

IN THE MATTER OF
PERMANENT REGISTERED NURSE
LICENSE NUMBER 619158 &
ISSUED TO
KATHERINE LICHTEFELD CHUMLEY,
a/k/a KATHERINE LICHTEFELD,
a/k/a KATHERINE ANNE LICHTEFELD

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BEFORE THE TEXAS
BOARD OF NURSING

ELIGIBILITY AND
DISCIPLINARY COMMITTEE



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 R. Plummer
Executive Director of the Board

ORDER OF THE BOARD

TO: KATHERINE LICHTEFELD CHUMLEY
3014 W. WILLIAM CANNON #1837
AUSTIN, TX 78745

During open meeting held in Austin, Texas, on November 12, 2013, the Texas Board of Nursing 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 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(s) to practice 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 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 Registered Nurse License Number 619158, previously issued to KATHERINE LICHTEFELD CHUMLEY, to practice nursing in the State of Texas be, and the same is/are hereby, REVOKED.

IT IS FURTHER ORDERED that this Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

Entered this 12th day of November, 2013.

TEXAS BOARD OF NURSING

BY:



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

Attachment: Formal Charge filed September 5, 2013.


Re: Permanent Registered Nurse License Number 619158
Issued to KATHERINE LICHTEFELD CHUMLEY
DEFAULT ORDER - REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 14th day of November, 2013, a true and correct copy of the foregoing DEFAULT ORDER was served and addressed to the following person(s), as follows:

Via USPS Certified Mail, Return Receipt Requested
KATHERINE LICHTEFELD CHUMLEY
3014 W. WILLIAM CANNON #1837
AUSTIN, TX 78745

Via USPS First Class Mail

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

In the Matter of	§	BEFORE THE TEXAS
Permanent Registered Nurse	§	
License Number 619158	§	
Issued to KATHERINE LICHTEFELD CHUMLEY,	§	
a/k/a KATHERINE LICHTEFELD,	§	
a/k/a KATHERINE ANNE LICHTEFELD,	§	
Respondent	§	BOARD OF NURSING

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, KATHERINE LICHTEFELD CHUMLEY, a/k/a KATHERINE LICHTEFELD, a/k/a KATHERINE ANNE LICHTEFELD, is a Registered Nurse holding License Number 619158 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 October 21, 2002, Respondent entered a plea of Nolo Contendere and was convicted of OBSTRUCTION OF PASSAGEWAY, a Class B misdemeanor offense committed on April 25, 2002, in the County Court at Law No. 3, Travis County, Texas, under Cause No. 624661. As a result of the conviction, Respondent was sentenced to confinement in the Travis County Jail for a period of one hundred eighty (180) days; however, imposition of the sentence of confinement was suspended, and Respondent was placed on probation for a period of twelve (12) months and ordered to pay a fine and court costs.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10) (eff. 9/1/01), Texas Occupations Code.

CHARGE II.

On or about March 9, 2004, Respondent submitted an Online Renewal Document for Registered Nurses and Registered Nurses with Advanced Practice Authorization to the Board of Nurse Examiners for the State of Texas in which Respondent provided false, deceptive, and/or misleading information, in that she answered "No" to question number two (2). Question number two (2) reads:

- (2) "Since issuance or last renewal, have you plead guilty (including no contest plea), been found guilty or convicted of any felony or misdemeanor other than a minor traffic violation? (Note: DWI or DUI, including first offenses, are not considered minor traffic violations.)"

Specifically, Respondent failed to disclose that, on or about October 21, 2002, Respondent entered a plea of Nolo Contendere and was convicted of OBSTRUCTION OF PASSAGEWAY, a Class B misdemeanor offense committed on April 25, 2002, in the County Court at Law No. 3, Travis County, Texas, under Cause No. 624661. Respondent's conduct was deceiving and may have affected the Board's decision to renew her license.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(2)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(22)&(23) (eff. 11/1/03).

CHARGE III.

On or about February 28, 2012, Respondent entered a plea of Nolo Contendere to CRUELTY TO NON-LIVESTOCK, a Class A misdemeanor offense committed on March 17, 2011, in the County Court at Law No. 7, Travis County, Texas, under Cause No. C1CR11500972. As a result of the plea, the proceedings against Respondent were deferred without entering an adjudication of guilt, and Respondent was placed on probation for a period of one (1) year.

On or about July 11, 2012, Respondent's deferred adjudication probation was Revoked. As a result of the revocation, Respondent was adjudged guilty of CRUELTY TO NON-LIVESTOCK ANIMALS, a Class A misdemeanor offense committed on March 17, 2011, in the County Court at Law, Travis County, Texas, under Cause No. C1CR11500972, and sentenced to serve thirty (30) days in the Travis County Jail. Respondent was also ordered to pay court costs.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(3)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(13).

CHARGE IV.

On or about September 5, 2012, Respondent entered a plea of Guilty to POSSESSION OF A CONTROLLED SUBSTANCE, NAMELY: METHAMPHETAMINE, a 3rd Degree felony offense committed on March 30, 2012, in the 277th Judicial District Court, Williamson County, Texas, under Case No. 12-0537-K277. As a result of the plea, the proceedings against Respondent were deferred without entering an adjudication of guilt, and Respondent was placed on probation for a period of four (4) years and ordered to pay a fine and court costs.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(3)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(13).

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CHARGE V.

On or about August 1, 2011, while employed as a Registered Nurse with Texas Select Staffing, Irving, Texas, and assigned to Central Texas Medical Center, San Marcos, Texas, Respondent failed to document the childbirth delivery information on the Obstetrics Patient Worksheet for Patient Medical Record Number 194641, Visit Number 6424415. Respondent's conduct was likely to injure the patients in that subsequent care givers would rely on her documentation to provide further care.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A),(1)(B)&(1)(D) and §217.12(1)(A),(1)(B),(1)(C),(4),(6)(A)&(6)(H).

CHARGE VI.

On or about October 5, 2011, while employed as a Registered Nurse with Texas Select Staffing, Irving, Texas, and assigned to Central Texas Medical Center, San Marcos, Texas, Respondent falsely documented that Patient Medical Record Number 407649, Visit Number 6436719, "reports fetal movement" on a non-pregnant patient. Respondent's conduct was likely to deceive other care givers who needed complete information on which to base their care.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A),(1)(B)&(1)(D) and §217.12(1)(A),(1)(B),(1)(C),(4),(6)(A)&(6)(H).

CHARGE VII.

On or about September of 2011, through October 18, 2011, while employed as a Registered Nurse with Texas Select Staffing, Irving, Texas, and assigned to Central Texas Medical Center, San Marcos, Texas, Respondent lacked fitness to practice nursing in that she exhibited impaired behavior while on duty, including falling asleep, rambling and not keeping on track while she was talking, screaming, cussing and answering questions in an inappropriate manner. Respondent's condition could have affected her ability to recognize subtle signs, symptoms or changes in patients' conditions, and could have affected her ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patients in potential danger.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10),(12)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A),(1)(B)&(1)(T) and 217.12(1)(A),(1)(B),(1)(E),(4)&(5).

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).

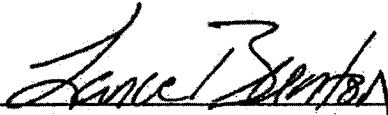
NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, www.bon.texas.gov.

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, and for Lying and Falsification, 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.

Filed this 5th day of September, 2013.

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

John R. Griffith, Assistant General Counsel
State Bar No. 24079751

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) 305-6811
F: (512) 305-8101 or (512)305-7401