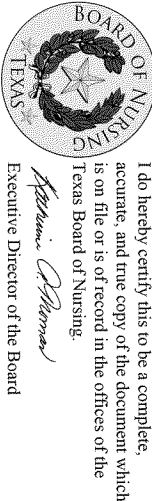


IN THE MATTER OF
PERMANENT REGISTERED NURSE
LICENSE NUMBER 636816
ISSUED TO MARY TRAUTWEIN,
RESPONDENT

§ BEFORE THE TEXAS
§ BOARD OF NURSING
§
§ ELIGIBILITY AND
§ DISCIPLINARY COMMITTEE



ORDER OF THE BOARD

TO: Mary Trautwein
2900 S. Gessner Road #1309
Houston, Tx 77063

During open meeting held in Austin, Texas, on **Tuesday, February 10, 2015**, 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 636816, previously issued to MARY TRAUTWEIN, to practice nursing in the State of Texas be, and the same is/are hereby, REVOKED.

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

Entered this 10th day of February, 2015.

TEXAS BOARD OF NURSING

BY: 

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

Attachment: Formal Charge filed December 15, 2014.

d17r(2014.12.05)

CERTIFICATE OF SERVICE

I hereby certify that on the 11 day of Feb, 2015, 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

Mary Trautwein
2900 S. Gessner Road #1309
Houston, Tx 77063

Via USPS First Class Mail

Mary Trautwein
2900 S. Gessner Road #1309
Houston, Tx 77063

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 636816	§	
Issued to MARY TRAUTWEIN,	§	
Respondent	§	BOARD OF NURSING

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, MARY TRAUTWEIN, is a Registered Nurse holding License Number 636816 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 19, 1997, Respondent entered a plea of Guilty to RECKLESS DRIVING, a Class B misdemeanor offense committed on October 16, 1996, in the County Court at Law No. 1 of Calhoun County, Texas, under Cause No. 97-CR-139. As a result of the plea, the proceedings against Respondent were deferred without entering an adjudication of Guilt and Respondent was placed on probation for a period of one hundred eighty (180) days and ordered to pay a fine and court costs.

The above action constitutes grounds for disciplinary action in accordance with TEX. REV. CIV. STAT. ART. 4525(b)(9)(eff 9/1/95), and is a violation of 22 TEX. ADMIN. CODE §217.13(1)(eff 5/1/96).

CHARGE II.

On or about August 12, 1998, Respondent entered a plea of Guilty to and was convicted of OPERATING A MOTOR VEHICLE WHILE INTOXICATED, a Class B misdemeanor offense committed on May 18, 1998, in the County Court at Law No. 1 of Victoria County, Texas, under Cause No. 1-69,785. As a result of the conviction, Respondent was sentenced to confinement in the Victoria County Jail for a period of forty-five (45) days; however, imposition of the sentence of confinement was suspended, and Respondent was placed on probation for a period of one (1) year and ordered to pay a fine and court cost.

The above action constitutes grounds for disciplinary action in accordance with TEX. REV. CIV. STAT. ART. 4525(b)(9)(eff 9/1/97), and is a violation of 22 TEX. ADMIN. CODE §217.13(1)(eff 3/1/98).

CHARGE III.

On or about May 24, 2000, Respondent entered a plea of Guilty to and was convicted of a REDUCED CHARGE OF RECKLESS DRIVING, a misdemeanor offense committed on March 3, 2000, in the County Court of Goliad County, Texas, under Cause No. 00-4-7157CR. As a result of the conviction, Respondent was sentenced to confinement in the Goliad County Jail for a period of ten (10) days; however, imposition of the sentence of confinement was suspended, and Respondent was placed on probation for a period of one (1) year and ordered to pay a fine and court cost.

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(1).

CHARGE IV.

On or about August 20, 2014, Respondent entered a plea of Guilty to and was convicted of DRIVING WHILE INTOXICATED 2ND, a Class A misdemeanor offense committed on November 29, 2013, in the County Court of Wharton County, Texas, under Cause No. 61868. As a result of the conviction, Respondent was sentenced to confinement in the Wharton County Jail for a period of three hundred sixty five (365) days; however, imposition of the sentence of confinement was suspended, and Respondent was placed on probation for a period of eighteen (18) months and ordered to pay a fine and court costs.

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

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 and TEX. OCC. CODE Ch. 53. Additionally, staff will seek to impose on Respondent the administrative costs of the proceeding pursuant to Section 301.461, Texas Occupations Code. The cost of proceedings shall include, but is not limited to, the cost paid by the Board to the State Office of Administrative Hearings and the Office of the Attorney General or other Board counsel for legal and investigative services, the cost of a court reporter and witnesses, reproduction of records, Board staff time, travel, and expenses. These shall be in an amount of at least one thousand two hundred dollars (\$1200.00).

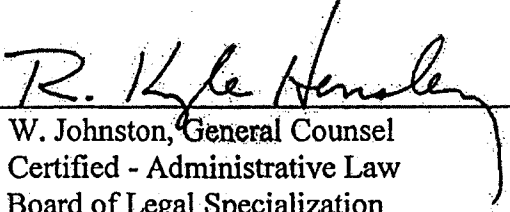
NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, www.bon.texas.gov.

NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Guidelines for Criminal Conduct and on Adopted Disciplinary Sanction Policies for Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder, which can be found at the Board's website, www.bon.texas.gov.

NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, which can be found at www.bon.texas.gov/disciplinaryaction/discp-matrix.html.

Filed this 15th day of December, 2014.

TEXAS BOARD OF NURSING


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Board Certified - Administrative Law
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D/2014.08.18