

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 673303	§	
issued to WAYNE HARRIS LANDAU	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board considered the matter of WAYNE HARRIS LANDAU, an Advanced Nurse Practitioner with Prescriptive Authority and Registered Nurse License Number 673303, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Sections 301.452(b)(10)&(13), Texas Occupations Code. Respondent waived informal proceedings, notice and hearing, and agreed to the entry of this Order offered on May 22, 2012, by Katherine A. Thomas, MN, RN, FAAN, Executive Director, subject to ratification by the Board.

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 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 Baccalaureate Degree in Nursing from Columbia University School of Nursing, New York, New York on December 1, 1994. Respondent was licensed to practice nursing in the State of Texas on October 19, 2000. Respondent was recognized as an advanced practice nurse in the State of Texas on November 14, 2000. Respondent's prescriptive authority was recognized in the State of Texas on December 18, 2000.
5. Respondent's nursing employment history is unknown.

6. At the time of the initial incident, Respondent was employed as a registered nurse and family nurse practitioner with Evergreen Presbyterian Ministries, Dallas, Texas.
7. On or about May 5, 2009 through January 15, 2010, while employed with Evergreen Presbyterian Ministries, Dallas, Texas, Respondent failed to maintain written protocols of documented delegated authority to provide medical aspects of care, as required. Respondent's conduct was likely to deceive the public into believing that he had met all requirements for Board authorization to practice as a Nurse Practitioner.
8. On or about May 5, 2009 through January 15, 2010, while employed with Evergreen Presbyterian Ministries, Dallas, Texas, Respondent failed to ensure physician on-site collaboration and supervision at least ten percent (10%) of his practice time, as required. Respondent's conduct was likely to deceive the public into believing that he had met all requirements for Board authorization to practice as a Nurse Practitioner.
9. Respondent provided evidence that he is suffering from certain health issues that prevent him from practicing nursing at the present time.
10. Formal Charges were filed on January 10, 2012.
11. Formal Charges were mailed to Respondent on January 12, 2012.

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 violations Sections 301.452(b)(10)&(13), Texas Occupations Code, and TEX. ADMIN. CODE §§217.11(1)(A),(1)(D),(1)(G),(1)(R)&(4)(A), 217.12 (1)(A),(6)(H)&(6)(I) and 221.13 (a)&(d).
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 673303, heretofore issued to WAYNE HARRIS LANDAU, including revocation of Respondent's license(s) to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that RESPONDENT SHALL receive the sanction of a LIMITED LICENSE with Stipulations, 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 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 Texas Board of Nursing and the Board of Nursing in the party state where Respondent wishes to work.

IT IS FURTHER AGREED that:

(1) While under the terms of this Order, RESPONDENT SHALL NOT provide direct patient care. For the purposes of this Order, direct patient care involves a personal relationship between the Nurse and the client, and includes, but is not limited to: teaching, counseling, assessing the client's needs and strengths, and providing skilled nursing care.

(2) SHOULD RESPONDENT desire to return to a clinical practice setting, which would require him to provide direct patient care, RESPONDENT SHALL petition the Board for such approval.

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RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order.

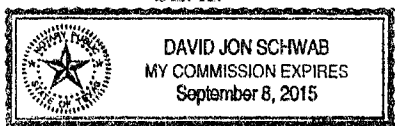
I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree that the Board has evidence supporting the enclosed Findings of Fact and Conclusions of Law, and I agree to abide by this Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that this Order is subject to ratification by the Board. When this Order is ratified, the terms of this Order become effective, and a copy will be mailed to me. I 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 3 day of JULY, 2012

Wayne Harris Landau
WAYNE HARRIS LANDAU, Respondent

Sworn to and subscribed before me this 3rd day of July, 2012.

SEAL



[Signature]
Notary Public in and for the State of Texas

Approved as to form and substance.

Allen C. Rudy, Jr.
Allen C. Rudy, Jr., Attorney for Respondent

Signed this 3rd day of July, 2012

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 3rd day of July, 2012, by WAYNE HARRIS LANDAU, an Advanced Nurse Practitioner with Prescriptive Authority and Registered Nurse License Number 673303, and said Order is final.

Effective this 19th day of July, 2012.

A handwritten signature in black ink, appearing to read "Katherine A. Thomas".

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