



I do hereby certify this to be a complete, accurate, and true copy of the document which is on file or is of record in the offices of the Texas Board of Nursing.
Katherine A. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Registered Nurse § AGREED
License Number 222918 §
issued to FRANCES C. G. TAMAYO § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of FRANCES C. G. TAMAYO, Registered Nurse License Number 222918, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Sections 301.251 and 301.452(b)(13), Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on May 9, 2012, by Katherine A. Thomas, MN, RN, FAAN, Executive Director.

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was served on Respondent and Respondent was given an opportunity to show compliance with all requirements of the law for retention of the license(s).
2. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice professional nursing in the State of Texas.
4. Respondent received a Diploma in Nursing from Baptist Health System, San Antonio, Texas, on May 16, 1969. Respondent was licensed to practice professional nursing in the State of Texas on November 9, 1969.
5. Respondent's nursing employment history includes:

05/69 - 08/71	Charge Nurse Med/Surg	Baptist Memorial Hospital San Antonio, Texas
08/71 - 10/76	Charge Nurse Med/Surg & Neurosurgery	Brackenridge Hospital Austin, Texas

Respondent's nursing employment history continued:

10/76 - 06/87	Psychiatric Nurse	Austin Travis County MHMR Outpatient Clinic, Austin, Texas
06/87 - 05/04	Occupational Health Nurse	Abbott Laboratories Austin, Texas
05/04 - Present	Occupational Health Nurse Specialist	HOSPIRA Inc. Austin, Texas

6. At the time of the initial incident, Respondent was employed as an Occupational Health Nurse Specialist with HOSPIRA Inc., Austin, Texas, and had been in this position for six (6) years and six (6) months.
7. During November 1, 2010 through December 24, 2011, while employed with HOSPIRA Inc., Austin, Texas, Respondent practiced professional nursing without a valid license. Respondent's license to practice professional nursing in the State of Texas expired on October 31, 2010. Respondent's conduct was likely to deceive the facility and could have affected their decision to continue employment.
8. In response to Finding of Fact Number Seven (7), Respondent states that on December 24, 2011, her supervisor called her at home to inform her that while checking her license on the Board website they found that her license was delinquent since November 1, 2010. She was shocked to hear since in all her years of practice she had never let her license go delinquent. In the past she had always received a notice from the Board that her license would expire in 6 weeks, however this time she did not get the notice. She had no change of address, it has been the same for 34 years. On December 27, 2011, she went to the Board office and hand delivered her reactivation application, her CEUs and her fee of \$193. She did not work any days after she found out her license was delinquent. "I take some blame in this matter as it was also my responsibility to check the Website. This was a total oversight. . ."

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.
2. Notice was served in accordance with law.
3. The evidence received is sufficient to prove violation of Sections 301.452(b)(13) and 301.251, Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A).

4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 222918, heretofore issued to FRANCES C. G. TAMAYO, including revocation of Respondent's license(s) to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL receive the sanction of REMEDIAL EDUCATION AND A FINE, and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Texas Occupations Code §§301.001 *et seq.*, the Rules and Regulations Relating to Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.1 *et seq.* and this Order.

IT IS FURTHER AGREED and ORDERED that, while under the terms of this Order, this Order SHALL apply to any and all future licenses issued to Respondent to practice nursing in the State of Texas.

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

IT IS FURTHER AGREED and ORDERED that while Respondent's license(s) is/are encumbered by this Order, Respondent may not work outside the State of Texas pursuant to a nurse licensure compact privilege without the written permission of the State of Texas and the Board of Nursing in the party state where Respondent wishes to work.

IT IS FURTHER AGREED that:

(1) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in Texas nursing jurisprudence and ethics. RESPONDENT SHALL obtain Board approval of the course prior to enrollment only if the course is not being offered by a pre-approved

provider. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include nurses. It shall be a minimum of six (6) hours in length. The course's content shall include the Nursing Practice Act, standards of practice, documentation of care, principles of nursing ethics, confidentiality, professional boundaries, and the Board's Disciplinary Sanction Policies regarding: Sexual Misconduct; Fraud, Theft and Deception; Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder; and Lying and Falsification. Courses focusing on malpractice issues will not be accepted. RESPONDENT SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to the Office of the Board to verify RESPONDENT'S successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure. *Board-approved courses may be found at the following Board website address:*
<http://www.bon.state.tx.us/disciplinaryaction/stipscourses.html>.

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete the course "Sharpening Critical Thinking Skills," a 3.6 contact hour online program provided by the National Council of State Boards of Nursing (NCSBN) Learning Extension. In order to receive credit for completion of this program, RESPONDENT SHALL SUBMIT the continuing education certificate of completion for this program to the Board's office, to the attention of Monitoring. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure. *Information regarding Board-approved courses may be found at the following Board website address:*
<http://www.bon.state.tx.us/disciplinaryaction/stipscourses.html>.

(3) RESPONDENT SHALL pay a monetary fine in the amount of two hundred fifty dollars (\$250.00). RESPONDENT SHALL pay this fine within forty-five (45) days of entry of this Order. Payment is to be made directly to the Texas Board of Nursing in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

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

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RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that when this Order becomes final and the terms of this Order become effective, a copy will be mailed to me. I understand that if I fail to comply with all terms and conditions of this Order, I will be subject to investigation and disciplinary sanction, including revocation of my license(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 30 day of May, 2012.

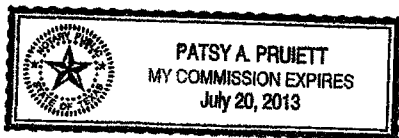
Frances C G Tamayo
FRANCES C. G. TAMAYO, Respondent

Sworn to and subscribed before me this 30th day of May, 2012.

SEAL

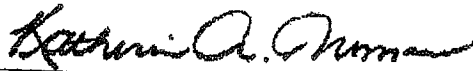
Patsy A. Pruiett

Notary Public in and for the State of Texas



WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby ratify and adopt the Agreed Order that was signed on the 30th day of May, 2012, by FRANCES C. G. TAMAYO, Registered Nurse License Number 222918, and said Order is final.

Effective this 5th day of June, 2012.



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

