



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.  
*William A. Thomas*  
Executive Director of the Board

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

In the Matter of the Accusation Against:

**DELONDRIA FELICE EVANS**  
2710 N Brompton Drive  
Pearland, TX 77584

Registered Nurse License No. 727826

RESPONDENT

Case No. 2014-1328

**DEFAULT DECISION AND ORDER**

[Gov. Code, §11520]

FINDINGS OF FACT

1. On or about April 22, 2014, Complainant Louise R. Bailey, M.Ed., RN, in her official capacity as the Executive Officer of the Board of Registered Nursing, Department of Consumer Affairs, filed Accusation No. 2014-1328 against Delondria Felice Evans (Respondent) before the Board of Registered Nursing. (Accusation attached as Exhibit A.)

2. On or about June 11, 2008, the Board of Registered Nursing (Board) issued Registered Nurse License No. 727826 to Respondent. The Registered Nurse License expired on January 31, 2010, and has not been renewed.

3. On or about April 22, 2014, Respondent was served by Certified and First Class Mail copies of the Accusation No. 2014-1328, Statement to Respondent, Notice of Defense, Request for Discovery, and Government Code sections 11507.5, 11507.6, and 11507.7 to Respondent's

1 address of record which, pursuant to Business and Professions Code section 136 and Title 16,  
2 California Code of Regulation, section 1409.1, is required to be reported and maintained with the  
3 Board, which was and is:

4 2710 N Brompton Drive  
5 Pearland, TX 77584.

6 On or about May 20, 2014, Respondent was re-served by Certified and First Class Mail  
7 copies of the Accusation No. 2014-1328, Statement to Respondent, Notice of Defense, Request  
8 for Discovery, and Government Code sections 11507.5, 11507.6, and 11507.7 to Respondent's  
9 alternate address as follows:

10 3045 Marina Bay Dr. Apt 8201  
11 League City, TX 77573.

12 4. Service of the Accusation was effective as a matter of law under the provisions of  
13 Government Code section 11505, subdivision (c) and/or Business & Professions Code section  
14 124.

15 5. On or about July 1, 2014, the Certified Mail documents addressed to respondent's  
16 alternate address and sent through the U.S. Postal Service were returned bearing the indicia,  
17 "Unclaimed." As of July 24, 2014, nothing was returned by U. S. Postal Service for documents  
18 mailed to respondent's address of record.

19 6. Business and Professions Code section 2764 states:

20 The lapsing or suspension of a license by operation of law or by order or decision of  
21 the board or a court of law, or the voluntary surrender of a license by a licensee shall not deprive  
22 the board of jurisdiction to proceed with an investigation of or action or disciplinary proceeding  
23 against such license, or to render a decision suspending or revoking such license.

24 7. Government Code section 11506 states, in pertinent part:

25 (c) The respondent shall be entitled to a hearing on the merits if the respondent files a  
26 notice of defense, and the notice shall be deemed a specific denial of all parts of the Accusation  
27 not expressly admitted. Failure to file a notice of defense shall constitute a waiver of respondent's  
28 right to a hearing, but the agency in its discretion may nevertheless grant a hearing.

1           8.   Respondent failed to file a Notice of Defense within 15 days after service of the  
2   Accusation upon her, and therefore waived her right to a hearing on the merits of Accusation No.  
3   2014-1328.

4           9.   California Government Code section 11520 states, in pertinent part:

5           (a) If the respondent either fails to file a notice of defense or to appear at the hearing, the  
6   agency may take action based upon the respondent's express admissions or upon other evidence  
7   and affidavits may be used as evidence without any notice to respondent.

8           10. Pursuant to its authority under Government Code section 11520, the Board after  
9   having reviewed the proof of service dated April 22, 2014, signed by Richard Ware, and the  
10   returned envelope, finds Respondent is in default. The Board will take action without further  
11   hearing and, based on Accusation No. 2014-1328 and the documents contained in Default  
12   Decision Investigatory Evidence Packet in this matter which includes:

13           Exhibit 1:   Pleadings offered for jurisdictional purposes; Accusation Case No. 2014-  
14                           1328, Statement to Respondent, Notice of Defense (two blank copies),  
15                           Request for Discovery and Discovery Statutes (Government Code sections  
16                           11507.5, 11507.6 and 11507.7), proof of service; and if applicable, mail  
17                           receipt or copy of returned mail envelopes;

18           Exhibit 2:   License History Certification for Delondria Felice Evans, Registered  
19                           Nurse License No. 727826;

20           Exhibit 3:   Affidavit of Kami Pratab;

21           Exhibit 4:   Out of State Discipline (Texas Board of Nursing);

22           Exhibit 5:   Declaration of costs by Office of the Attorney General for prosecution of  
23                           Case No. 2014-1328.

24   The Board finds that the charges and allegations in Accusation No. 2014-1328 are separately and  
25   severally true and correct by clear and convincing evidence.

26           11. Taking official notice of Certification of Board Costs and the Declaration of Costs by  
27   the Office of the Attorney General contained in the Default Decision Investigatory Evidence  
28   Packet, pursuant to the Business and Professions Code section 125.3, it is hereby determined that

1 the reasonable costs for Investigation and Enforcement in connection with the Accusation are  
2 \$1,387.50 as of July 24, 2014.

3 DETERMINATION OF ISSUES

4 1. Based on the foregoing findings of fact, Respondent Delondria Felice Evans has  
5 subjected her following license(s) to discipline:

6 a. Registered Nurse License No. 727826

7 2. The agency has jurisdiction to adjudicate this case by default.

8 3. The Board of Registered Nursing is authorized to revoke Respondent's license(s)  
9 based upon the following violations alleged in the Accusation, which are supported by the  
10 evidence contained in the Default Decision Investigatory Evidence Packet in this case.

11 a. Violation of Business and Professions Code section 2761(a)(4) - Disciplinary  
12 action by another State Board of Nursing.

13 //

14 //

ORDER

IT IS SO ORDERED that Registered Nurse License No. 727826, heretofore issued to Respondent Delondria Felice Evans, is revoked.

Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a written motion requesting that the Decision be vacated and stating the grounds relied on within seven (7) days after service of the Decision on Respondent. The agency in its discretion may vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

This Decision shall become effective on December 12, 2014.

It is so ORDERED November 13, 2014.



Board of Registered Nursing  
Department of Consumer Affairs  
State of California

Attachment:

Exhibit A: Accusation No. 2014-1328

# Exhibit A

Accusation No. 2014-1328

1 KAMALA D. HARRIS  
Attorney General of California  
2 FRANK H. PACOE  
Supervising Deputy Attorney General  
3 State Bar No. 91740  
4 455 Golden Gate Avenue, Suite 11000  
San Francisco, CA 94102-7004  
Telephone: (415) 703-5556  
5 Facsimile: (415) 703-5480  
*Attorneys for Complainant*

6  
7 **BEFORE THE**  
**BOARD OF REGISTERED NURSING**  
8 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

9  
10 In the Matter of the Accusation Against:

Case No. 2014-1328

11 **DELONDRIA FELICE EVANS**  
2710 N. Brompton Drive  
12 Pearlland, TX 77584

**A C C U S A T I O N**

13 Registered Nurse License No. 727826

14 Respondent.

15 Complainant alleges:

16 PARTIES

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

20 2. On or about June 11, 2008, the Board issued Registered Nurse License Number  
21 727826 to Delondria Felice Evans (Respondent). The Registered Nurse License expired on  
22 January 31, 2010, and has not been renewed.

23 JURISDICTION

24 3. This Accusation is brought before the Board under the authority of the following  
25 laws. All section references are to the Business and Professions Code (Code) unless indicated.

26 4. Code section 2750 provides, in pertinent part, that the Board may discipline any  
27 licensee, including a licensee holding a temporary or an inactive license, for any reason provided  
28 in Article 3 (commencing with section 2750) of the Nursing Practice Act.





1 CAUSE FOR DISCIPLINE

2 (Unprofessional Conduct - Out of State Discipline)  
3 (Bus. & Prof. Section 2761, subd. (a)(4))

4 10. Respondent is subject to disciplinary action under Code section 2761, subdivision  
5 (a)(4), for out of state discipline, as follows:

6 11. On or about September 10, 2013, in a disciplinary matter entitled *In the Matter of*  
7 *Registered Nurse License Number 698693 Issued to Delondria Felice Evans*, the Texas Board of  
8 Nursing (Texas Board) made Findings of Fact, Conclusions of Law and thereon adopted an  
9 Agreed Order (Order) to impose the sanction of a reprimand with stipulations on Respondent's  
10 license to practice nursing in Texas. The stipulations included, but were not limited to, the  
11 requirement that Respondent abstain from the consumption of alcohol, synthetic opiates and/or  
12 the use of controlled substances except as prescribed by a licensed practitioner for a legitimate  
13 purpose. In the event that Respondent obtained one or more prescriptions for controlled  
14 substances required for a period of two (2) weeks or longer, Respondent would be required to  
15 submit to a pain management and/or chemical dependency evaluation by a Texas Board approved  
16 evaluator for a written evaluation. In addition, Respondent was required to submit to random  
17 periodic screens for alcohol and controlled substances as set forth in the Order.<sup>1</sup> Further, a  
18 representative from the Texas Board could appear at Respondent's place of employment and  
19 require Respondent to produce a specimen for screening at any time during the stipulation period.  
20 Respondent was also required to participate in therapy with a Board approved counselor for the  
21 purpose of preparing written reports advising the Texas Board of Respondent's progress in  
22 therapy, rehabilitation, and her capability to safely practice nursing. The Texas Board's license  
23 discipline was based on the following factual circumstances described in the Order:

24 12. On or about March 2, 2005, in Case Number CR23767 before the 253<sup>rd</sup> Judicial  
25 District Court of Liberty County, Texas, Respondent entered a negotiated plea of "Guilty" to the

26 <sup>1</sup> As set forth in paragraph 10 of the Order, Respondent was to submit to random  
27 urinalysis screens at least once per week during the first three (3) month period following the  
28 effective date of the Order. For the next three (3) month period, Respondent was expected to  
submit to random screens at least twice (2) a month, and then for the six (6) month period  
following, Respondent would submit to random screens at least once (1) per month.

1 charge of Securing Execution of a Document by Deception, a third degree felony offense  
2 committed on August 13, 1998. Adjudication was deferred and Respondent was placed on  
3 Community Supervision for period of two (2) years and six (6) months and ordered to pay  
4 assessed costs/restitution. On or about September 2, 2007, Respondent was found compliant and  
5 the case was discharged.

6 13. On or around January 18, 2011 through to June 24, 2011, while employed as a  
7 Registered Nurse with UTMB Health located in Galveston, Texas, Respondent withdrew  
8 controlled substances<sup>2</sup> from the facility's Medication Dispensing System for patients but failed to  
9 document or completely and accurately document administration, including signs, symptoms, and  
10 responses to the medications in the patients' Medication Administration Records (MAR) and/or  
11 Nurses' Notes.

12 14. On or around January 18, 2011 through to June 24, 2011, while employed as a  
13 Registered Nurse with UTMB Health, Respondent withdrew controlled substances from the  
14 facility's medication dispensing system for patients. Respondent failed to follow the facility's  
15 policy and procedures for wastage of any unused portions of the medications.

16 15. On or around January 18, 2011 through to June 24, 2011, while employed as a  
17 Registered Nurse with UTMB Health, Respondent misappropriated controlled substances from  
18 the facility and from patients or by her conduct failed to take precautions to prevent  
19 misappropriation of the controlled substances.

20 16. On or about April 30, 2013, Respondent submitted to a Chemical Dependency  
21 Evaluation wherein it was determined that Respondent does not have a substance abuse problem  
22 or substance related impairment preventing her from practicing nursing with reasonable skill and  
23 safety to patients. However, it was recommended that Respondent participate in psychotherapy  
24 with a seasoned therapist to help her address her concerns and worries.

25 ///

26 <sup>2</sup> These controlled substances were specifically identified in the Order as Norco,  
27 Morphine, Propofol, Fentanyl, and Midazolam (hereinafter referred to as controlled substances).  
28 Norco, Morphine, Propofol, Fentanyl, and Midazolam are controlled substances and dangerous  
drugs pursuant to sections 4021 and 4022 of the Code.

PRAYER

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

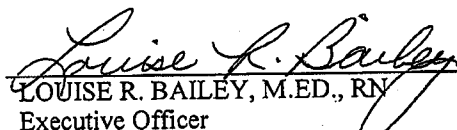
1. Revoking or suspending Registered Nurse License Number 727826, issued to Delondria Felice Evans;

2. Ordering Delondria Felice Evans to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;

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

DATED:

APRIL 22 2014

  
LOUISE R. BAILEY, M.ED., RN  
Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
Complainant

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