

IN THE MATTER OF
PERMANENT CERTIFICATE
NUMBER 593905
ISSUED TO
MAUREEN ELIZABETH CALLAWAY

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BEFORE THE ELIGIBILITY
AND DISCIPLINARY
COMMITTEE OF THE BOARD
OF NURSE EXAMINERS OF THE
STATE OF TEXAS



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: Maureen Elizabeth Callaway
9415 Westheimer #332C
Houston, Texas 77063

During open meeting held in Austin, Texas, on December 9, 2003, the Eligibility and Disciplinary Committee (herinafter "Committee") heard the above-styled case. This case was heard, and based on the failure of the Respondent to file a written response to the Formal Charges as required by 22 TEX. ADMIN. CODE, §213.16.

The Committee of the Board of Nurse Examiners 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 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 of the violations alleged in the Formal Charges were given to Respondent in this matter, Respondent has failed to file an answer in accordance with 22 TEX. ADMIN. CODE, §213.16.

The Committee finds that the Board is authorized to enter a default order pursuant to Texas Government Code, §2001.056 and 22 Texas Administrative Code, §213.16.

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 to set aside the default order (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 593905, previously issued to MAUREEN ELIZABETH CALLAWAY, to practice professional nursing in the State of Texas be, and the same is hereby, REVOKED.

IT IS FURTHER ORDERED that Permanent Certificate Number 593905, previously issued to MAUREEN ELIZABETH CALLAWAY, upon receipt of this Order, be immediately delivered to the office of the Board of Nurse Examiners for the State of Texas.

IT IS FURTHER ORDERED that this Order SHALL be applicable to Respondent's multi-state privilege, if any, to practice professional nursing in the State of Texas.

Entered this 9th day of December, 2003.

BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

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

CERTIFICATE OF SERVICE

I hereby certify that on the 9th day of December, 2003, 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):

Maureen Elizabeth Callaway
9415 Westheimer #332C
Houston, Texas 77063

BY:



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

In the Matter of Permanent License § **BEFORE THE BOARD**
Number 593905, Issued to § **OF NURSE EXAMINERS**
MAUREEN ELIZABETH CALLAWAY, Respondent § **FOR THE STATE OF TEXAS**

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, MAUREEN ELIZABETH CALLAWAY, is a Registered Nurse holding license number 593905, 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 April 24, 2002, Respondent engaged in the intemperate use of Cocaine in that Respondent produced a specimen for a drug screen which tested positive for Cocaine. Possession of Cocaine is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Cocaine by a Registered Nurse, affects the practice of professional nursing, and could impair the nurse's ability to recognize subtle signs, symptoms or changes in the patient's condition, and could impair the nurse's ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patient in potential danger.

The above action constitutes a violation of Section 301.452(b)(9) and (10), Texas Occupations Code and 22 TEX. ADMIN. CODE §217.12(1).

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CONTINUED ON NEXT PAGE.

NOTICE IS GIVEN that staff will present evidence in support of any recommended disposition of this matter pursuant to the factors stated in the Board's rule regarding penalty/sanction factors, 22 TEX. ADMIN. CODE, Section 213.33.

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.bne.state.tx.us.

Filed this 5th day of September, 2003.

BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

James W. Johnston, General Counsel

Board Certified - Administrative Law
Texas Board of Legal Specialization
State Bar No. 10838300
BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS
333 Guadalupe, Tower III, Suite 460
Austin, Texas 78701
P: (512) 305-6824
F: (512) 305-7401 or (512) 305-6870


E. Joy Sparks, Assistant General Counsel

State Bar No. 18874600
BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS
333 Guadalupe, Tower III, Suite 460
Austin, Texas 78701
P: (512) 305-6824
F: (512) 305-7401 or (512) 305-6870