEPTS the VOLUNTARY SURRENDER for INDEFINITE SUSPENSION of Gay E. Plack's license to practice professional nursing in the Commonwealth of Virginia.
2. The license will be recorded as suspended and no longer current.
3. At such time as Ms. Plack shall petition the Board for reinstatement of her license, an administrative proceeding will be convened to determine whether she is capable of resuming the safe and competent practice of practical nursing. Ms. Plack shall be responsible for any fees that may be required for the reinstatement and renewal of the license prior to issuance of the license to resume practice.
4. This suspension applies to any multistate privilege to practice professional nursing.

Pursuant to §§ 2.2-4023 and 54.1-2400.2 of the Code, the signed original of this Order shall remain in the custody of the Department of Health Professions as public record and shall be made available for public inspection or copying upon request.

FOR THE BOARD

Patricia M. Selig

Patricia M. Selig, R.N., F.N.P., Ph.D.
President, Virginia Board of Nursing

ENTERED: May 17, 2011

SEEN AND AGREED TO:

Gay E. Plack

Gay E. Plack, R.N.

Certified True Copy

By Jamara Farmer
Virginia Board of Nursing

COMMONWEALTH OF VIRGINIA,
COUNTY/CITY OF Fernando, TO WIT:

Subscribed and sworn to before me, Li Mien Wo Warren Notary Public, this 1st day of ~~March~~ April, 2011.

My commission expires: August 31, 2014

Registration Number: 112985

Li Mien Wo Warren
NOTARY PUBLIC

LI MIE WOO WARREN
NOTARY PUBLIC
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES AUGUST 31, 2014
COMMISSION # 112985

GAY ELLEN PLACK
831 Arlington Circle
Richmond, VA 23229
Texas RN License #524332

Voluntary Surrender Statement

May 9, 2012

Dear Texas Board of Nursing:

I no longer desire to be licensed as a professional nurse. Accordingly, I voluntarily surrender my license/licenses to practice in Texas. I waive representation by counsel and consent to the entry of an Order which outlines requirements for reinstatement of my license. I understand that I may not petition for reinstatement until one (1) year from the effective date of the Order. I understand that I will be required to comply with the Board's Rules and Regulations in effect at the time I submit any petition for reinstatement.

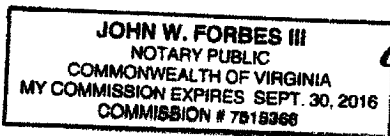
Signature Gay Plack Gay Plack
Date May 10, 2012 May 23, 2012
Texas Nursing License Number/s _____

The State of Texas

Before me, the undersigned authority, on this date personally appeared GAY ELLEN PLACK who, being duly sworn by me, stated that she executed the above for the purpose therein contained and that she understood same.

Sworn to before me the 23 day of May, 2012.

SEAL



John W. Forbes
Notary Public in and for the State of VA