IN THE MATTER OF	§	BEFORE THE ELIGIBILITY
	§	
PERMANENT CERTIFICATE	§	AND DISCIPLINARY
	§	
NUMBER 658149	§	COMMITTEE
	§	
ISSUED TO	§	OF THE TEXAS
	§	
CHRISTELLA LAVADA GIPSON	§	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.

Executive Director of the Board

ORDER OF THE BOARD

TO: Christella Lavada Gipson
9322 Front Beach Road, Lot 13
Panama City Beach, Florida 32407

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 658149, previously issued to CHRISTELLA LAVADA GIPSON, 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

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

Attachment: Formal Charge filed September 26, 2011.

Re: Permanent Certificate Number 658149
Issued to Christella Lavada Gipson
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):

Christella Lavada Gipson
9322 Front Beach Road, Lot 13
Panama City Beach, Florida 32407

BY: Katherine A. Thomas

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

In the Matter of Permanent License	§	**BEFORE THE TEXAS**
Number 658149, Issued to	§	
CHRISTELLA LAVADA GIPSON, Respondent	§	**BOARD OF NURSING**

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, CHRISTELLA LAVADA GIPSON, is a Registered Nurse holding license number 658149, which is in inactive 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 December 22, 2008, Respondent received a Final Order from the Florida Board of Nursing wherein Respondent's license to practice professional nursing in the State of Florida was issued a Reprimand with fine and educational requirements for practicing nursing without a valid nursing license in the State of Florida. A copy of the Final Order issued by the Florida Board of Nursing dated December 22, 2008 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 April 30, 2010, Respondent received a Final Order from the Florida Board of Nursing wherein Respondent's license to practice professional nursing in the State of Florida was Reprimanded and Indefinitely Suspended for failure to comply with the Final Order issued by the Florida Board of Nursing dated December 23, 2008 with the suspension probated pending completion of all terms of said Order and Final Order issued on or about December 23, 2008. A copy of the Final Order issued by the Florida Board of Nursing dated April 30, 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.

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: Final Order issued by the Florida Board of Nursing dated December 22, 2008 and Final Order issued by the Florida Board of Nursing dated April 30, 2010.

Filed this 26th day of September, 2011.

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: Final Order issued by the Florida Board of Nursing dated December 22, 2008 and Final Order issued by the Florida Board of Nursing dated April 30, 2010.

D/2010.12.28

Charlie Crist
Governor

Ana M. Viamonte Ros, M.D., M.P.H.
State Surgeon General

September 20, 2010

Texas Board of Nursing
Attn: Bonnie Krznarich
333 Guadalupe Suite 3-460
Austin, TX 78701

RE: Christella Gipson; Case Number 2007-36374

Dear Ms. Krznarich:

The Central Records Unit, Division of Medical Quality Assurance has received your request for public information regarding the above-referenced. We have enclosed *certified* copies of the requested information.

The mission of the Department of Health is to promote, protect and improve the health of all people in Florida. If you have any questions, please call me at (850) 245-4121.

Sincerely,

Angela Barton

Angela Barton
Deputy Agency Clerk

Enclosure

Charlie Crist
Governor

Ana M. Viamonte Ros, M.D., M.P.H.
State Surgeon General

CERTIFICATION

I, **ALLI BAGGETT**, 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 a Final Order from Case Number **2007-36374** as maintained by the Department of Health. The attached is a regularly received and retained record of the **Board of Nursing** vs. **Christella Gipson,** and is received and retained in the ordinary course of business of the Department of Health.

ALLI BAGGETT
Deputy Agency Clerk

Division of Medical Quality Assurance, Central Records Unit
4052 Bald Cypress Way, Bin C 01 • Tallahassee, FL 32399-3251
Telephone (850) 245-4121
www.doh.state.fl.us

Personally appeared before me, the undersigned authority, **ALLI BAGGETT**, Deputy Agency Clerk, Department of Health, Division of Medical Quality Assurance, who being sworn, says that this is a true and correct copy from the official file of the Department of Health.

ALLI BAGGETT
Deputy Agency Clerk

STATE OF FLORIDA
COUNTY OF LEON

Before me, personally appeared Alli Baggett 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 20 day of **SEPTEMBER 2010**.

Notary Public-State of Florida

ANGELA BARTON
NOTARY PUBLIC - STATE OF FLORIDA
COMMISSION # DD922154
EXPIRES 9/1/2013
BONDED THRU 1-800-NOTARY1

Type or Print Name

Final Order No. DOH-08-3011-S -MQA
FILED DATE DEC 23 2008
Department of Health
By: Deputy Agency Clerk

STATE OF FLORIDA
BOARD OF NURSING

DEPARTMENT OF HEALTH,

Petitioner,

vs.

Case No.: 2007-36374
License No.: RN 9162964

CHRISTELLA L. GIPSON,

Respondent.
_____/

FINAL ORDER

THIS CAUSE came before the BOARD OF NURSING (Board) pursuant to Sections 120.569 and 120.57(4), Florida Statutes, on December 5, 2008, in Kissimmee, Florida, for the purpose of considering a settlement agreement (attached hereto as Exhibit A) entered into between the parties in this cause. Upon consideration of the settlement agreement, the documents submitted in support thereof, the arguments of the parties, and being otherwise fully advised in the premises, it is hereby

ORDERED AND ADJUDGED that the settlement agreement as submitted be and is hereby approved and adopted in toto and incorporated herein by reference. The costs are $1,440.00. Accordingly, the parties shall adhere to and abide by all the terms and conditions of the settlement agreement.

This Final Order shall take effect upon being filed with the Clerk of the Department of Health.

DONE AND ORDERED this 22 day of December, 2008.

BOARD OF NURSING

Rick García, MS, RN, CCM
Executive Director *for*
Vicky Stone-Gale, MSN, ARNP
Chair

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Final Order has been provided by U.S. Mail to CHRISTELLA L. GIPSON, 546B North Lakeshore Drive, Panama city Beach FL 32408; and by interoffice delivery to and by interoffice delivery to Lee Ann Gustafson, Senior Assistant Attorney General, Department of Legal Affairs, PL-01 The Capitol, Tallahassee FL 32399-1050, William Miller, Department of Health, 4052 Bald Cypress Way, Bin C-65, Tallahassee, Florida 32399-3265 this 23 day of December, 2008.

Deputy Agency Clerk

AAstipform.wpd

STATE OF FLORIDA
DEPARTMENT OF HEALTH

DEPARTMENT OF HEALTH,

PETITIONER,

v. **CASE NO. 2007-36374**

CHRISTELLA L. GIPSON, R.N.,

RESPONDENT.

_____/

09.24.08

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, Christella L. Gipson, 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 Complaint, Respondent was a registered nurse (RN) within the state of Florida, having been issued license number RN 9162964.

3. Respondent's address of record is 103 Virginia Drive, Fort Walton Beach, FL 32548.

4. On or about April 30, 2006, Respondent became employed as a registered nurse at the Fort Walton Beach Medical Center (FWBMC) located in Ft. Walton Beach, Florida.

5. On or about April 30, 2007, Respondent's registered nursing license lapsed and was no longer active.

6. Respondent worked as a registered nurse at FWBMC from April 30, 2007 until November 9, 2007 with a delinquent nursing license.

7. Section 456.065(2)(d)(3), Florida Statutes (2007), provides that it is a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083, to practice, attempt to practice, or offer to practice a health care profession with an inactive or delinquent license for any period of time up to 12 months.

8. Section 456.072(1)(dd), Florida Statutes (2007), provides that violating any provision of this chapter, the applicable practice act, or any rules adopted pursuant thereto constitutes grounds for disciplinary action.

9. During the period from April 30, 2007 through November 9, 2007, Respondent practiced professional nursing at FWBMC without an active nursing license.

10. Based on the foregoing, Respondent violated Section 456.072(1)(dd), Florida Statutes (2007), by violating any provision of this chapter, the applicable practice act, or any rules adopted pursuant thereto, by violating Section 456.065(2)(d)(3), Florida Statutes (2007), by practicing, attempting to practice, or offering to practice a health care profession with an inactive or delinquent license for any period of time up to 12 months.

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 23 **day of** June **, 2008.**

Ana M. Viamonte Ros, M.D., M.P.H.
State Surgeon General

Walter T. S. Widener
Assistant General Counsel
DOH Prosecution Services Unit
4052 Bald Cypress Way, Bin C-65
Tallahassee, FL 32399-3265
Florida Bar Number 0037258
(850) 245-4640
(850) 245-4683 Fax

FILED
DEPARTMENT OF HEALTH
DEPUTY CLERK
CLERK: Racel
DATE 6-24-08

PCP: 6/23/08 R. RAMOS
PCP Members: R. MUNOZ

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.

STATE OF FLORIDA
DEPARTMENT OF HEALTH

DEPARTMENT OF HEALTH,

Petitioner,

v. **CASE NO.: 2007-36374**

CHRISTELLA LAVADA GIPSON, R.N.,

Respondent.

_____/

SETTLEMENT AGREEMENT

Pursuant to Section 120.57(4), Florida Statutes, the above named parties hereby offer this Agreement to the Board of Nursing as disposition of the Administrative Complaint, attached hereto as Exhibit "A", in lieu of any other administrative proceedings. The terms herein become effective only if and when a Final Order accepting this Agreement is issued by the Board and filed. In considering this Agreement, the Board may review all investigative materials regarding this case. If this Agreement is rejected, it, and its presentation to the Board, shall not be used against either party.

STIPULATED FACTS

1. Respondent is a **REGISTERED NURSE** in the State of Florida holding license number **RN 9162964**.

2. The Respondent is charged by an Administrative Complaint filed by the Department and properly served upon Respondent with violations of Chapters 456

and/or 464, Florida Statutes. A true and correct copy of the Administrative Complaint is attached hereto and incorporated by reference as Exhibit A.

3. Respondent neither admits nor denies the factual allegations contained in the Administrative Complaint.

STIPULATED LAW

1. Respondent admits that he/she is subject to the provisions of Chapters 456 and 464, Florida Statutes, and the jurisdiction of the Department and the Board.

2. Respondent admits that the stipulated facts, if proven true, constitute violations of laws as alleged in the Administrative Complaint.

3. Respondent admits that the Agreement is a fair, appropriate and reasonable resolution to this pending matter.

PROPOSED DISPOSITION

1. The Board of Nursing shall reprimand the license of the Respondent.

2. The Respondent must pay an administrative fine in the amount of **TWO HUNDRED AND FIFTY DOLLARS ($250.00)** and investigative costs not to exceed **TWO THOUSAND ONE HUNDRED NINETY TWO DOLLARS AND THIRTY-EIGHT CENTS (<u>$2,192.38</u>)** within sixty (60) days from the date of entry of the Final Order. However, if the Respondent is in the Intervention Project for Nurses (IPN), the payment is due **<u>prior</u>** to completion of IPN. If the Respondent's license is suspended by the terms of this agreement, the payment is due **<u>prior</u>** to the application for reinstatement of the license. If the Respondent is placed on probation, the payment is due **<u>prior</u>** to the completion of the probationary period. The Respondent has the responsibility to

document financial hardship **prior** to the due date of the payment. Payment must be by money order. Partial payments shall be accepted. Payment shall be made to the Board of Nursing and mailed to, DOH-Client Services, P.O. Box 6320, Tallahassee, Florida 32314-6320, Attention: Nursing Compliance Officer.

3. The Respondent shall enroll in and successfully complete courses in **LEGAL ASPECTS OF NURSING & ETHICS**. This shall be in addition to other normally required continuing education courses. Verification of course content and course completion must be submitted to the Nursing Compliance Officer within six (6) months from the date of this Order. The Board will retain jurisdiction for the purpose of enforcing continuing education requirements.

4. The license of **CHRISTELLA LAVADA GIPSON, R.N.**, is placed on probation for **1** year(s) subject to the following conditions:

a. The Respondent shall not violate Chapter 456 or 464, Florida Statutes, the rules promulgated pursuant thereto, any other state or federal law, rule, or regulation relating to the practice or the ability to practice nursing. Violation of an order from another state/jurisdiction shall constitute grounds for violation of the Board Order adopting this Agreement.

b. The Respondent must report any change in his/her address, telephone number, employment, employer's address or telephone number, or any arrests [or violations of probation or whatever impediment which may be on the license from another jurisdiction], in writing by certified mail within five (5) working days to the Nursing Compliance Officer at the Department of Health, Client Services Unit, HMQAMS, BIN # C01, 4052 Bald Cypress Way, Tallahassee, Florida 32399-3251.

c. Whether employed as a nurse or not, the Respondent shall submit written reports to the Nursing Compliance Officer at

the address provided in the previous paragraph, which contain the Respondent's name; license number; current address; current telephone number; the name, address, and telephone number of each current employer, whether employed as a nurse or not; and a statement by the Respondent describing his/her employment. This report shall be submitted to the Nursing Compliance Officer every three (3) months in a manner as directed by the Nursing Compliance Officer.

d. All current and future settings in which the Respondent practices nursing shall be promptly informed of the Respondent's probationary status. Within five (5) days of the receipt of the Order adopting this Agreement, the Respondent shall furnish a copy to his/her nursing supervisor or supervisors, if there are multiple employers. The supervisor(s) must acknowledge this probation to the Board compliance officer in writing on employer letterhead within ten (10) days. Should the Respondent change employers, he/she must supply a copy of the Order adopting this Agreement to his/her supervisor within five (5) days. The new employer shall acknowledge the probation in writing on employer letterhead to the Board compliance officer within ten (10) days. The Respondent shall be responsible for assuring reports from the nursing supervisors will be furnished to the Nursing Compliance Officer every three (3) months. That report shall describe the Respondent's work assignment, workload, level of performance, and any problems that have occurred during that quarter. Any report indicating an unprofessional level of performance shall constitute a violation of this probation.

e. If the Respondent leaves Florida for thirty (30) days or more or ceases to practice nursing in Florida, the term of probation shall be tolled until the Respondent returns to active practice of nursing in Florida. Then the probationary period will resume. Unless the Final Order adopting this Settlement Agreement expressly states otherwise, any and all fines and costs imposed, or continuing education required, are not tolled by this provision, and must be paid or completed within the time specified. Employer reports are not required during the time probation is tolled. Working in nursing without notification to the Board is a violation of this Order.

f. The Respondent must work in a setting under direct supervision and only on a regularly assigned unit. Direct supervision requires another nurse to be working on the same unit as the Respondent and readily available to provide assistance and intervention. The Respondent cannot be employed by a nurse registry, temporary nurse employment agency or home health agency. Multiple employers are prohibited. The Respondent cannot be self-employed as a nurse.

5. The Respondent's failure to comply with the terms of this Probation without the prior written consent of the Board of Nursing shall be a violation of this Probation. The probation shall not be terminated until the Respondent has complied with all terms of probation. The failure to comply with the terms of probation set forth above shall result in a subsequent Uniform Complaint Form being filed by the Board with the Department of Health against the Respondent's license, which may result in additional administrative fines, probationary periods, and/or suspensions being imposed against the Respondent's license. The Respondent shall pay all costs necessary to comply with the terms of this Order. Such costs include, but are not limited to, the cost of preparation of investigative and probationary reports detailing the compliance with this probation; the cost of obtaining, and analysis of, any blood or urine specimens submitted pursuant to this Order; and administrative costs directly associated with the Respondent's probation.

6. The terms of the Final Order are effective as of the date the Final Order is filed with the clerk for the Department of Health. The Board office will send the Respondent information regarding probationary terms; however, failure of the

Respondent to receive such information does not excuse compliance with the terms of the Final Order.

7. The Respondent shall not violate Chapter 456 or 464, Florida Statutes, the rules promulgated pursuant thereto, any other state or federal law, rule, or regulation relating to the practice or the ability to practice nursing. Violation of an order from another state/jurisdiction shall constitute grounds for violation of the Board Order adopting this Agreement.

8. It is expressly understood that this Agreement is subject to the approval of the Board and Department and has no force and effect until an Order is entered adopting the Agreement.

9. This Agreement is executed by the Respondent for the purpose of avoiding further administrative action by the Board of Nursing regarding the acts or omissions specifically set forth in the Administrative Complaint attached hereto. In this regard, Respondent authorizes the Board to review and examine all investigative file materials concerning Respondent prior to, or in conjunction with, consideration of the Agreement. Furthermore, should this joint Agreement not be accepted by the Board, it is agreed that presentation to, and consideration of, this Agreement and other documents and matters by the Board shall not unfairly or illegally prejudice the Board or any of its members from further participation, consideration or resolution of these proceedings. Respondent shall offer no evidence, testimony or argument that disputes or contravenes any stipulated fact or conclusion of law.

10. Respondent and the Department fully understand that this joint Agreement and subsequent Final Order incorporating same will in no way preclude additional proceedings by the Board and/or Department against the Respondent for acts or omissions not specifically set forth in the Administrative Complaint attached hereto. This Agreement relates solely to the current disciplinary proceedings arising from the above-mentioned Administrative Complaint and does not preclude further action by other divisions, departments, and/or sections of the Department, including but not limited to the Agency for Health Care Administration's Medicaid Program Integrity Office.

11. The Respondent waives the right to seek any attorney's fees or costs from the Department in connection with this disciplinary proceeding.

12. Respondent waives all rights to appeal and further review of this Agreement and these proceedings.

WHEREFORE, the parties hereto request the Board to enter a Final Order accepting and implementing the terms contained herein.

SIGNED this 19 day of September, 2008.

Christella Lavada Gipson

CHRISTELLA LAVADA GIPSON, R.N.

Before me personally appeared Christella L Gipson whose identity is known to be by FL Drivers Lic (type of identification), and who under oath, acknowledges that his/her signature appears above.
Sworn to and subscribed by Respondent before me this 19 day of Sept, 2008

Notary Public
My Commission Expires: May 9, 2009

RICHARD L. TRAGESSER
MY COMMISSION # DD 416694
EXPIRES: May 9, 2009
Bonded Thru Budget Notary Services

APPROVED this 22nd day of September, 2008.

Ana M. Viamonte Ros, M.D., M.P.H.
State Surgeon General

Counsel for Petitioner:
Walter T.S. Widener
Assistant General Counsel
FBN: 0037258
Department of Health
Prosecution Services Unit
4052 Bald Cypress Way, BIN #C-65
Tallahassee, Florida 32399-3265

WTSW/tlr

Charlie Crist
Governor

Ana M. Viamonte Ros, M.D., M.P.H.
State Surgeon General

September 20, 2010

Texas Board of Nursing
Attn: Bonnie Krznarich
333 Guadalupe Suite 3-460
Austin, TX 78701

RE: Christella Gipson; Case Number 2009-08003

Dear Ms. Krznarich:

The Central Records Unit, Division of Medical Quality Assurance has received your request for public information regarding the above-referenced. We have enclosed *certified* copies of the requested information.

The mission of the Department of Health is to promote, protect and improve the health of all people in Florida. If you have any questions, please call me at (850) 245-4121.

Sincerely,

Angela Barton

Angela Barton
Deputy Agency Clerk

Enclosure

Charlie Crist
Governor

Ana M. Viamonte Ros, M.D., M.P.H.
State Surgeon General

CERTIFICATION

I, **ALLI BAGGETT**, 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 a Final Order from Case Number **2009-08003** as maintained by the Department of Health. The attached is a regularly received and retained record of the **Board of Nursing** vs. **Christella Gipson,** and is received and retained in the ordinary course of business of the Department of Health.

ALLI BAGGETT
Deputy Agency Clerk

Personally appeared before me, the undersigned authority, **ALLI BAGGETT**, Deputy Agency Clerk, Department of Health, Division of Medical Quality Assurance, who being sworn, says that this is a true and correct copy from the official file of the Department of Health.

ALLI BAGGETT
Deputy Agency Clerk

STATE OF FLORIDA
COUNTY OF LEON

Before me, personally appeared Alli Baggett 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 20 day of **SEPTEMBER 2010**.

Notary Public-State of Florida

ANGELA BARTON
NOTARY PUBLIC - STATE OF FLORIDA
COMMISSION # DD922154
EXPIRES 9/1/2013
BONDED THRU 1-800-NOTARY1

Type or Print Name

Final Order No. DOH-10-1046-FOL-MQA
FILED DATE - 4-30-10
Department of Health
By: Deputy Agency Clerk

STATE OF FLORIDA
BOARD OF NURSING

DEPARTMENT OF HEALTH,

Petitioner,

vs.

Case No.: 2009-08003
License No.: RN 9162964

CHRISTELLA LAVADA GIPSON,

Respondent.

_____/

FINAL ORDER

This matter appeared before the Board of Nursing at a duly-noticed public meeting on April 9, 2010 in Ft. Lauderdale, 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 personal service. 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.

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 456.072(1)(q), 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 license of CHRISTELLA LAVADA GIPSON is hereby REPRIMANDED.

The licensee must pay investigative costs of $975.39 prior to reinstatement of license. Partial payments shall not be accepted. Payment shall be made to the Board of Nursing and mailed to, DOH-Client Services, P.O. Box 6320, Tallahassee, Florida 32314-6320, Attention: Nursing Compliance Officer.

The license of CHRISTELLA LAVADA GIPSON is SUSPENDED until she makes payment of the costs imposed by this Final Order and demonstrates compliance with each and every term of the Final Order in Case No. 2007-36374 filed on December 23, 2008.

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

DONE AND ORDERED this 30th day of April, 2010.

BOARD OF NURSING

JOE 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 **CHRISTELLA LAVADA GIPSON**, 3922 Front Beach Road, Lot #29, Panama City, Beach, FL 32407; 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 30th day of April, 2010.

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STATE OF FLORIDA
DEPARTMENT OF HEALTH

DEPARTMENT OF HEALTH,

PETITIONER,

v. **CASE NO. 2009-08003**

CHRISTELLA LAVADA GIPSON, 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, Christella Lavada Gipson, R.N., and in support thereof alleges:

1. Petitioner is the state department charged with regulating the practice of nursing assistance 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 registered nurse (R.N.) within the state of Florida, having been issued license number RN 9162964.

3. Respondent's address of record is 618 Fernwood Street, Panama City Beach, FL 32408.

4. On or about December 23, 2008, the Board of Nursing filed a Final Order in case number 2007-36374.

5. The Final Order required Respondent, whether employed as a nurse or not, to submit written reports to the Nursing Compliance Officer every three (3) months in a manner as directed by the Nursing Compliance Officer.

6. Respondent failed to submit written reports to the Nursing Compliance Officer every three (3) months in a manner as directed by the Nursing Compliance Officer.

7. The Final Order required Respondent to assure that her nursing supervisors furnished reports to the Nursing Compliance Officer every three (3) months.

8. Respondent failed to assure that her nursing supervisors furnished reports to the Nursing Compliance Officer every three (3) months.

9. The Final Order required Respondent to submit verification of course content and course completion for a continuing education course in

Legal Aspect of Nursing and Nursing Ethics within six (6) months from the date of the Final Order.

10. Respondent failed to submit verification of course content and course completion for a continuing education course in Legal Aspect of Nursing and Nursing Ethics to the Nursing Compliance Officer within six (6) months from the date of the Final Order.

11. Section 456.072(1)(q), Florida Statutes (2008), provides that violating a lawful order of the department or the board, or failing to comply with a lawfully issued subpoena of the Department, constitutes grounds for disciplinary action.

12. Respondent is licensed pursuant to Chapter 464, Florida Statutes, and is a health care practitioner as defined in Section 456.001(4), Florida Statutes (2008).

13. As set forth above, Respondent violated a lawful order of the department or the board in one or more of the following ways:

a. By failing to submit written reports to the Nursing Compliance Officer every three (3) months in a manner as directed by the Nursing Compliance Officer as required by the Final Order filed in case number 2007-36374;

b. By failing to assure that her nursing supervisors furnished reports to the Nursing Compliance Officer every three (3) months as required by the Final Order filed in case number 2007-36374.

c. By failing to submit verification of course content and course completion for a continuing education course in Legal Aspect of Nursing and Nursing Ethics to the Nursing Compliance Officer within six (6) months from the date of the Final Order filed in case number 2007-36374.

14. Based on the foregoing, Respondent has violated Section 456.072(1)(q), Florida Statutes (2008), by violating a lawful order of the department or the board, or failing to comply with a lawfully issued subpoena of the department.

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 23 **day of** Oct **, 200**9**.**

Ana M. Viamonte Rose, M.D., M.P.H.
State Surgeon General

FILED
DEPARTMENT OF HEALTH
DEPUTY CLERK
CLERK: Angela Barton
DATE 10/23/2009

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