

IN THE MATTER OF PERMANENT §
REGISTERED NURSE LICENSE §
NUMBER 695712 ISSUED TO §
CATHLEEN YOUNG WADDLE §

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 A. Plummer
Executive Director of the Board

ORDER OF THE BOARD

TO: Cathleen Young Waddle
5430 Lyons Road, #105
Coconut Creek, FL 33073

During open meeting held in Austin, Texas, on **February 11, 2014**, 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 695712, previously issued to CATHLEEN YOUNG WADDLE, 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 11th day of February, 2014.

TEXAS BOARD OF NURSING

BY:



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

Attachment: Formal Charge filed November 2, 2013.

Re: Permanent Registered Nurse License Number 695712
Issued to CATHLEEN YOUNG WADDLE
DEFAULT ORDER - REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the ____ day of February, 2014, 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

Cathleen Young Waddle
5430 Lyons Road, #105
Coconut Creek, FL 33073

Via USPS First Class Mail

Cathleen Young Waddle
46860 Hilton Drive, Apt. 3311
Lexington Park, MD 20653

Cathleen Young Waddle
1822-6 S. Glenburnie Road, #153
New Bren, NC 28562

BY:



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

In the Matter of Permanent	§	BEFORE THE TEXAS
Registered Nurse License	§	
Number 695712 Issued to	§	
CATHLEEN YOUNG WADDLE,	§	
Respondent	§	BOARD OF NURSING

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, CATHLEEN YOUNG WADDLE, is a Registered Nurse holding License Number 695712, 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 June 29, 2004, Respondent was issued a Final Order Accepting Counterstipulations by the Florida Board of Nursing wherein Respondent's license to practice professional nursing in the State of Florida was placed on Probation for one (1) year with terms and conditions. Subsequently, on or about March 26, 2006, Respondent was issued an Final Order by the Florida Board of Nursing wherein Respondent's license to practice professional nursing in the State of Florida was Suspended with the suspension stayed with fine and conditions imposed for failure to comply with Final Order Accepting Counterstipulations, issued by the Florida Board of Nursing, dated June 29, 2004. Copies of the Final Order Accepting Counterstipulations issued by the Florida Board of Nursing, dated June 29, 2004, and Final Order issued by the Florida Board of Nursing, dated March 26, 2006, are 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.

CHARGE II.

On or about May 24, 2013, Respondent was issued a Decision and Order by the California Board of Nursing wherein Respondent's license to practice professional nursing in the State of California was accepted for Voluntary Surrender. A copy of the Decision and Order issued by the California Board of Nursing, dated May 24, 2013, is attached and incorporated by reference as 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, 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.

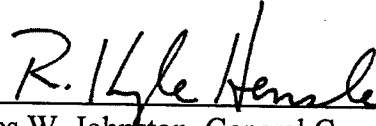
NOTICE IS ALSO GIVEN that Respondent's past disciplinary history, as set out below and described in the Order(s) which are attached and incorporated by reference as part of these charges, will be offered in support of the disposition recommended by staff: Final Order Accepting Counterstipulations issued by the Florida Board of Nursing, dated June 29, 2004, Final Order issued by the Florida Board of Nursing, dated March 26, 2006 and Decision and Order issued by the California Board of Nursing, dated May 24, 2013.

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CONTINUED ON NEXT PAGE.

Filed this 21st day of November, 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 R. Brenton, Assistant General Counsel
State Bar No. 24066924

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

R. Kyle Hensley, Assistant General Counsel
State Bar No. 50511847

John F. Legris, Assistant General Counsel
State Bar No. 00785533

John Vanderford, Assistant General Counsel
State Bar No. 24086670

333 Guadalupe, Tower III, Suite 460

Austin, Texas 78701

P: (512) 305-6811

F: (512) 305.8101

Attachments: Final Order Accepting Counterstipulations issued by the Florida Board of Nursing, dated June 29, 2004, Final Order issued by the Florida Board of Nursing, dated March 26, 2006 and Decision and Order issued by the California Board of Nursing, dated May 24, 2013.

D/2012.06.19

Final Order No. DOH-04-0716-S-MOA
FILED DATE 6-20-04
Department of Health

By: Heather Coleman
Deputy Agency Clerk

STATE OF FLORIDA
BOARD OF NURSING

DEPARTMENT OF HEALTH,
Board of Nursing,
Petitioner,

vs.

Case No.: 2003-01383
License No.: RN 3289402

CATHLEEN YOUNG WADDLE, R.N.
Respondent.

FINAL ORDER ACCEPTING COUNTERSTIPULATION

Respondent holds Florida license number **RN 3289402** as a **Licensed Professional Nurse**.

Petitioner filed an Administrative Complaint seeking disciplinary action against the license; a copy of that complaint is attached to and made a part of this Final Order.

Previously the Board rejected a stipulated disposition in this case and suggested alternative language for the parties to consider. A stipulation incorporating the alternative language was presented to the Board of Nursing at its duly-noticed public meeting on April 16, 2004 in Orlando, Florida. Respondent accepted the terms of said stipulation in a letter received by the Department of Health on June 10, 2004. Said stipulation is attached to and made a part of this Final Order. It is therefore Ordered that the counterstipulation is adopted and costs are assessed pursuant to the terms of the counterstipulation. Respondent shall be governed accordingly.

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

DONE AND ORDERED this 29 day of JUNE, 2004.

BOARD OF NURSING



Dan Coble, RN, PhD
Executive Director

NOTICE OF RIGHT TO JUDICIAL REVIEW

A PARTY WHO IS ADVERSELY AFFECTED BY THIS FINAL ORDER IS ENTITLED TO JUDICIAL REVIEW PURSUANT TO SECTION 120.68, FLORIDA STATUTES. REVIEW PROCEEDINGS ARE GOVERNED BY THE FLORIDA RULES OF APPELLATE PROCEDURE. SUCH PROCEEDINGS ARE COMMENCED BY FILING ONE COPY OF A NOTICE OF APPEAL WITH THE AGENCY CLERK OF THE DEPARTMENT OF HEALTH AND A SECOND COPY, ACCOMPANIED BY FILING FEES PRESCRIBED BY LAW, WITH THE DISTRICT COURT OF APPEAL, FIRST DISTRICT, OR WITH THE DISTRICT COURT OF APPEAL IN THE APPELLATE DISTRICT WHERE THE PARTY RESIDES. THE NOTICE OF APPEAL MUST BE FILED WITHIN THIRTY (30) DAYS OF RENDITION OF THE ORDER TO BE REVIEWED.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. mail to **CATHLEEN YOUNG WADDLE**, 13135 40TH Street North, Royal Palm Beach, Florida 33411; **Terry Swartz, Esquire**, 1545 Centrepark Drive North, West Palm Beach, Florida 33401-7414; by interoffice mail to **Rosanna Catalano**, Assistant Attorney General, PL-01 The Capitol, Tallahassee, Florida 3239-1050; and **Julie Meadows**, Assistant General Counsel, Department of Health, 4052 Bald Cypress Way, Bin # C-65, Tallahassee, Florida 32399-3265, on this 30th day of June, 2004

Erica S. Perino

Deputy Agency Clerk

*Sonneborn Rutter
Cooney & Klingensmith*^{PA}
ATTORNEYS AT LAW

1545 CENTREPARK DRIVE NORTH
WEST PALM BEACH, FLORIDA 33401-7414
(561) 684-2000
FAX (561) 684-2312

MAILING ADDRESS:
P.O. BOX 024488
WEST PALM BEACH, FL 33402-4488

June 10, 2004

CERTIFIED MAIL
RETURN RECEIPT

Dan Coble, R.N. PhD
Executive Director
Board of Nursing
4052 Bald Cypress Way
Bin C02
Tallahassee, FL 32399

Re: AHCA v. Waddle, RN
Case No. 2003-01383
Our File No. 896101

Dear Mr. Coble:

This firm represents Cathleen Waddle in the above referenced matter. Please be advised we have consulted with our client and she has agreed to accept your offer as proposed in the counterstipulation you proposed and dated May 19, 2004.

Please provide the final settlement documents to me for handling, with my client. Thank-you.

Very truly yours,


Terry R. Swartz

TRS:ig

Cc: Cathleen Waddle, R.N.

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JEFFREY L. BLOSTEIN
ROSEMARY COONEY
CERTIFIED CIRCUIT CIVIL MEDIATOR
MARK W. KLINGENSMITH
BOARD CERTIFIED CIVIL TRIAL LAWYER
JEFFREY R. ROLLINS
R. WILLIAM RUTTER, JR.
CERTIFIED CIRCUIT CIVIL MEDIATOR
CERTIFIED ARBITRATOR
MICHAEL S. SMITH
BARBARA W. SONNEBORN
BOARD CERTIFIED CIVIL TRIAL LAWYER
TERRY R. SWARTZ
WILLIAM T. VIEROEVEER

KENNETH J. BONENBERGER, JR.
LINDSEY C. DEAN
MOLLY L. FELMET
PAT HABER
OF COUNSEL
THOMAS J. SCHULTE, P.A.
CERTIFIED CIRCUIT CIVIL MEDIATOR
CERTIFIED ARBITRATOR

MEDICAL CONSULTANT
DONNE L. HILPERT, R.N., B.S.N.
DEBORAH RITSON, R.N., B.S.N.

PARALEGALS
BOBBY K. BISSOON
KEN Q. DISHMAN
PAULA ZAMMITTA-PEITZ, P.T.A.

LEGAL ASSISTANTS
JOYCE K. NIESMAN, C.L.A.
MICHELE CHAMBERS, J.D. (NY ONLY)

OFFICE MANAGER
MARTIN E. BUTLER, JR., C.P.A.

HUMAN RESOURCE ADMINISTRATOR
FREDA L. PENN

STATE OF FLORIDA
BOARD OF NURSING

FILED
DEPARTMENT OF HEALTH
DEPUTY CLERK
CLERK *Heather Coleman*
DATE 5-24-04

DEPARTMENT OF HEALTH,
Board of Nursing,

Petitioner,

vs.

Case No.: 2003-01383
License No.: RN 3289402

CATHLEEN YOUNG WADDLE, R.N.

Respondent.

**ORDER REJECTING STIPULATION
AND OFFERING COUNTERSTIPULATION**

Respondent, CATHLEEN YOUNG WADDLE, R.N. holds Florida license number RN 3289402 as a Registered Nurse. Petitioner has filed an Administrative Complaint against the license. The parties entered into a stipulated disposition. On April 16, 2004 the Board of Nursing at its meeting in Orlando, Florida, voted to reject the stipulation as an inadequate disposition in this case. The Board proposed a counterstipulation for the parties to consider. **Respondent shall notify the Executive Director of the Board of Nursing in writing at 4052 Bald Cypress Way, Bin C02, Tallahassee, FL 32399-3252, within thirty (30) days of the effective date of this Order if the Respondent wishes to accept this offer.** If the Respondent timely accepts the Board's settlement offer, a Final Order reflecting disposition of this case will be entered.

The Board's offered counterstipulation is as follows:

In addition to the reprimand, continuing education, fine, and costs set forth in the proposed Stipulation, the following provision shall be added:

The licensee is placed on probation for one (1) year, subject to the following conditions:

The licensee shall not violate chapters 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.

The licensee must report any change in address or 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 within 10 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.

Whether employed as a nurse or not, the licensee shall submit written reports to the Nursing Compliance Officer which shall contain the licensee's name, license number, and current address; the name, address, and phone number of each current employer; and a statement by the licensee describing her/his 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.

All current and future settings in which the licensee practices nursing shall be promptly informed of the licensee's probationary status. Within five days of the receipt of this Order, the licensee shall furnish a copy to her/his nursing supervisor or supervisors, if there are multiple employers. The supervisors must acknowledge this probation to the Nursing Compliance Officer in writing on employer letterhead within ten days. Should the licensee change employers, she/he must supply a copy of this Order

to her/his new nursing supervisor within five days. The new employer shall acknowledge probation in writing on employer letterhead to the Nursing Compliance Officer within ten days. The licensee shall be responsible for assuring that reports from nursing supervisors will be furnished to the Nursing Compliance Officer every three (3) months. That report shall describe the licensee's work assignment, work load, level of performance, and any problems. Any report indicating an unprofessional level of performance shall be a violation of probation.

If the licensee leaves Florida for thirty (30) days or more or ceases to practice nursing in the state, this probation shall be tolled until the licensee returns to the active practice of nursing in Florida. Then the probationary period will resume. Unless this Order states otherwise, any fines imposed or continuing education required must be paid or completed within the time specified and are not tolled by this provision. 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.

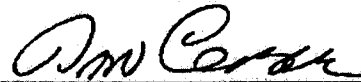
The licensee's failure to comply with the terms of this Probation Order without the prior written consent of the Board shall be a violation of this Probation. The probation shall not be terminated until the licensee has complied with all terms of probation. The failure to comply with the terms of probation 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 licensee 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 licensee's probation.

The terms of this Order are effective as of the date this Order is filed with the clerk for the Department of Health. The Board office will send the licensee information regarding probationary terms, however, failure of the licensee to receive such information DOES NOT EXCUSE COMPLIANCE with the terms of this Order.

DONE AND ORDERED this 19 day of MAY, 2004.

BOARD OF NURSING



Dan Coble, RN, PhD
Executive Director *on behalf of*
PATRICIA DITTMAN, RN, CHAIR

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. mail to **CATHLEEN YOUNG WADDLE**, 13135 40TH Street North, Royal Palm Beach, Florida 33411; **Terry Swartz, Esquire**, 1545 Centrepark Drive North, West Palm Beach, Florida 33401-7414; by interoffice mail to **Rosanna Catalano**, Assistant Attorney General, PL-01 The Capitol, Tallahassee, Florida 3239-1050; and **Julie Meadows**, Assistant General Counsel, Department of Health, 4052 Bald Cypress Way, Bin # C-65, Tallahassee, Florida 32399-3265, on this 21 day of May, 2004

Erica L. Perine
Deputy Agency Clerk

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RC
5/17/04

STATE OF FLORIDA
DEPARTMENT OF HEALTH

DEPARTMENT OF HEALTH,
BOARD OF NURSING,

Petitioner,

vs.

CASE NO. 2003-01383

CATHLEEN YOUNG WADDLE, R.N.

Respondent.

STIPULATION

Pursuant to Section 120.57(4), Florida Statutes, the above named parties hereby offer this Stipulation 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 Stipulation is issued by the Board and filed. In considering this Stipulation, the Board may review all investigative materials regarding this case. If this Stipulation is rejected, it, and its presentation to the Board, shall not be used against either party.

STIPULATED FACTS

1. Respondent is a licensed REGISTERED NURSE in the State of Florida holding license number RN328904. M/A

3289402

2. 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 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 Stipulation is a fair, appropriate and reasonable resolution to this pending matter.

PROPOSED DISPOSITION

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

2. The Board of Nursing shall impose an administrative fine of Seven Hundred Fifty dollars (\$750.00) against the license of Respondent. Respondent must also pay the administrative costs of One Thousand One Hundred Seventy-five and 89/100 (\$1,175.89) associated with the investigation of this matter. The fine and costs are to be paid by Respondent to the Board of Nursing within six months of the filing of a Final Order accepting and incorporating this Stipulation. However, if

Respondent is in the Intervention Project for Nurses (IPN), the payment is due prior to completion of IPN. If Respondent's license is suspended by the terms of this stipulation, the payment is due prior to the application for reinstatement of the license. If Respondent is placed on probation, the payment is due prior to the completion of the probationary period. 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 not be accepted. Please send payments to the Department of Health, Division of MQA/Client Services Unit, P.O. Box 6320, Tallahassee, Florida 32314-6320.

3. 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 Stipulation.

4. Respondent shall enroll in and successfully complete a board approved continuing education course on the following topics: PROFESSIONAL ROLLS AND LEGAL ASPECTS OF NURSING AND ETHICS. This/These shall be in addition to continuing education courses required for biennial renewal of licensure. Verification of course content and course completion must be submitted to the Compliance Officer within six (6) months from the date of the Board's Order incorporating this stipulation. If a course is not available, the Board office should be promptly contacted for approval of a preceptorship training at the Respondent's place of employment.

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

6. This Stipulation is executed by 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 Stipulation. Furthermore, should this joint Stipulation not be accepted by the Board, it is agreed that presentation to, and consideration of, this Stipulation 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.

7. Respondent and the Department fully understand that this joint Stipulation 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 Stipulation 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 Agency, including but not limited to the Agency's Medicaid Program Integrity Office.

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

9. Respondent waives all rights to appeal and further review of this Stipulation and these proceedings.

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

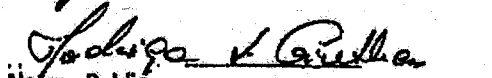
SIGNED this 17 day of September 2003.

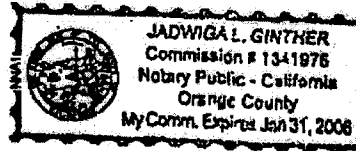

CATHLEEN YOUNG WADDLE, R.N.

STATE OF California
COUNTY OF Orange

Before me personally appeared Cathleen Young Waddle whose identity is known to be by Florida Id. license (type of identification), and who under oath, acknowledges that his/her signature appears above.


Sworn to and subscribed by Respondent before me this 17 day of September, 2003.


Notary Public
My Commission Expires: Jan 31, 2006



APPROVED this 9th day of March, 2004 (LWSB)

John O. Agwunobi, M.D.
Secretary, Department of Health


By: Wings S. Benton
Deputy General Counsel

09/11/2003 14:08 IFAX FAX@SRCKE.COM
SEP-11-2003 13:55 RHCA/LEGAL MEDICAL

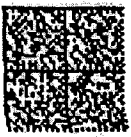
* Receptionist 008/008
850 414 1989 P.08

Counsel for Petitioner:
Lynne A. Quimby-Pennock
Assistant General Counsel
FBN: 0394572
Department of Health
Prosecution Services Unit
4052 Bald Cypress Way, BIN #C-65
Tallahassee, Florida 32399-3265

TOTAL P.08

*Sornborn Rutter
& Kingensmith*

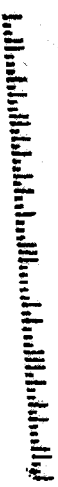
ATTORNEYS AT LAW
1545 CENTREPARK DRIVE NORTH
WEST PALM BEACH, FLORIDA 33401-7414



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SEP 25 2003

8916101 TRS
Lynne Quimby-Pennock
Assistant General Counsel
Department of Health
MOA Prosecution Services Unit -- OGC
4052 Bald Cypress Way, Bin C-85
Tallahassee, FL 32399-3265

32399+7021



Complaint Cost Summary

Complaint Number:200301383

Complainant's Name: DIFLORIO CAROLE RNI
Subject's Name: WADDLE CATHLEEN YOUNG I

***** Cost to Date *****		
	Hours	Costs
Complaint:	0.70	\$32.83
Investigation:	15.00	\$745.22
Legal:	9.30	\$755.12
	*****	*****
Sub Total:	25.00	\$1,533.17
Expenses to Date:		\$0.00
Prior Amount:		\$0.00
Total Costs to Date:		\$1,533.17

**STATE OF FLORIDA
DEPARTMENT OF HEALTH**

DEPARTMENT OF HEALTH,

PETITIONER,

v.

CASE NO. 2003-01383

CATHLEEN YOUNG WADDLE, R.N.,

RESPONDENT.

ADMINISTRATIVE COMPLAINT

Petitioner, Department of Health, by and through undersigned counsel, files this Administrative Complaint before the Board of NURSING against Respondent, CATHLEEN YOUNG WADDLE, 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 licensed Registered Nurse (R.N.) in the state of Florida, having been issued license number R.N. 328904.
3. Respondent's address of record is 13135 40th Street N., Royal Palm Beach, Florida 33411.

4. At all times material, Respondent was employed as a Registered Nurse by Wellington Regional Medical Center (hereinafter "Center"), located at 10101 Forest Hill Boulevard, Wellington, Florida 33414.

5. Although employed by the Center, on or about November 7, 2002, Respondent was not working a shift as an R.N. for the Center.

6. On or about November 7, 2002, Respondent brought her friend's daughter, an 18-year-old female (hereinafter "stepdaughter") to the Center's Emergency Room ("ER") where Respondent, without registering the "stepdaughter," without the "stepdaughter" being examined by the ER physician or any other personnel, and without any written or oral order from a physician, administered approximately 1000cc of normal saline intravenously to the "stepdaughter."

7. Once the intravenous injection was completed, Respondent and the "stepdaughter" left the Center.

8. On or about November 8, 2002, Respondent admitted that:

- a) She had brought the "stepdaughter" to the Center;
- b) She did not register or check the "stepdaughter" in the Center's ER;
- c) She had taken the "stepdaughter" into the Center's "Peds" area;
- d) She had started an IV on the "stepdaughter";
- e) She had given the "stepdaughter" a couple bags of fluids from the Center;
- f) She and the "stepdaughter" left when done;

- g) She did not have a physician's order for the IV for the "stepdaughter";
and
- h) She did not consult with or speak to any physician/MLP in the Center's ER about treatment for the "stepdaughter."

COUNT ONE

9. Petitioner realleges and incorporates paragraphs one (1) through eight (8) as if fully set forth herein.

10. Section 464.018(1)(n), Florida Statutes (2002), states that failing to meet minimal standards of acceptable and prevailing nursing practice, including engaging in acts for which the licensee is not qualified by training or experience, constitutes grounds for disciplinary action.

11. Rule 64B9-8.005(2)(n), Florida Administrative Code, provides that failing to meet or departing from minimal standards of acceptable and prevailing nursing practice includes practicing beyond the scope of the licensee's license, educational preparation or nursing experience.

12. Rule 64B9-8.005(2)(b), Florida Administrative Code, provides that failing to meet or departing from minimal standards of acceptable and prevailing nursing practice includes administering medications or treatments in a negligent manner.

13. Respondent failed to meet or departed from minimal standards of acceptable and prevailing nursing practice when:

- a) She did not register or check the "stepdaughter" in the Center;

- b) She did not consult with or speak to any physician/MLP at the Center about treatment for the "stepdaughter."
- c) She did not have a physician's order for the IV for the "stepdaughter";
- d) She took the "stepdaughter" into the Center's "Peds" area;
- e) She started an IV on the "stepdaughter"; and
- f) She gave the "stepdaughter" a couple bags of fluids from the Center.

14. Based on the foregoing, Respondent has violated Section 464.018(1)(n), Florida Statutes, by failing to meet or departing from minimal standards of acceptable and prevailing nursing practice, as defined by Rules 64B9-8.005(2)(b) and (n), Florida Administrative Code, to include administering medications or treatments in a negligent manner and practicing beyond the scope of her license.

COUNT TWO

15. Petitioner realleges and incorporates paragraphs one (1) through eight (8) as if fully set forth in this count.

16. Section 464.018(1)(h), Florida Statutes (2002), states that unprofessional conduct, as defined by board rule, constitutes grounds for disciplinary action.

17. Rule 64B9-8.005(1)(b), Florida Administrative Code, provides that unprofessional conduct includes misappropriating supplies or equipment.

18. Respondent engaged in unprofessional conduct when:

- a) She took the "stepdaughter" to the Center's "peds" area;

- b) She started an IV on the "stepdaughter"; and
- c) She gave the "stepdaughter" a couple bags of fluids from the Center when she had not consulted with or spoken to a physician or MLP.

19. Based on the foregoing, Respondent has violated Section 464.018(1)(h), Florida Statutes, by engaging in unprofessional conduct by misappropriating hospital supplies and or equipment.

COUNT THREE

20. Petitioner realleges and incorporates paragraphs one (1) through eight (8) as if fully set forth in this count.

21. Section 456.072(1)(o), Florida Statutes (2002), provides in pertinent part that disciplinary action may be taken for anyone practicing or offering to practice beyond the scope permitted by law.

22. Respondent practiced beyond the scope permitted by her nursing license when:

- a) She did not consult with or speak to any physician/MLP in the Center's ER about treatment for the "stepdaughter";
- b) She did not have a physician's order for the IV for the "stepdaughter";
- c) She started an IV on the "stepdaughter"; and/or
- d) She gave the "stepdaughter" a couple bags of fluids from the Center.

23. Based on the foregoing, Respondent has violated Section 456.072(1)(o), Florida Statutes, by practicing or offering to practice beyond the scope permitted by law.

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 19 day of June, 2003.

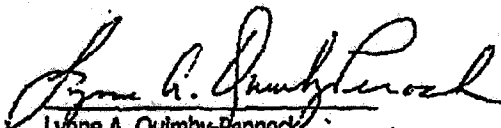
John O. Agwunobi, M.D., M.B.A.
Secretary, Department of Health

FILED

DEPARTMENT OF HEALTH
DEPUTY CLERK

CLERK Valerie Williams

DATE 06/20/03



Lynne A. Quimby-Pennock
Assistant General Counsel
DOH Prosecution Services Unit
4052 Bald Cypress Way, Bin C-65
Tallahassee, FL 32399-3265
Florida Bar # 0394572
(850) 414.8126
(850) 488.1991 FAX

LAQP

Reviewed and approved by: DCC (Initials) 4/27/03 (date)

PCP: 6/17/03

PCP Members: MG & KM

Cathleen Young Waddle, R.N., CASE NO. 2003-01383

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.

By: Theresa Melcorn
Deputy Agency Clerk

STATE OF FLORIDA
BOARD OF NURSING

DEPARTMENT OF HEALTH,

Petitioner,

vs.

Case No.: 2005-50424

License No.: RM 3289402

CATHLEEN WADDLE,

Respondent.

FINAL ORDER

THIS CAUSE came before the BOARD OF NURSING (Board) pursuant to Sections 120.569 and 120.57(4), Florida Statutes, on June 9, 2006, in Tampa, Florida, for the purpose of considering a stipulation (attached hereto as Exhibit A) entered into between the parties in this cause. Upon consideration of the stipulation, the documents submitted in support thereof, the arguments of the parties, and being otherwise fully advised in the premises, it is hereby

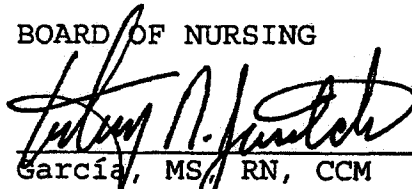
ORDERED AND ADJUDGED that the stipulation as submitted be and is hereby approved and adopted in toto and incorporated herein by reference. The costs are \$870.48. Accordingly, the parties shall adhere to and abide by all the terms and conditions of the stipulation.

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

DONE AND ORDERED this 27th day of June,

2006.

BOARD OF NURSING



Rick Garcia, MS, RN, CCM
Executive Director for
PATRICIA DITTMAN, RN, 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 CATHLEEN WADDLE, 5430 Lyons Road #105, Coconut Creek, FL 33073; 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, Kathryn Price, Department of Health, 4052 Bald Cypress Way, Bin C-65, Tallahassee, Florida 32399-3265 and Pamela Page, Department of Health, 4052 Bald Cypress Way, Bin C-65, Tallahassee, Florida 32399-3265, this 29th day of June, 2006.



Deputy Agency Clerk

STATE OF FLORIDA
DEPARTMENT OF HEALTH

DEPARTMENT OF HEALTH,

Petitioner,

vs.

CASE NO. 2005-50424

Cathleen Young Waddle, R. N.,

Respondent.

SETTLEMENT STIPULATION

Pursuant to Section 120.57(4), Florida Statutes, the above named parties hereby offer this Stipulation 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 Stipulation is issued by the Board and filed. In considering this Stipulation, the Board may review all investigative materials regarding this case. If this Stipulation is rejected, it, and its presentation to the Board, shall not be used against either party.

STIPULATED FACTS

1. Respondent is a LICENSED REGISTERED NURSE in the State of Florida holding license number 3289402.
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 Stipulation 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 Board of Nursing shall impose an administrative fine of **THREE HUNDRED NINE-NINE DOLLARS AND FIFTY-FOUR CENTS (\$399.00)** against the license of the Respondent. Respondent shall pay administrative costs in an amount not to exceed **ONE THOUSAND THREE HUNDRED NINETY-NINE DOLLARS AND FIFTY-FOUR CENTS (\$1,399.54)**. The fine and costs are to be paid by the Respondent to the Board of Nursing within six months of the filing of a Final Order accepting and incorporating this Stipulation. However, if the Respondent is in the Intervention Project for Nurses (IPN), the payment is due prior to completion of IPN. If the Respondent's license is suspended by the terms of this stipulation, the payment is due prior to the application for reinstatement of the license. If the Respondent is placed on probation, the payment is due prior 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. Please send payments to the Department of Health, Division of MQA/Client Services Unit, P. O. Box 6320, Tallahassee, Florida 32314-6320.

3. 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 Stipulation.

4. The license of Cathleen Young Waddle, R. N. is suspended; however, the suspension is stayed for sixty (60) days. The Respondent must pay the administrative fine and submit proof of compliance with the previous board order within the sixty (60) day period. If the Board office does not receive proof of compliance with the previous board order and payment of the fine and costs within sixty (60) days of the date of the final order adopting this stipulation, the stay will be lifted and the suspension imposed. The suspension will be lifted when the aforementioned conditions are met.

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

6. This Stipulation 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 Stipulation. Furthermore, should this joint Stipulation not be accepted by the Board, it is agreed that presentation to, and consideration of, this Stipulation 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.

7. Respondent and the Department fully understand that this joint Stipulation 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 Stipulation 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.

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

9. Respondent waives all rights to appeal and further review of this Stipulation and these proceedings.

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

SIGNED this 1 day of March, 2006



Cathleen Young Waddle, R. N.

Before me personally appeared Cathleen Young Waddle whose identity is known to be by FLD. W340-119-65-669-0 (type of identification), and who under oath, acknowledges that his/her signature appears above.

-4-

Sworn to and subscribed by Respondent before me this 1 day of March, ~~2006~~ 2005.



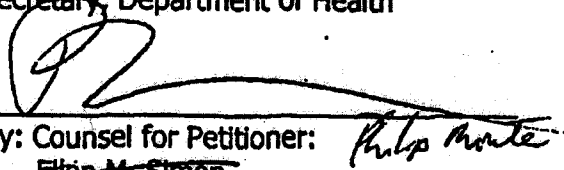
Notary Public

My Commission Expires: May 30, 2007



APPROVED this 26th day of March, 2008.

M. Rony François, M.D., M.S.P.H., Ph.D.
Secretary, Department of Health



By: Counsel for Petitioner: ~~Ellen M. Simon~~
Assistant General Counsel
FBN: 0976792
Department of Health
Prosecution Services Unit
4052 Bald Cypress Way, BIN #C-65
Tallahassee, Florida 32399-3265

**STATE OF FLORIDA
DEPARTMENT OF HEALTH**

DEPARTMENT OF HEALTH,

PETITIONER,

v.

CASE NO. 2005-50424

CATHLEEN WADDLE, 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, Cathleen Waddle, 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 licensed registered nurse (R.N.) within the state of Florida, having been issued license number RN 3289402.

3. Respondent's address of record is 5430 Lyons Road, Apt. 105, Coconut Creek, Florida 33073.

4. On or about June 30, 2004, The Board of Nursing ("Board") filed a Final Order in DOH case number 2003-01383.

5. The Final Order required Respondent to submit quarterly reports from Respondent and her nursing supervisor to the Department of Health ("DOH").

6. Respondent has failed to submit the required reports to the Board or DOH.

7. Section 464.018(1)(l), Florida Statutes (2004), provides that knowingly violating a lawful order of the board or department previously entered in a disciplinary proceeding constitutes grounds for disciplinary action.

8. Respondent violated the Final Order filed in DOH case number 2003-01383 by failing to submit quarterly reports due from Respondent and her nursing supervisor.

9. Based on the foregoing, Respondent has violated Section 464.018(1)(l), Florida Statutes (2004), by knowingly violating a lawful order from the Board.

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 19 day of December

2005.

DEPARTMENT OF HEALTH
DEPUTY CLERK
CLERK: Lilli Bailey
12/19/05

M. Rony François, M.D., M.S.P.H., Ph.D.
Secretary, Department of Health

Michael G. Lawrence, Jr.

Michael G. Lawrence, Jr.
Assistant General Counsel
DOH Prosecution Services Unit
4052 Bald Cypress Way, Bin C-65
Tallahassee, Florida 32399-3265
Florida Bar Number 0011265
(850) 414 - 8126 Telephone
(850) 414 - 1991 Facsimile

/MGL

Reviewed and approved by: MB (initials) 11-4-5 (date)

PCP: 12/14/05

PCP Members: M. Jett
G. Stadel

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.



Jeb Bush
Governor

M. Rony François, M.D., M.S.P.H., Ph.D.
Secretary

INTEROFFICE MEMORANDUM

DATE: 23 June 2006

TO: Cassandra Pasley, B.S.N., J.D., Chief
Bureau of Health Care Practitioner Regulation

FROM: Rick Garcia, MS, RN, CCM
Executive Director, Florida Board of Nursing

SUBJECT: Delegation of Authority

This is to advise you that while I am out of the office Monday, 26 June 2006 through Friday, 30 June 2006, Anthony Jusevitch, CPM, Program Operations Administrator has delegated authority to serve as Acting Executive Director for the Florida Board of Nursing. Toby can be reached at 245-4329.

ECG/sbe

cc: Diane Orcutt
Lorene Wilson
Lola Pouncey
Executive Directors

Final Order # C4-0716-5
Date FO Filed 6-30-04

DEPARTMENT OF HEALTH, BOARD OF NURSING

FINAL ORDER FACT SHEET

1. Respondent's Name: CATHLEEN WADDLE
2. License Number: RN 3289402
3. Profession Type: Nursing
4. Type of Order: Counterstipulation
5. Department of Health Case Number: 2003-01383
6. Statutory Violations Found:
7. Violation Codes: 32 18 19 29
8. Penalties Imposed: reprimand, probation, fine, costs, CE's
9. Closure code: 4000
10. Exhibits to be Attached to Final Order:
 - a. Administrative Complaint X
 - b. Consent Agreement/Stipulation X (Order Rejecting Stipulation)
 - c. Recommended Order _____
 - (1) Exceptions: Petitioner's _____ Respondent's _____
 - (2) Resp. To Exceptions: Petitioner's _____ Respondent's _____
 - d. Motions (Specify) _____
 - e. Other (Specify) X (Letter dated June 10, 2004 addressed to Dan Coble from Terry Swartz, Esq.)

Fact Sheet Prepared By: Murphy Chandler/Rosanna Catalano

Codes Added to Fact Sheet By: Debra

Exhibits Attached to Final Order By: _____

BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

CATHLEEN YOUNG WADDLE
1822-6 S. Glenburnie Road, #153
New Bern, NC 28562

Registered Nurse License No. 570767

Respondent

Case No. 2013-348

DECISION AND ORDER

The attached Stipulated Surrender of License and Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on May 24, 2013.

IT IS SO ORDERED May 24, 2013.

I hereby certify the
foregoing to be a true copy
of the documents on file in our office.

BOARD OF REGISTERED NURSING

Louise R. Bailey, M. Ed., RN
Louise R. Bailey, M. Ed., RN
Executive Officer



Raymond Mallel

Raymond Mallel, President
Board of Registered Nursing
Department of Consumer Affairs
State of California

1 KAMALA D. HARRIS
Attorney General of California
2 KAREN B. CHAPPELLE
Supervising Deputy Attorney General
3 SYDNEY M. MEHRINGER
Deputy Attorney General
4 State Bar No. 245282
300 So. Spring Street, Suite 1702
5 Los Angeles, CA. 90013
Telephone: (213) 897-2537
6 Facsimile: (213) 897-2804
Attorneys for Complainant

7
8 **BEFORE THE**
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
9 **STATE OF CALIFORNIA**

10 In the Matter of the Accusation Against:

Case No. 2013-348

11 **CATHLEEN YOUNG WADDLE**
12 **1822-6 S. Glenburnie Road, #153**
New Bern, NC 28562
13 **Registered Nurse License No. 570767**

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

14 Respondent.

15
16
17 **IT IS HEREBY STIPULATED AND AGREED** by and between the parties in this
18 proceeding that the following matters are true:

19 **PARTIES**

20 1. Louise R. Bailey, M.Ed., RN ("Complainant") is the Executive Officer of the Board
21 of Registered Nursing. She brought this action solely in her official capacity and is represented in
22 this matter by Kamala D. Harris, Attorney General of the State of California, by Sydney M.
23 Mehringer, Deputy Attorney General.

24 2. Cathleen Young Waddle ("Respondent") is representing herself in this proceeding
25 and has chosen not to exercise her right to be represented by counsel.

26 3. On or about August 23, 2000, the Board of Registered Nursing issued Registered
27 Nurse License No. 570767 to Respondent. The Registered Nurse License expired on June 30,
28 2010, and has not been renewed.

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JURISDICTION

4. Accusation No. 2013-348 was filed before the Board of Registered Nursing ("Board"), Department of Consumer Affairs, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on October 29, 2012. Respondent timely filed her Notice of Defense contesting the Accusation. A copy of Accusation No. 2013-348 is attached as Exhibit A and incorporated by reference.

ADVISEMENT AND WAIVERS

5. Respondent has carefully read, and understands the charges and allegations in Accusation No. 2013-348. Respondent also has carefully read, and understands the effects of this Stipulated Surrender of License and Order.

6. Respondent is fully aware of her legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to be represented by counsel, at her own expense; the right to confront and cross-examine the witnesses against her; the right to present evidence and to testify on her own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

CULPABILITY

8. Respondent admits the truth of each and every charge and allegation in Accusation No. 2013-348, agrees that cause exists for discipline and hereby surrenders her Registered Nurse License No. 570767 for the Board's formal acceptance.

9. Respondent understands that by signing this stipulation she enables the Board to issue an order accepting the surrender of her Registered Nurse License without further process.

CONTINGENCY

10. This stipulation shall be subject to approval by the Board of Registered Nursing. Respondent understands and agrees that counsel for Complainant and the staff of the Board of

1 Registered Nursing may communicate directly with the Board regarding this stipulation and
2 surrender, without notice to or participation by Respondent. By signing the stipulation,
3 Respondent understands and agrees that she may not withdraw her agreement or seek to rescind
4 the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt
5 this stipulation as its Decision and Order, the Stipulated Surrender and Disciplinary Order shall be
6 of no force or effect, except for this paragraph, it shall be inadmissible in any legal action
7 between the parties, and the Board shall not be disqualified from further action by having
8 considered this matter.

9 11. The parties understand and agree that facsimile copies of this Stipulated Surrender of
10 License and Order, including facsimile signatures thereto, shall have the same force and effect as
11 the originals.

12 12. This Stipulated Surrender of License and Order is intended by the parties to be an
13 integrated writing representing the complete, final, and exclusive embodiment of their agreement.
14 It supersedes any and all prior or contemporaneous agreements, understandings, discussions,
15 negotiations, and commitments (written or oral). This Stipulated Surrender of License and Order
16 may not be altered, amended, modified, supplemented, or otherwise changed except by a writing
17 executed by an authorized representative of each of the parties.

18 13. In consideration of the foregoing admissions and stipulations, the parties agree that
19 the Board may, without further notice or formal proceeding, issue and enter the following Order:

20 **ORDER**

21 IT IS HEREBY ORDERED that Registered Nurse License No. 570767, issued to
22 Respondent Cathleen Young Waddle, is surrendered and accepted by the Board of Registered
23 Nursing.

24 1. The surrender of Respondent's Registered Nurse License and the acceptance of the
25 surrendered license by the Board shall constitute the imposition of discipline against Respondent.
26 This stipulation constitutes a record of the discipline and shall become a part of Respondent's
27 license history with the Board of Registered Nursing.

1 2. Respondent shall lose all rights and privileges as a Registered Nurse in California as
2 of the effective date of the Board's Decision and Order.

3 3. Respondent shall cause to be delivered to the Board her pocket license and, if one was
4 issued, her wall certificate on or before the effective date of the Decision and Order.

5 4. If Respondent ever files an application for licensure or a petition for reinstatement in
6 the State of California, the Board shall treat it as a petition for reinstatement. Respondent must
7 comply with all the laws, regulations and procedures for reinstatement of a revoked license in
8 effect at the time the petition is filed, and all of the charges and allegations contained in
9 Accusation No. 2013-348 shall be deemed to be true, correct and admitted by Respondent when
10 the Board determines whether to grant or deny the petition.

11 5. If and when Respondent's license is reinstated, she shall pay to the Board costs
12 associated with its investigation and enforcement pursuant to Business and Professions Code
13 section 125.3 in the amount of \$1,292.50 Respondent shall be permitted to pay these costs in a
14 payment plan approved by the Board. Nothing in this provision shall be construed to prohibit the
15 Board from reducing the amount of cost recovery upon reinstatement of the license.

16 6. If Respondent should ever apply or reapply for a new license or certification, or
17 petition for reinstatement of a license, by any other health care licensing agency in the State of
18 California, all of the charges and allegations contained in Accusation, No. 2013-348 shall be
19 deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of
20 Issues or any other proceeding seeking to deny or restrict licensure.

21 7. Respondent shall not apply for licensure or petition for reinstatement for two (2)
22 years from the effective date of the Board of Registered Nursing's Decision and Order.

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ACCEPTANCE

I have carefully read the Stipulated Surrender of License and Order. I understand the stipulation and the effect it will have on my Registered Nurse License. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Registered Nursing.

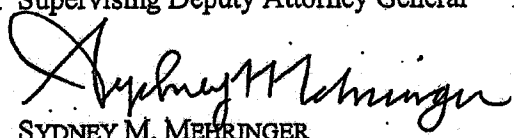
DATED: 2/5/13 
CATHLEEN YOUNG WADDLE
Respondent

ENDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted for consideration by the Board of Registered Nursing of the Department of Consumer Affairs.

Dated: January 22, 2013

Respectfully submitted,
KAMALA D. HARRIS
Attorney General of California
KAREN B. CHAPPELLE
Supervising Deputy Attorney General


SYDNEY M. MEHRINGER
Deputy Attorney General
Attorneys for Complainant

LA2012507965
51205725.doc

Exhibit A

Accusation No. 2013-348

1 KAMALA D. HARRIS
Attorney General of California
2 KAREN B. CHAPPELLE
Supervising Deputy Attorney General
3 SYDNEY M. MEHRINGER
Deputy Attorney General
4 State Bar No. 245282
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 897-2537
6 Facsimile: (213) 897-2804
E-mail: Sydney.Mehring@doj.ca.gov
7 *Attorneys for Complainant*

8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2013 - 348

13 **CATHLEEN YOUNG WADDLE**
1822-6 S. Glenburnie Road, #153
New Bern, NC 28562

ACCUSATION

14 **Registered Nurse License No. 570767**

15 Respondent.

16
17 Complainant alleges:

18 **PARTIES**

19 1. Louise R. Bailey, M.Ed., RN ("Complainant") brings this Accusation solely in her
20 official capacity as the Executive Officer of the Board of Registered Nursing, Department of
21 Consumer Affairs.

22 2. On or about August 23, 2000, the Board of Registered Nursing ("Board") issued
23 Registered Nurse License Number 570767 to Cathleen Young Waddle ("Respondent"). The
24 Registered Nurse License expired on June 30, 2010, and has not been renewed.

25 **JURISDICTION**

26 3. This Accusation is brought before the Board under the authority of the following
27 laws. All section references are to the Business and Professions Code unless otherwise indicated.

1 This right of enforcement shall be in addition to any other rights the board may have as to any
2 licentiate to pay costs.

3 "(f) In any action for recovery of costs, proof of the board's decision shall be conclusive
4 proof of the validity of the order of payment and the terms for payment.

5 "(g)(1) Except as provided in paragraph (2), the board shall not renew or
6 reinstate the license of any licentiate who has failed to pay all of the costs ordered
7 under this section.

8 (2) Notwithstanding paragraph (1), the board may, in its discretion,
9 conditionally renew or reinstate for a maximum of one year the license of any
10 licentiate who demonstrates financial hardship and who enters into a formal
11 agreement with the board to reimburse the board within that one-year period for the
12 unpaid costs.

13 "(h) All costs recovered under this section shall be considered a reimbursement for costs
14 incurred and shall be deposited in the fund of the board recovering the costs to be available upon
15 appropriation by the Legislature.

16 "(i) Nothing in this section shall preclude a board from including the recovery of the costs
17 of investigation and enforcement of a case in any stipulated settlement.

18 "(j) This section does not apply to any board if a specific statutory provision in that board's
19 licensing act provides for recovery of costs in an administrative disciplinary proceeding.

20 "(k) Notwithstanding the provisions of this section, the Medical Board of California shall
21 not request nor obtain from a physician and surgeon, investigation and prosecution costs for a
22 disciplinary proceeding against the licentiate. The board shall ensure that this subdivision is
23 revenue neutral with regard to it and that any loss of revenue or increase in costs resulting from
24 this subdivision is offset by an increase in the amount of the initial license fee and the biennial
25 renewal fee, as provided in subdivision (e) of Section 2435."

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1
2 CAUSE FOR DISCIPLINE

(Discipline by the Florida Board of Nursing)

3 10. Respondent is subject to disciplinary action under Code section 2761, subdivision
4 (a)(4) on the grounds of unprofessional conduct in that Respondent's registered nurse license was
5 disciplined by the Florida Board of Nursing ("Florida Board"), as follows:

6 11. On or about June 29, 2004, in a case entitled *Department of Health, Board of Nursing*
7 *v. Cathleen Young Waddle, R.N.*, case number 2003-01383, the Florida Board issued a Final
8 Order Accepting Counterstipulation ("First Final Order") placing Respondent's license on
9 probation for one year with terms and conditions, issuing her a reprimand, ordering her to
10 complete a continuing education class in professional ethics, and ordering her to pay a fine and
11 costs. The circumstances underlying the First Final Order are as follows:

12 (a) On or about November 7, 2002, Respondent brought her friend's daughter
13 (hereinafter "stepdaughter") to Wellington Regional Medical Center ("the Center") where
14 Respondent was employed as a registered nurse. Respondent was not on duty on November 7,
15 2002.

16 (b) Without registering the "stepdaughter," without the "stepdaughter" being
17 examined by an emergency room physician or other personnel, and without any written or oral
18 order from a physician, Respondent intravenously administered approximately 1000cc of normal
19 saline to the "stepdaughter."

20 (c) Once the intravenous injection was completed, Respondent and the
21 "stepdaughter" left the Center.

22 12. On or about June 27, 2006, in a case entitled *Department of Health v. Cathleen*
23 *Waddle*, case number 2005-50424, the Florida Board of Nursing issued a Final Order ("Second
24 Final Order") adopting a stipulation between the parties and reprimanding Respondent's license
25 and ordering her to pay a fine and costs. The circumstances underlying the Second Final Order
26 are as follows:

27 (a) The First Final Order required Respondent and her nursing supervisor to submit
28 quarterly reports to the Florida Department of Health.

1 (b) Respondent failed to submit the required quarterly reports to the Board or the
2 Department of Health.

3 PRAYER

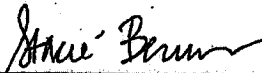
4 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
5 and that following the hearing, the Board of Registered Nursing issue a decision:

6 1. Revoking or suspending Registered Nurse License Number 570767, issued to
7 Cathleen Young Waddle;

8 2. Ordering Cathleen Young Waddle to pay the Board of Registered Nursing the
9 reasonable costs of the investigation and enforcement of this case, pursuant to Business and
10 Professions Code section 125.3; and

11 3. Taking such other and further action as deemed necessary and proper.
12

13 DATED: October 29, 2012

14 *for* 
15 LOUISE R. BAILEY, M.ED., RN
16 Executive Officer
17 Board of Registered Nursing
18 Department of Consumer Affairs
19 State of California
20 Complainant

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