

IN THE MATTER OF
PERMANENT CERTIFICATE
NUMBER 249296
ISSUED TO
CYNTHIA ANNE LITTLE

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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. Johnson
Executive Director of the Board

ORDER OF THE BOARD

TO: Cynthia Anne Little
5850 W. 3rd Street #295
Los Angeles, California 90036

During open meeting held in Austin, Texas, on December 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 249296, previously issued to CYNTHIA ANNE LITTLE, 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 December, 2011.

TEXAS BOARD OF NURSING

BY:



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

Attachment: Formal Charge filed September 29, 2011.

Re: Permanent Certificate Number 249296
Issued to Cynthia Anne Little
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 15th day of December, 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):

Cynthia Anne Little
5850 W. 3rd Street #295
Los Angeles, California 90036

BY:



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

In the Matter of Permanent License § **BEFORE THE TEXAS**
Number 249296, Issued to §
CYNTHIA ANNE LITTLE, Respondent § **BOARD OF NURSING**

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, CYNTHIA ANNE LITTLE, is a Registered Nurse holding license number 249296, 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 September 24, 2010, Respondent received a Findings of Fact, Conclusions of Law and Final Order of Default from the Washington State Board of Nursing wherein Respondent's license to practice professional nursing in the State of Washington was Suspended by Default for incompetence, negligence, or malpractice which results in injury to a patient or which creates an unreasonable risk that a patient may be harmed. A copy of the Findings of Fact, Conclusions of Law and Final Order of Default issued by the Washington State Board of Nursing dated September 24, 2010 is attached and incorporated by reference as a part of this charge.

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

CHARGE II.

On or about August 30, 2011, Respondent was issued a Final Order by the Florida Board of Nursing wherein Respondent's license to practice professional nursing in the State of Florida was Suspended until Respondent is able to demonstrate her present ability to engage in the safe practice of nursing. A copy of the Final Order issued by the Florida Board of Nursing dated August 30, 2011 is attached and incorporated by reference as a part of this charge.

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).

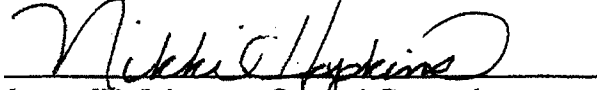
NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, www.bon.state.tx.us.

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 Orders which are attached and incorporated by reference as part of these charges, will be offered in support of the disposition recommended by staff: Findings of Fact, Conclusions of Law and Final Order of Default issued by the Washington State Board of Nursing dated September 24, 2010 and Final Order issued by the Florida Board of Nursing dated August 30, 2011.

Filed this 29th day of September, 20 11.

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: Findings of Fact, Conclusions of Law and Final Order of Default issued by the Washington State Board of Nursing dated September 24, 2010 and Final Order issued by the Florida Board of Nursing dated August 30, 2011.



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
Olympia, Washington 98504

RE: Cynthia A. Little
Master Case No.: M2010-99
Document: Default Order

Regarding your request for information about the above-named practitioner, certain information may have been withheld pursuant to Washington state laws. While those laws require that most records be disclosed on request, they also state that certain information should not be disclosed.

The following information has been withheld: **NONE**

If you have any questions or need additional information regarding the information that was withheld, please contact:

Customer Service Center
P.O. Box 47865
Olympia, WA 98504-7865
Phone: (360) 236-4700
Fax: (360) 586-2171

You may appeal the decision to withhold any information by writing to the Privacy Officer, Department of Health, P.O. Box 47890, Olympia, WA 98504-7890.

STATE OF WASHINGTON
DEPARTMENT OF HEALTH
NURSING CARE QUALITY ASSURANCE COMMISSION

In the Matter of

No. M2010-99

CYNTHIA A. LITTLE
Credential No. RN.RN.00148026

FINDINGS OF FACT,
CONCLUSIONS OF LAW AND
FINAL ORDER OF DEFAULT
(Failure to Respond)

Respondent

This matter is before the Presiding Officer, on designation by the Nursing Care Quality Assurance Commission (Commission), for final order of default. Based on the record, the Presiding Officer issues the following:

1. FINDINGS OF FACT

1.1 On January 22, 2003, the state of Washington issued Respondent a credential to practice as a registered nurse. Respondent's credential expired on May 25, 2010, but is subject to late renewal.

1.2 At times relevant to these allegations, Respondent was employed by a staffing agency, working in the Neo-natal Intensive Care Unit at Valley Medical Center in Renton, Washington.

1.3 On approximately July 19, 2009, Respondent failed to provide appropriate care to Patient A. Specifically, Respondent:

- A. Allowed the infant's TPN/Intralipid lines to run dry on his peripherally-inserted central catheter;
- B. Inappropriately secured the infant's peripheral artery-line;
- C. Inappropriately positioned the infant's temperature probe resulting in incorrect temperature readings and the infant to overheat;
- D. Improperly placed a Replogle tube, by attaching the end to the air vent rather than to suction.

1.4 On approximately July 24, 2009, Respondent failed to give an ordered dose of caffeine citrate bolus to Patient B.

1.5 On approximately September 12, 2009, Respondent fed Patient C 20 calorie formula, although physician's orders were to feed 24 calorie formula.

FINDINGS OF FACT, CONCLUSIONS OF LAW,
AND FINAL ORDER OF DEFAULT (Failure to Respond)
NO. M2010-99

PAGE 1 OF 5

ORIGINAL

REV 10/08

1.6 On approximately October 1, 2009, the Commission sent Respondent a letter, to her address on file with the Department, advising her of the complaint in this case. The letter was returned to the Commission as undeliverable by the post office.

1.7 On approximately October 16, 2009, the nursing investigator sent Respondent a Notice of Intent to Subpoena for Records. This Notice was sent to Respondent's address of record, but was returned as undeliverable by the post office.

1.8 On approximately October 26, 2009, the nursing investigator sent Respondent an email seeking her cooperation with the investigation in this case. The email was returned as undeliverable.

1.9 On August 9, 2010, the Commission served Respondent with a copy of the following documents at Respondent's last known address:

- A. Statement of Charges;
- B. Notice of Your Legal Rights;
- C. Answer to Statement of Charges and Request for Settlement and Hearing (Answer).

1.10 The Answer was due in the Adjudicative Clerk Office by August 29, 2010. RCW 18.130.090.

1.11 The Adjudicative Clerk Office has not received the Answer. On August 30, 2010, the Adjudicative Clerk Office issued a Notice of Failure to Respond.

1.12 The Commission has no reason to believe Respondent is now on active military service.

2. CONCLUSIONS OF LAW

2.1 The Commission has jurisdiction over Respondent and over the subject matter of this case, RCW 18.130.040.

2.2 Respondent did not file a request for hearing within the time allowed. RCW 18.130.090(1). Respondent is in default, and the Commission may issue a final order based on the evidence presented. RCW 18.130.090(1) and RCW 34.05.440.

2.3 Respondent has committed unprofessional conduct in violation of RCW 18.130.180(4), (7); WAC 246-840-710(2)(d); and WAC 246-11-060.

2.4 The above violations provide grounds for imposing sanctions under RCW 18.130.160.

3. COMPLIANCE WITH SANCTION RULES

3.1 The disciplinary authority applies WAC 246-16-800, *et seq.*, to determine appropriate sanctions. WAC 246-16-800(2)(c) requires the disciplinary authority to impose terms based on a specific sanction schedule unless "the schedule does not adequately address the facts in a case."

3.2 Respondent's alleged conduct falls in Tier A of the "Practice Below Standard of Care" schedule, WAC 246-16-810. The sanction range associated with that tier does adequately address the alleged facts of this case. The disciplinary authority has identified factors that justify a sanction that falls within the range of the above identified tier.

3.3 The disciplinary authority considered the following mitigating factors:

- A. Neither Patient A nor Patient B was harmed by Respondent's failures.

4. ORDER

The COMMISSION ORDERS:

4.1 Respondent's credential to practice as a nurse in the state of Washington shall be and is hereby **SUSPENDED** with no right to petition for reinstatement for a period of at least twenty-four (24) months from the effective date of this Order.

4.2 Respondent shall assume all costs of complying with this Order.

4.3 Respondent shall inform the Commission and the Adjudicative Clerk Office, in writing, of changes in Respondent's residential and/or business address within thirty (30) days of the change.

4.4 The effective date of this Order is that date the Adjudicative Clerk Office places the signed order into the U.S. mail. Respondent shall not submit any fees or compliance documents until after the effective date of this Order.

5. NOTICE TO PARTIES

This Order will be reported to the Health Integrity and Protection Databank (45

CFR Part 61), the National Practitioner Databank (45 CFR Part 60) and elsewhere as required by law. It is a public document and will be placed on the Department of Health's website and otherwise disseminated as required by the Public Records Act (Chap. 42.56 RCW) and the Uniform Disciplinary Act RCW 18.130.110.

Respondent may file a petition for reconsideration. RCW 34.05.470. The petition must be filed within ten (10) days of service of this Order with:

Adjudicative Clerk Office
Adjudicative Service Unit
PO Box 47879
Olympia, WA 98504-7879

and a copy must be sent to:

State of Washington
Department of Health
Legal Services Office
PO Box 47873
Olympia WA 98504-7873

The petition must state the specific grounds upon which reconsideration is requested and the relief requested. The petition for reconsideration is considered denied twenty (20) days after the petition is filed if the Adjudicative Clerk Office has not responded to the petition or served written notice of the date by which action will be taken on the petition.

A petition for judicial review must be filed and served within thirty (30) days after service of this Order. RCW 34.05.542. The procedures are identified in chapter 34.05 RCW, Part V, Judicial Review and Civil Enforcement. A petition for reconsideration is not required before seeking judicial review. If a petition for reconsideration is filed, however, the thirty (30) day period will begin to run upon the resolution of that petition, RCW 34.05.470(3).

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The Order remains in effect even if a petition for reconsideration or petition for review is filed. "Filing" means actual receipt of the document by the Adjudicative Clerk Office, RCW 34.05.010(6). This Order was "served" upon you on the day it was deposited in the United States mail, RCW 34.05.010(19).

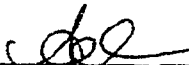
DATED: SEPT 24, 2010

STATE OF WASHINGTON
DEPARTMENT OF HEALTH
NURSING CARE QUALITY ASSURANCE
COMMISSION



PANEL CHAIR

PRESENTED BY:



MIRANDA BAYNE, WSBA #38189
DEPARTMENT OF HEALTH STAFF ATTORNEY

September 24 2010
DATE



Rick Scott
Governor

H. Frank Farmer, Jr., M.D., Ph.D., FACP
State Surgeon General

CERTIFICATION

I, Lawanda Bell, Deputy Agency Clerk and Custodian of Records, HEREBY certify the following to be true and correct as on file with the Department of Health.

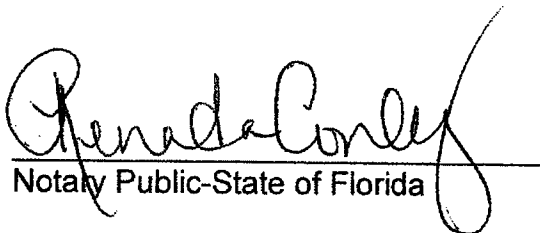
Attached is a true and correct copy of the **Final Order** as maintained by the Department of Health. The attached is a regularly received and retained record of the **Board of Nursing vs. Cynthia Anne Little; Case No. 2010-21399** and is received and retained in the ordinary course of business of the Department of Health.


Lawanda M Bell
Deputy Agency Clerk

STATE OF FLORIDA
COUNTY OF LEON

Before me, personally appeared Lawanda Bell whose identity is personally known to me as Deputy Agency Clerk, and who, acknowledges that his/her signature appears above.

Sworn and subscribed to, before me, this 14th day of October 2011.


Notary Public-State of Florida


RENADA CONLEY
Commission DD 818579
Expires November 9, 2012
Berkshire Title Trust Firm Insurance 850-385-7019
Type or Print Name

STATE OF FLORIDA
BOARD OF NURSING

Angela Sanders
Deputy Agency Clerk

DEPARTMENT OF HEALTH,
Petitioner,

vs.

Case No.: 2010-21399
License No.: RN 9171197

CYNTHIA ANNE LITTLE,
Respondent.

FINAL ORDER

This matter appeared before the Board of Nursing at a duly-noticed public meeting on August 5, 2011 in Tampa, Florida, for a hearing not involving disputed issues of material fact pursuant to Sections 120.569 and 120.57(2), Florida Statutes. Petitioner has filed an Administrative Complaint seeking disciplinary action against the license. A copy of the Administrative Complaint is attached to and made a part of this Final Order. Service of the Administrative Complaint was made upon Respondent by certified mail, return receipt requested. Respondent has not filed an Election of Rights. Petitioner has filed a Motion for Determination of Waiver and Entry of Final Order. Petitioner was represented by William Miller, Assistant General Counsel, Florida Department of Health. Respondent was not present.

FINDINGS OF FACT

Since the licensee has not replied to the Administrative Complaint nor contested the factual allegations, the prosecuting

attorney offered the investigative file to prove the facts as alleged. The investigative file was received into evidence and the Board finds the uncontested facts adequately support the allegations. Therefore, the Board adopts as its finding of facts the facts set forth in the Administrative Complaint.

CONCLUSIONS OF LAW

Based upon the Findings of Fact, the Board concludes the licensee has violated Section 464.018(1)(b), Florida Statutes.

The Board is empowered by Sections 464.018(2) and 456.072(2), Florida Statutes, to impose a penalty against the licensee. Therefore it is ORDERED that:

The licensee must pay investigative costs of \$309.92 prior to reinstatement of her license. Payment shall be made to the Board of Nursing and mailed to, DOH-Compliance Management Unit, 4052 Bald Cypress Way, Tallahassee, Florida 32399-3276, Attention: Nursing Compliance Officer. Payment must be made by cashier's check or money order ONLY. Personal checks will NOT be accepted.

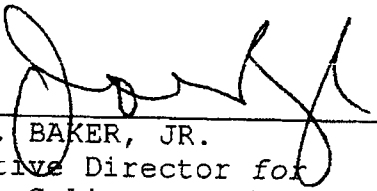
The licensee is suspended until she personally appears before the Board and can demonstrate her present ability to engage in the safe practice of nursing. Within 30 days she shall return her license to DOH-Compliance Management Unit, 4052 Bald Cypress Way, Tallahassee, Florida 32399-3276, Attention: Nursing Compliance Officer, or shall surrender the license to an

investigator of the Department of Health. The licensee shall immediately inform the employer in writing regarding the suspension with a copy to DOH-Compliance Management Unit, 4052 Bald Cypress Way, Tallahassee, FL 32399-3276, Attention: Nursing Compliance Officer. The Board reserves the right to impose reasonable conditions of reinstatement at the time the licensee appears before the Board to demonstrate her present ability to engage in the safe practice of nursing.

This Final Order shall become effective upon filing with the Clerk of the Department of Health.

DONE AND ORDERED this 30th day of Aug, 2011.

BOARD OF NURSING



JOE R. BAKER, JR.
Executive Director for
Jessie Colin, RN, PhD, CHAIR

NOTICE OF APPEAL RIGHTS

Pursuant to Section 120.569, Florida Statutes, the parties are hereby notified that they may appeal this Final Order by filing one copy of a notice of appeal with the clerk of the department and by filing a filing fee and one copy of a notice of appeal with the District Court of Appeal within thirty days of the date this Final Order is filed.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail to **CYNTHIA ANNE LITTLE**, 5850 West 3rd Street, #295, Los Angeles, CA 90036; by interoffice mail to **Lee Ann Gustafson**, Assistant Attorney General, PL-01, The Capitol, Tallahassee, Florida 32399-1050; and **William Miller**, Assistant General Counsel, Department of Health, 4052 Bald Cypress Way, Bin # C-65, Tallahassee, Florida 32399-3265 on this 31st day of Aug, 2011.

~~*Amo Sanders*~~
Deputy Agency Clerk

7011 1150 0001 4539 7634
[REDACTED] . [REDACTED]

**STATE OF FLORIDA
DEPARTMENT OF HEALTH**

DEPARTMENT OF HEALTH,

PETITIONER,

v.

CASE NO. 2010-21399

CYNTHIA ANNE LITTLE, R.N.

RESPONDENT.

ADMINISTRATIVE COMPLAINT

COMES NOW, Petitioner; Department of Health, by and through its undersigned counsel, and files this Administrative Complaint before the Board of Nursing against Respondent, Cynthia Anne Little, R.N., and in support thereof alleges:

1. Petitioner is the state department charged with regulating the practice of nursing pursuant to Section 20.43, Florida Statutes; Chapter 456, Florida Statutes; and Chapter 464, Florida Statutes.
2. At all times material to this Administrative Complaint, Respondent was a licensed registered nurse (R.N.) within the state of Florida, having been issued license number RN 9171197.

3. Respondent's address of record is 5850 W. 3rd St. #295, Los Angeles, California 90036.
4. The State of Washington Department of Health is the licensing authority for nurses in the State of Washington.
5. Respondent's Washington nursing license is license number RN 00148026.
6. On or about September 24, 2010, the State of Washington Department of Health approved a Findings of Fact, Conclusions of Law and Final Order of Default which suspended Respondent's Washington nursing license for a period of twenty-four (24) months.
7. Section 464.018(1)(b), Florida Statutes (2010), provides that having a license to practice nursing revoked, suspended, or otherwise acted against, including the denial of licensure, by the licensing authority of another state, territory, or country constitutes grounds for disciplinary action.
8. Respondent had a license to practice nursing revoked, suspended, or otherwise acted against, including the denial of licensure, by the licensing authority of another state, territory, or country, when on or about September 24, 2010, the State of Washington Department of Health

suspended Respondent's Washington nursing license for a period of 24 months.

9. Based on the foregoing, Respondent violated Section 464.018(1)(b), Florida Statutes (2010), by having a license to practice nursing revoked, suspended, or otherwise acted against, including the denial of licensure, by the licensing authority of another state, territory, or country.

WHEREFORE, the Petitioner respectfully requests that the Board of Nursing enter an order imposing one or more of the following penalties: permanent revocation or suspension of Respondent's license, restriction of practice, imposition of an administrative fine, issuance of a reprimand, placement of the Respondent on probation, corrective action, refund of fees billed or collected, remedial education and/or any other relief that the Board deems appropriate.

SIGNED this 28 **day of** April, **2011.**

H. Frank Farmer, Jr., M.D., Ph.D.
State Surgeon General


Jodi-Ann V. Johnson
Assistant General Counsel

DOH Prosecution Services Unit
4052 Bald Cypress Way, Bin C-65
Tallahassee, Florida 32399-3265
Florida Bar Number 0073525
(850) 245 - 4640 Telephone
(850) 245 - 4683 Facsimile

FILED
DEPARTMENT OF HEALTH
DEPUTY CLERK
CLERK Angel Sanders
DATE 5-03-2011

PCP: April 28, 2011
PCP Members: Horne & Horton

NOTICE OF RIGHTS

Respondent has the right to request a hearing to be conducted in accordance with Section 120.569 and 120.57, Florida Statutes, to be represented by counsel or other qualified representative, to present evidence and argument, to call and cross-examine witnesses and to have subpoena and subpoena duces tecum issued on his or her behalf if a hearing is requested.

NOTICE REGARDING ASSESSMENT OF COSTS

Respondent is placed on notice that Petitioner has incurred costs related to the investigation and prosecution of this matter. Pursuant to Section 456.072(4), Florida Statutes, the Board shall assess costs related to the investigation and prosecution of a disciplinary matter, which may include attorney hours and costs, on the Respondent in addition to any other discipline imposed.