

IN THE MATTER OF
PERMANENT VOCATIONAL NURSE
LICENSE NUMBER 159409
ISSUED TO
LAVONNE MARIE RANGEL

§
§
§
§
§

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.
Lavonne Marie Rangel
Executive Director of the Board

ORDER OF THE BOARD

TO: Lavonne Marie Rangel
200 Marvis Dr
Brownsville, Texas 78521

During open meeting held in Austin, Texas, on **Tuesday, December 10, 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 Vocational Nurse License Number 159409, previously issued to LAVONNE MARIE RANGEL, 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 10th day of December, 2013.

TEXAS BOARD OF NURSING

BY:



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

Attachment: Formal Charges filed October 14, 2013.

Re: Permanent Vocational Nurse License Number 159409
Issued to LAVONNE MARIE RANGEL
DEFAULT ORDER - REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 13 day of December, 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

Lavonne Marie Rangel
200 Marvis Dr
Brownsville, Texas 78521



BY:

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

In the Matter of § BEFORE THE TEXAS
Permanent Vocational Nurse §
License Number 159409 §
Issued to LAVONNE MARIE RANGEL, §
Respondent § BOARD OF NURSING

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, LAVONNE MARIE RANGEL, is a Vocational Nurse holding License Number 159409, 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 May 30, 2013, Respondent's license to practice practical nursing in the State of Oklahoma was Summarily Suspended by the Oklahoma Board of Nursing. A copy of the Order of Emergency Temporary Suspension Pending Hearing dated May 30, 2013, 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, 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.

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CONTINUED ON NEXT PAGE.

NOTICE IS ALSO GIVEN that Respondent's past disciplinary history, as set out below and described in the Order(s) which is/are attached and incorporated by reference as part of these charges, will be offered in support of the disposition recommended by staff: Oklahoma Board of Nursing Order of Emergency Temporary Suspension Pending Hearing dated May 30, 2013.

Filed this 14th day of October, 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

Attachments: Oklahoma Board of Nursing Order of Emergency Temporary Suspension Pending Hearing dated May 30, 2013.

D/2012.06.19

BEFORE THE OKLAHOMA BOARD OF NURSING

IN THE MATTER OF LAVONNE MARIE COLDIRON RANGEL MCALISTER, L.P.N.
LICENSE NO. L0049528

ORDER OF EMERGENCY TEMPORARY SUSPENSION PENDING HEARING

This matter comes on for hearing before the Oklahoma Board of Nursing ("Board") on the 30th day of May, 2013, at the Wyndham Garden Hotel Conference Center, 2101 South Meridian Avenue, Oklahoma City, Oklahoma.

The Board is represented by Debbie McKinney, Attorney at Law. LaVonne Marie Coldiron Rangel McAlister, L.P.N., ("Respondent") appears neither in person nor by counsel at the hearing on this date.

This Order is issued pursuant to the Oklahoma Nursing Practice Act, 59 O.S. §§ 567.1 *et. seq.*

FINDINGS OF FACT

After hearing all the evidence presented and upon due consideration thereof, the Board by clear and convincing evidence finds:

1. Respondent is licensed to practice licensed practical nursing in the State of Oklahoma and is the holder of License No. L0049528 issued by the Oklahoma Board of Nursing.
2. On the 18th day of March, 2013, Lisa Griffitts, Nurse Investigator for the Oklahoma Board of Nursing, filed a Complaint against the license of Respondent alleging facts which constitute a violation of the Oklahoma Nursing Practice Act, specifically, it is alleged that Respondent's conduct jeopardized patients' lives, health, or safety. Said Complaint is hereby incorporated by reference as if it appeared in full herein.

3. The Complaint and Notice filed the 18th day of March 2013, and mailed to Respondent by Certified/Restricted delivery was returned "Unclaimed" on April 11, 2013. The Complaint and Notice were mailed to the address provided by Respondent to the Board.

4. Attempts to notify Respondent of this hearing have been unsuccessful despite Respondent having an affirmative duty to notify the Board of any change in address. See § 485:10-9-9(C), of the Rules promulgated by the Board of Nursing.

5. In addition to mailing Notice to Respondent's address of record, the Nurse Investigator, on May 20, 2013, telephoned Respondent at her telephone number of record with the Board and was given a cell phone number by the person who answered the telephone. The Nurse Investigator then left a message on the provided cell phone number asking the Respondent to call the Board. The Respondent has never returned the telephone call. (Testimony of Nurse Investigator Lisa Griffitts).

6. By reason of the seriousness of the allegations made in the Complaint, and the inability to notify the Respondent of this hearing, the Board finds that public health, safety, and welfare require emergency action summarily to suspend the license to practice licensed practical nursing held by LaVonne Marie Coldiron Rangel McAlister, L.P.N., pending a hearing on the Complaint and a determination of whether or not Respondent's license should be disciplined.

CONCLUSION OF LAW

The Board retains jurisdiction over Respondent notwithstanding her lapsed license pursuant to 59 O.S. § 567.8.K.

The Board concludes that Respondent's license to practice licensed practical nursing should be summarily suspended as provided in the Order below, pursuant to 75 O.S. § 314.1 and OAC 485:10-11-2.(c)14.

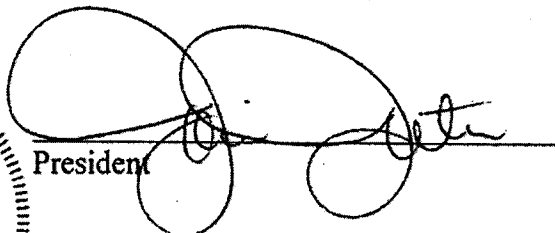
ORDER

IT IS THEREFORE ORDERED by the Oklahoma Board of Nursing that the license to practice licensed practical nursing held by LaVonne Marie Coldiron Rangel McAlister, L.P.N., be, and the same is, summarily suspended pending a hearing on the Complaint filed herein by Lisa Griffiths, Nurse Investigator for the Oklahoma Board of Nursing.

IT IS FURTHER ORDERED that pending such hearing or further Order of this Board, the Respondent is hereby enjoined from practicing or holding herself out as licensed to practice licensed practical nursing in the State of Oklahoma.

OKLAHOMA BOARD OF NURSING



President 

LG:tj