

IN THE MATTER OF
PERMANENT REGISTERED NURSE
LICENSE NUMBER 582949
ISSUED TO
TRACY LYNN ROOS

§
§
§
§
§

BEFORE THE TEXAS
BOARD OF NURSING
ELIGIBILITY AND
DISCIPLINARY COMMITTEE



Patricia R. Plummer
Executive Director of the Board

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.

ORDER OF THE BOARD

TO: TRACY LYNN ROOS
7202 W 39TH
AMARILLO, TX 79109

During open meeting held in Austin, Texas, on May 13, 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 582949, previously issued to TRACY LYNN ROOS, 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 13th day of May, 2014.



TEXAS BOARD OF NURSING

Katherine A. Thomas

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

Attachment: Formal Charge filed February 20, 2014.

I certify this to be a true copy
of the records on file with the
Texas Board of Nursing
Date: 5/15/14
Signed: [Signature]

Re:Permanent Registered Nurse License Number 582949
Issued to TRACY LYNN ROOS
DEFAULT ORDER - REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 15 day of May, 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

TRACY LYNN ROOS
7202 W 39TH
AMARILLO, TX 79109



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 582949 §
Issued to TRACY LYNN ROOS, §
Respondent § BOARD OF NURSING

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, TRACY LYNN ROOS, is a Registered Nurse holding License Number 582949, which is in current status at the time of this pleading.

Written notice of the facts and conduct alleged to warrant adverse licensure action was sent to Respondent at Respondent's address of record and Respondent was given opportunity to show compliance with all requirements of the law for retention of the license prior to commencement of this proceeding.

CHARGE I.

On or about October 31, 2010, Respondent submitted an Online Renewal Document to the Texas Board of Nursing in which she provided false, deceptive, and/or misleading information, in that she answered "no" to the following question:

"Have you, within the past 24 months or since your last renewal, for any criminal offense, including those pending appeal:

- A. been convicted of a misdemeanor?
- B. been convicted of a felony?
- C. pled nolo contendere, no contest, or guilty?
- D. received deferred adjudication?
- E. been placed on community supervision or court-ordered probation, whether or not adjudicated guilty?
- F. been sentenced to serve jail or prison time? court-ordered confinement?
- G. been granted pre-trial diversion?
- H. been arrested or have any pending criminal charges?
- I. been cited or charged with any violation of the law?
- J. been subject of a court-martial; Article 15 violation; or received any form of military judgment/punishment/action?"

Respondent failed to disclose that on or about June 13, 2009, she was arrested by the Potter County Sheriff's Office, Amarillo, Texas, for THEFT OF PROPERTY >=\$20<\$500 BY CHECK, a Class B misdemeanor offense.

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(6)(I).

CHARGE II.

On or about August 31, 2012, while employed with Professional Case Management, Denver, Colorado, and assigned to care for Patient W.C., Respondent misappropriated Patient W.C.'s deceased wife's credit card and proceeded to make twenty-seven (27) unauthorized transactions. Additionally, Respondent provided a video recorded statement to the Amarillo Police Department admitting that she manipulated and financially exploited Patient W.C. Respondent's conduct was deceptive and was likely to defraud the patient of the monies from unauthorized credit card transactions.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(6)(G).

CHARGE III.

On or about August 31, 2012, while employed with Professional Case Management, Denver, Colorado, and assigned to care for Patient W.C., Respondent stole Patient W.C.'s mail in order to hide the credit card statements which revealed the twenty-seven (27) unauthorized transactions she had made using the stolen credit card. Respondent's conduct deceived the patient and the patient's family.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(6)(G).

CHARGE IV.

On or about August 31, 2012, while employed with Professional Case Management, Denver, Colorado, and assigned to care for Patient W.C., Respondent continued to contact Patient W.C.'s family after being instructed not to and after being removed as Patient W.C.'s nurse. Respondent's conduct may have caused delayed distress for the patient, which may not be recognized or felt by the patient until harmful consequences occur.

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)(B)&(J) and 22 TEX. ADMIN. CODE §217.12(6)(D).

CHARGE V.

On or about October 29, 2012, Respondent submitted an Online Renewal Document to the Texas Board of Nursing in which she provided false, deceptive, and/or misleading information, in that she answered "no" to the following question:

"Have you, within the past 24 months or since your last renewal, for any criminal offense, including those pending appeal:

- A. been convicted of a misdemeanor?
- B. been convicted of a felony?
- C. pled nolo contendere, no contest, or guilty?
- D. received deferred adjudication?
- E. been placed on community supervision or court-ordered probation, whether or not adjudicated guilty?
- F. been sentenced to serve jail or prison time? court-ordered confinement?
- G. been granted pre-trial diversion?
- H. been arrested or have any pending criminal charges?
- I. been cited or charged with any violation of the law?
- J. been subject of a court-martial: Article 15 violation; or received any form of military judgment/punishment/action?"

Respondent failed to disclose that on or about February 25, 2012, she was arrested by the Randall County Sheriff's Office, Canyon, Texas, for THEFT OF PROPERTY >=20<\$500 BY CHECK, a Class B misdemeanor offense, committed on December 4, 2011.

Respondent also failed to disclose that on or about September 8, 2012, she was arrested by the Amarillo Police Department, Amarillo, Texas, for CREDIT CARD OR DEBIT CARD ABUSE ELDERLY, a 3rd Degree felony offense.

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(6)(I).

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).

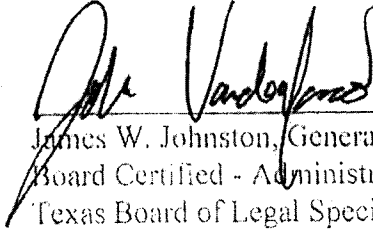
NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, www.bon.texas.gov.

NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Sanction Policies for Nurses with for Lying and Falsification and for Fraud, Theft and Deception, 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/discip-matrix.html.

Filed this 20 day of February, 2014.

TEXAS BOARD OF NURSING



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D/2013.11.19