

IN THE MATTER OF  
PERMANENT CERTIFICATE  
NUMBER 214896  
ISSUED TO  
DANA RAE RICHARDS

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



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 A. Thomas*  
Executive Director of the Board

**ORDER OF THE BOARD**

TO: Dana Rae Richards  
2015 Walker Drive  
Amarillo, TX 79107

During open meeting held in Austin, Texas, on March 20, 2012, 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.

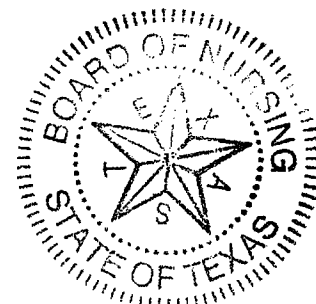
NOW, THEREFORE, IT IS ORDERED that Permanent Certificate Number 214896, previously issued to DANA RAE RICHARDS, to practice vocational nursing in the State of Texas be, and the same is hereby, REVOKED.

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 20th day of March, 2012.

TEXAS BOARD OF NURSING

BY: *Katherine A. Thomas*  
KATHERINE A. THOMAS, MN, RN, FAAN  
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD



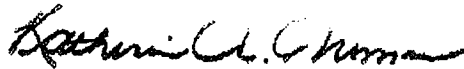
Attachment: Formal Charge filed January 20, 2012.

Re: Permanent Certificate Number 214896  
Issued to DANA RAE RICHARDS  
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 21<sup>st</sup> day of March, 2012, 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):

Dana Rae Richards  
2015 Walker Drive  
Amarillo, TX 79107



BY:

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

**In the Matter of Permanent License** § **BEFORE THE TEXAS**  
**Number 214896, Issued to** §  
**DANA RAE RICHARDS, Respondent** § **BOARD OF NURSING**

### **FORMAL CHARGES**

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, DANA RAE RICHARDS, is a Vocational Nurse holding license number 214896, 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 23, 2009, while employed with Ware Living Center, Amarillo, Texas, and assigned to care for Resident Number 1959, Respondent failed follow up with the Physician Assistant that was on call regarding the Resident's fall. Additionally, Respondent failed to follow-up with a request for portable x-ray to be done at the facility. As a result, the x-ray was not done until hours later by day shift personnel, where it was revealed that Resident Number 1959 had sustained a fracture and was transported to the hospital for treatment. Respondent conduct deprived the resident of timely detection and medical intervention required to stabilize the resident's condition.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(D)&(P), and 22 TEX. ADMIN. CODE §217.12(1)(A)&(4).

#### **CHARGE II.**

On or about October 23, 2009, while employed with Ware Living Center, Amarillo, Texas, and assigned to care for Resident Number 1959, Respondent failed to document or perform any further interventions or assessments of the Resident post injury. Respondent's conduct deprived the patient of timely detection and intervention which was required to stabilize the patient's condition. Additionally, Respondent's conduct deprived subsequent caregivers of essential information to base their ongoing medical care.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(D)&(M), and 22 TEX. ADMIN. CODE §217.12(1)(A)&(4).

NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of up to, and including, revocation of Respondent's license/s 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

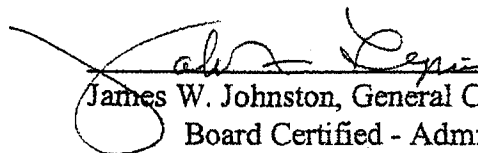
the administrative costs of the proceeding pursuant to Section 301.461, Texas Occupations Code. The cost of proceedings shall include, but is not limited to, the cost paid by the Board to the State Office of Administrative Hearings and the Office of the Attorney General or other Board counsel for legal 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.texas.gov](http://www.bon.texas.gov).

NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, which can be found at [www.bon.texas.gov/disciplinaryaction/discp-matrix.html](http://www.bon.texas.gov/disciplinaryaction/discp-matrix.html).

Filed this 20th day of January, 2012.

TEXAS BOARD OF NURSING

  
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James W. Johnston, General Counsel  
Board Certified - Administrative Law  
Texas Board of Legal Specialization  
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