IN THE MATTER OF REGISTERED	§	BEFORE THE ELIGIBILITY
	§	
NURSE LICENSE NUMBER 664927	§	AND DISCIPLINARY
	§	
AND VOCATIONAL NURSE LICENSE	§	COMMITTEE
	§	
NUMBER 171531 ISSUED TO	§	OF THE TEXAS
	§	
CHRISTENE DALE MCALLISTER	§	BOARD OF NURSING

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.
Executive Director of the Board

ORDER OF THE BOARD

TO: CHRISTENE DALE MCALLISTER
2011 Beacon Street
San Angelo, Texas 76905

During open meeting held in Austin, Texas, on February 8, 2011, the 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 of the Texas Board of Nursing 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 to practice professional and vocational 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 Eligibility and Disciplinary 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 Certificate Number 664927, previously issued to CHRISTENE DALE MCALLISTER, to practice professional nursing and permanent certificate number 171531, to practice vocational nursing in the State of Texas be, and the same are hereby, REVOKED.

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

Entered this 8th day of February, 2011.

TEXAS BOARD OF NURSING

BY: Katherine A. Thomas

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

Attachment: Formal Charge filed October 18, 2010.

Re: Registered Nurse License Number 664927 and
Vocational Nurse license number 171531
Issued to CHRISTENE DALE MCALLISTER
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 8th day of February, 2011, a true and correct copy of the foregoing DEFAULT ORDER was served by placement in the U.S. Mail via certified mail, and addressed to the following person(s):

CHRISTENE DALE MCALLISTER
2011 Beacon St.
San Angelo, Texas 76905

BY: Katherine A. Thomas

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

Texas Board of Nursing

333 Guadalupe Street, Ste. 3-460, Austin, Texas 78701
Phone: (512) 305-7400 Fax: (512) 305-7401 www.bon.state.tx.us

Katherine A. Thomas, MN, RN
Executive Director

October 18, 2010

Certified Mail No. 91 7108 2133 3938 2186 3279
Return Receipt Requested

Christene Dale McAllister
2011 Beacon St.
San Angelo, Texas 76905

Dear Ms. McAlister:

Enclosed are Formal Charges which have been filed against you alleging one or more violations of Section 301.452(b) of the Nursing Practice Act, Texas Occupations Code. Within three weeks of the date of this letter, you must file a written answer to each charge admitting or denying each allegation. If you intend to deny only part of an allegation, you must specify so much of it as is true and deny only the remainder. Your answer shall also include any other matter, whether of law or fact, upon which you intend to rely for your defense. Please send your written answer to the attention of Toni Frizell, RN,CNOR, Investigator. You may obtain legal counsel at your own expense.

FAILURE TO FILE A WRITTEN ANSWER TO THE FORMAL CHARGES, EITHER PERSONALLY OR BY LEGAL REPRESENTATIVE, WILL RESULT IN THE ALLEGATIONS CONTAINED IN THE FORMAL CHARGES BEING ADMITTED AS TRUE AND THE PROPOSED RECOMMENDATION OF STAFF WILL BE GRANTED BY DEFAULT.

Please be advised that should you fail to file a written answer, the case will proceed on a default basis and it will be staff's recommendation that a default order be entered revoking your license(s) and/or nurse licensure compact privilege(s) to practice nursing in the State of Texas.

The results of any default order or formal disposition (Board Order) are public information. Results of informal and formal dispositions will appear in the Board's newsletter under the heading of "Disciplinary Action."

Should you desire to discuss this matter, you may contact Toni Frizell, RN,CNOR, Investigator, Enforcement Division, at the above address, or at (512) 305-7719.

Sincerely,

Katherine A. Thomas

Katherine A. Thomas, MN, RN
Executive Director

KAT//tf

Enclosure: Formal Charges

09/99-DA

Members of the Board

Linda Rounds, PhD, FNP, RN
Galveston, *President*

Deborah Bell, CLU, ChFC Abilene | Kristin Benton, MSN, RN Austin | Patricia Clapp, BA Dallas | Tamara Cowen, MN, RN Harlingen | Sheri Crosby, JD, SPHR Dallas | Marilyn Davis, BSN, RN, MPA Sugar Land

In the Matter of	§	**BEFORE THE TEXAS**
Registered Nurse License Number 664927	§	
and Vocational Nurse License Number 171531,	§	
Issued to	§	
CHRISTENE DALE MCALLISTER Respondent	§	**BOARD OF NURSING**

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b)(10)&(13), Texas Occupations Code. Respondent, CHRISTENE DALE MCALLISTER, is a Registered Nurse holding license number 664927, which is in current status at the time of this pleading, and is a Vocational Nurse holding license number 171531, 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 December 8, 2009, while employed as a Staff Nurse at Shannon Medical Center, San Angelo, Texas, Respondent inappropriately administered a topical medication to the breasts of Patient Number 100714672, in an area that was not private and in front of other patients and staff, which required the patient to expose her breasts to the patients and staff who were around. Respondent's conduct failed to provide for privacy and was likely to emotionally injure the patient.

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)(A),(1)(B),(1)(C)&(1)(P), and 22 TEX. ADMIN. CODE §217.12(1)(B)&(6)(C).

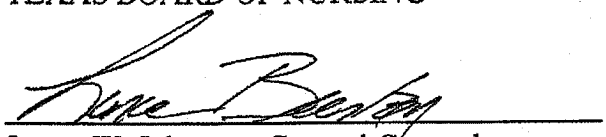
NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of up to revocation of Respondent's license to practice nursing in the State of Texas pursuant to the Board's rules, 22 TEX. ADMIN. CODE §§ 213.27 - 213.33. Additionally, staff will seek to impose on Respondent 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.state.tx.us.

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

Filed this 18th day of October, 2010.

TEXAS BOARD OF NURSING



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