

IN THE MATTER OF
PERMANENT CERTIFICATE
NUMBER 450861
ISSUED TO
ELIZABETH LYNN WILLIAMS

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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 Williams
Executive Director of the Board

ORDER OF THE BOARD

TO: Elizabeth Lynn Williams
625D Seventh St.
Hermosa Beach, CA 90254

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 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.

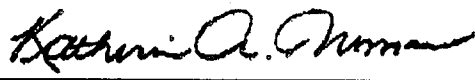
All proposed findings of fact and conclusions of law filed by any party not specifically adopted herein are hereby denied.

NOW, THEREFORE, IT IS ORDERED that Permanent Certificate Number 450861, previously issued to ELIZABETH LYNN WILLIAMS, 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 20th day of March, 2012.

TEXAS BOARD OF NURSING

BY: 

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

Attachment: Formal Charges filed January 27, 2012.

Re: Permanent Certificate Number 450861
Issued to ELIZABETH LYNN WILLIAMS
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 2nd 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):

Elizabeth Lynn Williams
625D Seventh St.
Hermosa Beach, CA 90254



BY:

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

In the Matter of Permanent License § BEFORE THE TEXAS
Number 450861, Issued to §
ELIZABETH LYNN WILLIAMS, Respondent § BOARD OF NURSING

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, ELIZABETH LYNN WILLIAMS, is a Registered Nurse holding license number 450861, 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 November 23, 2011, the Voluntary Surrender of Respondent's license to practice nursing in the State of California was accepted by the California Board of Registered Nursing, Sacramento, California. A copy of the California Board of Registered Nursing Decision and Order dated November 23, 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, 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.

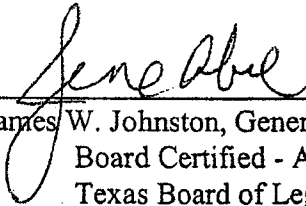
NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Guidelines for Criminal Conduct and on Adopted Disciplinary Sanction Policies for Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder, which can be found at the Board's website, 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.

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: California Board of Registered Nursing Decision and Order dated November 23, 2011.

Filed this 27th day of January, 2012.

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: California Board of Registered Nursing Decision and Order dated November 23, 2011

D/2011.09.23

BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

ELIZABETH LYNN CAPORUSCIO
3101 Peninsula Road, # 214
Oxnard, CA 93035

Registered Nurse License No. 511906

Respondent

Case No. 2011-128

OAH No. L-2011030156

DECISION AND ORDER

The attached Stipulated Surrender of License and Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on November 23, 2011.

IT IS SO ORDERED November 23, 2011.

I hereby certify the
foregoing to be a true copy
of the documents on file in our office.

BOARD OF REGISTERED NURSING

Louise R. Bailey, M.Ed., RN
Louise R. Bailey, M. Ed., RN
Executive Officer



Jeanne K. Weaver

President
Board of Registered Nursing
Department of Consumer Affairs
State of California

1 KAMALA D. HARRIS
Attorney General of California
2 MARC D. GREENBAUM
Supervising Deputy Attorney General
3 KIMBERLEY J. BAKER-GUILLEMET
Deputy Attorney General
4 State Bar No. 242920
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 897-2533
6 Facsimile: (213) 897-2804
Attorneys for Complainant
7

8 **BEFORE THE**
BOARD OF REGISTERED NURSING
9 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

10 In the Matter of the Accusation Against:

Case No. 2011-128

11 **ELIZABETH LYNN CAPORUSCIO**
12 **3101 Peninsula Road, #214**
13 **Oxnard, CA 93035**
Registered Nurse License No. RN 511906

OAH No. L-2011030156

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

14 Respondent.
15

16 **IT IS HEREBY STIPULATED AND AGREED** by and between the parties in this
17 proceeding that the following matters are true:

18 **PARTIES**

19 1. Louise R. Bailey, M.Ed., RN (Complainant) is the Executive Officer of the Board of
20 Registered Nursing. She brought this action solely in her official capacity and is represented in
21 this matter by Kamala D. Harris, Attorney General of the State of California, by Kimberley J.
22 Baker-Guillemet, Deputy Attorney General.

23 2. Elizabeth Lynn Caporuscio (Respondent) is representing herself in this proceeding
24 and has chosen not to exercise her right to be represented by counsel.

25 3. On or about June 8, 1995, the Board of Registered Nursing issued Registered Nurse
26 License No. RN 511906 to Elizabeth Lynn Caporuscio (Respondent). The Registered Nurse
27 License was in full force and effect at all times relevant to the charges brought in Accusation No.
28 2011-128 and will expire on December 31, 2012, unless renewed.

1 Registered Nursing may communicate directly with the Board regarding this stipulation and
2 surrender, without notice to or participation by Respondent. By signing the stipulation,
3 Respondent understands and agrees that she may not withdraw her agreement or seek to rescind
4 the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt
5 this stipulation as its Decision and Order, the Stipulated Surrender and Disciplinary Order shall be
6 of no force or effect, except for this paragraph, it shall be inadmissible in any legal action
7 between the parties, and the Board shall not be disqualified from further action by having
8 considered this matter.

9 11. The parties understand and agree that facsimile copies of this Stipulated Surrender of
10 License and Order, including facsimile signatures thereto, shall have the same force and effect as
11 the originals.

12 12. This Stipulated Surrender of License and Order is intended by the parties to be an
13 integrated writing representing the complete, final, and exclusive embodiment of their agreement.
14 It supersedes any and all prior or contemporaneous agreements, understandings, discussions,
15 negotiations, and commitments (written or oral). This Stipulated Surrender of License and Order
16 may not be altered, amended, modified, supplemented, or otherwise changed except by a writing
17 executed by an authorized representative of each of the parties.

18 13. In consideration of the foregoing admissions and stipulations, the parties agree that
19 the Board may, without further notice or formal proceeding, issue and enter the following Order:

20 ORDER

21 IT IS HEREBY ORDERED that Registered Nurse License No. RN 511906, issued to
22 Respondent Elizabeth Lynn Caporuscio, is surrendered and accepted by the Board of Registered
23 Nursing.

24 14. The surrender of Respondent's Registered Nurse License and the acceptance of the
25 surrendered license by the Board shall constitute the imposition of discipline against Respondent.
26 This stipulation constitutes a record of the discipline and shall become a part of Respondent's
27 license history with the Board.

1 15. Respondent shall lose all rights and privileges as a Registered Nurse in California as
2 of the effective date of the Board's Decision and Order.

3 16. Respondent shall cause to be delivered to the Board her pocket license and, if one was
4 issued, her wall certificate on or before the effective date of the Decision and Order.

5 17. If Respondent ever files an application for licensure or a petition for reinstatement in
6 the State of California, the Board shall treat it as a petition for reinstatement. Respondent must
7 comply with all the laws, regulations and procedures for reinstatement of a revoked license in
8 effect at the time the petition is filed, and all of the charges and allegations contained in
9 Accusation No. 2011-128 shall be deemed to be true, correct and admitted by Respondent when
10 the Board determines whether to grant or deny the petition.

11 18. If and when Respondent's license is reinstated, she shall pay to the Board costs
12 associated with its investigation and enforcement pursuant to Business and Professions Code
13 section 125.3 in the amount of \$3,772.50 (three thousand seven hundred seventy-two dollars and
14 fifty cents). Respondent shall be permitted to pay these costs in a payment plan approved by the
15 Board. Nothing in this provision shall be construed to prohibit the Board from reducing the
16 amount of cost recovery upon reinstatement of the license.

17 19. If Respondent should ever apply or reapply for a new license or certification, or
18 petition for reinstatement of a license, by any other health care licensing agency in the State of
19 California, all of the charges and allegations contained in Accusation, No. 2011-128 shall be
20 deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of
21 Issues or any other proceeding seeking to deny or restrict licensure.

22 20. Respondent shall not apply for licensure or petition for reinstatement for two (2)
23 years from the effective date of the Board of Registered Nursing's Decision and Order.


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ACCEPTANCE

I have carefully read the Stipulated Surrender of License and Order. I understand the stipulation and the effect it will have on my Registered Nurse License. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Registered Nursing.

DATED: 22 Aug 2011



ELIZABETH LYNN CAPORUSCIO
Respondent

ENDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted for consideration by the Board of Registered Nursing of the Department of Consumer Affairs.

Dated: August 15, 2011

Respectfully submitted,
KAMALA D. HARRIS
Attorney General of California
MARC D. GREENBAUM
Supervising Deputy Attorney General


KIMBERLEY J. BAKER-GUILLEMET
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 2011-128

1 KAMALA D. HARRIS
Attorney General of California
2 MARC D. GREENBAUM
Supervising Deputy Attorney General
3 KIMBERLEY J. BAKER-GUILLEMET
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4 State Bar No. 242920
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Attorneys for Complainant
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8 **BEFORE THE**
BOARD OF REGISTERED NURSING
9 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

10 In the Matter of the Accusation Against:
11
12 **ELIZABETH LYNN CAPORUSCIO**
3101 Peninsula Road, #214
13 Oxnard, CA 93035
Registered Nurse License No. 511906
14 Respondent.

Case No. 2011-128
OAH No. L-2011030156

FIRST AMENDED ACCUSATION

16
17 Complainant alleges:
18

19 **PARTIES**

20 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her
21 official capacity as the Executive Officer of the Board of Registered Nursing, Department of
22 Consumer Affairs.

23 2. On or about June 8, 1995, the Board of Registered Nursing issued Registered Nurse
24 License Number 511906 to Elizabeth Lynn Caporuscio (Respondent). The Registered Nurse
25 License was in full force and effect at all times relevant to the charges brought herein and will
26 expire on December 31, 2012, unless renewed.

27 ///

28 ///

1 Upon conducting a records check of Respondent, the officer learned that she was on probation for
2 Driving Under the Influence with a suspended license. Respondent admitted to the officer that
3 she had consumed alcoholic beverages that day and that she had taken the following medications
4 prior to consuming the alcoholic beverages: Trazodone,¹ Cymbalta,² "hormones" and Albuterol.³
5 Respondent also admitted to the officer that while driving her vehicle, she had struck the rear of a
6 stopped vehicle. The driver of the vehicle that Respondent struck reported that he had been
7 stopped behind traffic waiting for a red signal to change when Respondent struck his vehicle from
8 behind.

9 Respondent declined to take a voluntary preliminary alcohol screening at the scene.
10 Respondent was required to provide a chemical test at the scene. The breath samples collected by
11 the officer registered .09% and .08% BAC.

12 12. Respondent is subject to disciplinary action under sections 490 and 2671, subdivision
13 (f), in that Respondent was convicted of a crime substantially related to the qualifications,
14 functions, or duties of a registered nurse. On November 6, 2008, in a proceeding entitled *People*
15 *v. Elizabeth Lynn Caporuscio*, 2008, Super Ct. of Ventura County, Case No. 2008027023 FA,
16 Respondent pleaded guilty to and was convicted of violating Vehicle Code section 23550-
17 23152(a), a felony, [Driving Under the Influence with Prior DUI Convictions]. As part of her plea
18 agreement, Respondent admitted the special-allegation of driving with a blood alcohol content of
19 .15 or more in violation of vehicle code section 23578. Respondent was placed on five (5) years
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21 ¹ Trazodone is in a class of medications called serotonin modulators and is used to treat
22 depression. *PubMed Health* (produced by the National Center for Biotechnology Information, a
23 division of the National Library of Medicine at the National Institutes of Health) at
<<http://www.ncbi.nlm.nih.gov/pubmedhealth/PMH0000530/>> [as of June 3, 2011].

24 ² Cymbalta or Duloxetine is in a class of medications called selective serotonin and
25 norepinephrine reuptake inhibitors (SNRIs) and is used to treat depression, generalized anxiety
26 disorder (GAD). It can also be used to treat pain and tingling caused by diabetic neuropathy and
27 fibromyalgia (a long-lasting condition that may cause pain, muscle and joint pain, stiffness and
28 tenderness, tiredness, and difficulty falling asleep or staying asleep). *PubMed Health* at
<<http://www.ncbi.nlm.nih.gov/pubmedhealth/PMH0000274/>> [as of June 3, 2011].

³ Albuterol is in a class of medications called bronchodilators and is used to prevent and
treat wheezing, difficulty breathing and chest tightness caused by lung diseases such as asthma
and chronic obstructive pulmonary disease. *PubMed Health* at
<<http://www.ncbi.nlm.nih.gov/pubmedhealth/PMH0000355/>> [as of June 3, 2011].

1 probation, sentenced to 180 days in jail, required to install an ignition interlock device on her
2 vehicle and pay \$2,343.00.

3 13. The circumstances that give rise to the conviction are as follows: On or about July 4,
4 2008, officers were dispatched to the scene of a traffic accident. Respondent was driving her car,
5 and hit a curb and blew her tires out. Respondent continued to drive down the road at a high rate
6 of speed. Respondent's vehicle came to a stop in the middle of the roadway and when the officer
7 approached Respondent's vehicle he could see the two passenger-side tire rims as the tire rubber
8 had been completely torn off of the rims. Respondent failed field sobriety tests administered by
9 the officer and said she had consumed wine. Respondent was taken into custody and booked into
10 Ventura County Jail.

11 SECOND CAUSE FOR DISCIPLINE

12 (Dangerous Use of Alcohol)

13 14. Respondent is subject to disciplinary action under section 2762 subdivision (b), on
14 the grounds of unprofessional conduct, in that Respondent used alcoholic beverages, to an extent
15 dangerous or injurious to herself, and the public. Complainant's allegations, as set forth in
16 paragraphs 10 through 13, are incorporated by reference, as though fully set forth.

17 THIRD CAUSE FOR DISCIPLINE

18 (Criminal Conviction Involving Alcohol)

19 15. Respondent is subject to disciplinary action under section 2672 subdivision (c), on the
20 grounds of unprofessional conduct, in that Respondent was convicted of a criminal offense
21 involving the consumption of alcoholic beverages. Complainant's allegations, as set forth in
22 paragraphs 10 through 13, are incorporated by reference, as though fully set forth.

23 DISCIPLINE CONSIDERATIONS

24 16. To determine the degree of discipline, if any, to be imposed on Respondent,
25 Complainant alleges:

26 a. On or about November 2, 1999, in a prior criminal proceeding entitled State of
27 California v. Elizabeth Lynn Caporuscio, in Los Angeles Municipal Court, Case Number
28 9MA01823, Respondent was convicted for violating Vehicle Code section 23152(b) [Driving

1 under the influence with blood alcohol content greater than 0.15%]. The record of the criminal
2 proceeding is incorporated as if fully set forth.

3 b. On or about July 11, 2001, in a prior criminal proceeding entitled State of California
4 v. Elizabeth Lynn Caporuscio, in Los Angeles Superior Court, Case Number 1MA00837,
5 Respondent was convicted for violating Vehicle Code section 23152(a) [Driving under the
6 influence]. The record of the criminal proceeding is incorporated as if fully set forth.

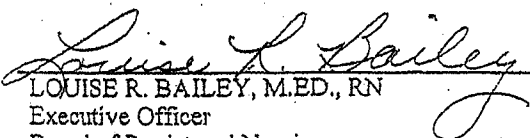
7 c. On or about April 11, 2003, in a prior criminal proceeding entitled State of California
8 v. Elizabeth Lynn Caporuscio, in Los Angeles Superior Court, Case Number 3MA00074,
9 Respondent was convicted for violating Vehicle Code section 23152(b) [Driving under the
10 influence with blood alcohol content greater than 0.15%]. The record of the criminal proceeding
11 is incorporated as if fully set forth.

12 PRAYER

13 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
14 and that following the hearing, the Board of Registered Nursing issue a decision:

- 15 1. Revoking or suspending Registered Nurse License Number 511906, issued to
16 Elizabeth Lynn Caporuscio;
- 17 2. Ordering Elizabeth Lynn Caporuscio to pay the Board of Registered Nursing the
18 reasonable costs of the investigation and enforcement of this case, pursuant to Code section
19 125.3; and
- 20 3. Taking such other and further action as deemed necessary and proper.

21
22
23 DATED: 6/13/11


24 LOUISE R. BAILEY, M.ED., RN
25 Executive Officer
26 Board of Registered Nursing
27 Department of Consumer Affairs
28 State of California
Complainant

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