IN THE MATTER OF	§	BEFORE THE ELIGIBILITY
	§	
PERMANENT CERTIFICATE	§	AND DISCIPLINARY
	§	
NUMBER 770728	§	COMMITTEE
	§	
ISSUED TO	§	OF THE TEXAS
	§	
TRACY LYN CHANDLER	§	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: Tracy Lyn Chandler
78 Ocean Spray Blvd.
Clifton Park, New York 12065-3233

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 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

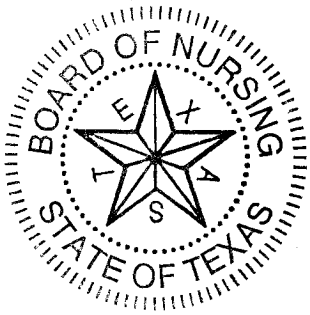
proposed findings of fact and conclusions of law as stated in the Formal Charges which are attached hereto and incorporated by reference for all purposes and the Staff's recommended sanction of revocation by default. This Order will be properly served on all parties and all parties will be given an opportunity 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 770728, previously issued to TRACY LYN CHANDLER, to practice professional nursing in the State of Texas be, and the same is hereby, REVOKED.

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

Entered this 8th day of February, 2011.



TEXAS BOARD OF NURSING

BY: _____

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

Attachment: Formal Charge filed October 6, 2010.

Re: Permanent Certificate Number 770728
Issued to Tracy Lyn Chandler
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 14th 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):

Tracy Lyn Chandler
78 Ocean Spray Blvd.
Clifton Park, New York 12065-3233

BY: Katherine A. Thomas

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

In the Matter of Permanent License	§	**BEFORE THE TEXAS**
Number 770728, Issued to	§	
TRACY LYN CHANDLER, Respondent	§	**BOARD OF NURSING**

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, TRACY LYN CHANDLER, is a Registered Nurse holding license number 770728, 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 April 30, 2010, while holding a license as a Registered Nurse in the State of Texas, Respondent was issued a Findings of Fact, Conclusions of Law and Final Order, Case No. BON 09-058, by the Idaho State Board of Nursing wherein Respondent's license to practice professional nursing in the State of Idaho, N-37779, was Revoked. A copy of the Findings of Fact, Conclusions of Law and Final Order, Case No. BON 09-058, by the Idaho State Board of Nursing dated April 30, 2010 is 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 20, 2010, while holding a license as a Registered Nurse in the State of Texas, Respondent was issued an Order by the Commonwealth of Virginia, Department of Health Professions, Virginia Board of Nursing wherein Respondent's license to practice professional nursing in the Commonwealth of Virginia, 0001-211637, was Suspended. A copy of the Order by the Commonwealth of Virginia, Department of Health Professions, Virginia Board of Nursing dated May 20, 2010 is 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.

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).

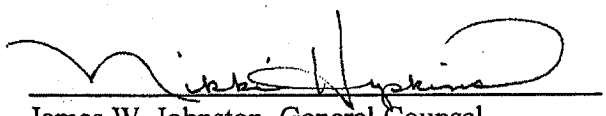
NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, www.bon.state.tx.us.

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.

NOTICE IS ALSO GIVEN that Respondent's past disciplinary history, as set out below and described in the Orders which are attached and incorporated by reference as part of these charges, will be offered in support of the disposition recommended by staff: Board of Nursing for the State of Texas Eligibility Agreed Order dated June 10, 2009; Findings of Fact, Conclusions of Law and Final Order, Case No. BON 09-058, by the Idaho State Board of Nursing dated April 30, 2010; and Virginia Board of Nursing Board Order dated May 20, 2010.

Filed this 6th day of October, 2010.

TEXAS BOARD OF NURSING



James W. Johnston, General Counsel
Board Certified - Administrative Law
Texas Board of Legal Specialization
State Bar No. 10838300
Jena Renee Koslan Abel, Assistant General Counsel
State Bar No. 24036103
Lance Robert Brenton, Assistant General Counsel
State Bar No. 24066924
Robert Kyle Hensley, Assistant General Counsel
State Bar No. 50511847
Nikki Hopkins, Assistant General Counsel
State Bar No. 24052269
John F. Legris, Assistant General Counsel
State Bar No. 00785533
TEXAS BOARD OF NURSING
333 Guadalupe, Tower III, Suite 460
Austin, Texas 78701
P: (512) 305-6824
F: (512) 305-8101 or (512)305-7401

Attachments: Board of Nursing for the State of Texas Eligibility Agreed Order dated June 10, 2009; Findings of Fact, Conclusions of Law and Final Order, Case No. BON 09-058, by the Idaho State Board of Nursing dated April 30, 2010; and Virginia Board of Nursing Board Order dated May 20, 2010.

0999/D

BEFORE THE BOARD OF NURSING
FOR THE STATE OF TEXAS
****

In the Matter of	§	ELIGIBILITY
TRACY LYN CHANDLER	§	
APPLICANT for Eligibility for Licensure	§	AGREED ORDER

On the date entered below, the Texas Board of Nursing, hereinafter referred to as the Board, considered the Temporary License/Endorsement Application and supporting documents filed by TRACY LYN CHANDLER, hereinafter referred to as APPLICANT, together with any documents and information gathered by staff and APPLICANT's Certificate contained herein. Information received by the Board produced evidence that APPLICANT may have violated Section 301.452(8)&(12) *et seq.*, Texas Occupations Code.

APPLICANT waived representation by counsel, notice and hearing, and agreed to the entry of this Order offered on March 16, 2009, by Katherine A. Thomas, MN, RN, Executive Director.

FINDINGS OF FACT

1. On or about February 20, 2008, Applicant submitted an Application for Licensure by Endorsement requesting a determination of eligibility for licensure in compliance with Section 301.257 of the Texas Occupations Code and the Board's Rule at 22 Texas Administrative Code Section 213.30.

2. Applicant waived representation, notice, administrative hearing, and judicial review.

3. Applicant graduated with an Associate Degree in Nursing from Adirondack Community College, Queensbury, New York, in January 1996.

4. Applicant completed the Application for Licensure by Endorsement and answered "yes" to the question which reads as follows: *"Has any licensing authority refused to issue you a license or ever revoked, annulled, cancelled, accepted surrender of, suspended, placed on probation, refused to renew a professional license or certificate held by you now or previously, or ever fined, censured, reprimanded or otherwise disciplined you?"*

5. On May 17, 2005, Applicant was issued a Consent Order by the New York State Education Department, Office of Professional Discipline State Board of Nursing, Albany, New York. A copy of the May 17, 2005, Consent Order is attached and incorporated, by reference, as part of this Order.

6. On May 30, 2006, Applicant satisfied all terms and conditions as set forth in the Consent Order issued on May 17, 2005, by the New York State Education Department, Office of Professional Discipline State Board of Nursing.

7. Applicant completed the Application for Licensure by Endorsement and answered "yes" to the question which reads as follows: *"Within the past five (5) years have you been diagnosed with, treated, or hospitalized for schizophrenia and/or psychotic disorder, bipolar disorder, paranoid personality disorder, antisocial personality disorder, or borderline personality disorder?"*

8. A letter was received from David C. Belanger, Ph.D., FNP, BC, BCETS, Pinnacle Behavioral Clinic, Albany, New York, stating that he has been treating Applicant for two (2) years for the diagnosis of Bipolar Disorder. Applicant is functioning as a registered nurse whereby she provides facilitation of health services for members throughout the United States with her company. Applicant is able to maintain the workload, process all required tasks within a timely basis. Her mental status has been stable, there have no hospitalizations, well focused. Follow-up recommendations are to continue with therapy with her therapist and to see Dr. Belanger monthly for medication, evaluation, and treatment.

9. Applicant has sworn that with the exception of matters disclosed in connection with the Temporary License/Endorsement Application, her past behavior conforms to the Board's professional character requirements.

10. After considering the action taken by the New York State Education Department, Office of Professional Discipline State Board of Nursing along with Applicant's conduct since May 30, 2006, the Executive Director is satisfied that Applicant is able to meet the requirements of the Nursing Practice Act, the Board's Rules and Regulations, and generally accepted standards of nursing practice.

11. Applicant has sworn that her past behavior conforms to the Board's professional character requirements. Applicant presented no evidence of behavior which is inconsistent with good professional character.

12. On March 16, 2009, the Executive Director considered evidence of Applicant's past behavior in light of the character factors set out in 22 Texas Administrative Code §213.27 and determined that Applicant currently demonstrates the criteria required for good professional character.

13. Licensure of Applicant poses no direct threat to the health and safety of patients or the public.

14. The Executive Director's review of the grounds for potential ineligibility has been made on the basis of Applicant's disclosures.

15. Applicant has been advised by the Board that any information found to be incomplete, incorrect or misleading to the Board or a subsequent discovery of a basis of ineligibility will be considered by the Board and may result in an ultimate determination of ineligibility or the later revocation of a license obtained through fraud or deceit.

CONCLUSIONS OF LAW

1. The Texas Board of Nursing has jurisdiction over this matter pursuant to Section 301.453 *et seq.*, Texas Occupations Code.

2. Applicant has submitted an Application for Licensure by Endorsement requesting a determination of eligibility for licensure in compliance with Section 301.257 of the Texas Occupations Code and the Board's Rule at 22 Texas Administrative Code Section 213.30.

3. The evidence in Findings of Fact Numbers Five (5), and Eight (8), is sufficient cause to take disciplinary action under Section 301.452 *et seq.*, Texas Occupations Code, and, therefore, sufficient cause to deny licensure.

4. The action taken by another jurisdiction is grounds for denial of a license under Section 301.452 *et seq.*, Texas Occupations Code.

5. Applicant shall immediately notify the Board of any fact or event that could constitute a ground of ineligibility for licensure under Section 301.452 *et seq.*, Texas Occupations Code.

6. The Board may license an individual with prior behaviors inconsistent with the Board's character requirements if, upon evaluation of the factors in 22 Texas Administrative Code §213.27, the Board is satisfied that the individual is able to consistently conform her conduct to the requirements of the Nursing Practice Act, the Board's Rules and Regulations, and generally accepted standards of nursing practice.

ORDER

IT IS THEREFORE AGREED that the application of TRACY LYN CHANDLER, APPLICANT, is hereby CONDITIONALLY GRANTED and shall be subject to the following conditions:

(1) APPLICANT SHALL obtain and read the Texas Nursing Practice Act, and the Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice.

(2) Upon payment of the necessary fees, APPLICANT SHALL be issued a license to practice professional nursing in the State of Texas, which shall bear the appropriate notation.

(3) Upon receiving authorization to practice professional nursing in Texas, APPLICANT SHALL comply in all respects with the Nursing Practice Act, Texas Occupations Code, §§301.001 *et seq.*, the Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.1 *et seq.* and this Order.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to APPLICANT's multistate licensure privilege, if any, to practice professional nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that while APPLICANT's license is encumbered by this Order the APPLICANT may not work outside the State of Texas pursuant to a multistate licensure privilege without the written permission of the State of Texas and the Board of Nursing in the party state where APPLICANT wishes to work.

(6) APPLICANT SHALL, within one (1) year of initial licensure in the State of Texas, successfully complete a course in Texas nursing jurisprudence and ethics. APPLICANT SHALL obtain Board approval of the course prior to enrollment only if the course is <u>not</u> being offered by a pre-approved provider. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include nurses. It shall be a minimum of six (6) contact hours in length. The course's content shall include the Nursing Practice Act, standards of practice, documentation of care, principles of nursing ethics, confidentiality, professional boundaries, and the Board's Disciplinary Sanction Policies regarding: Sexual

Misconduct; Fraud, Theft and Deception; Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder; and Lying and Falsification. Courses focusing on malpractice issues will not be accepted. APPLICANT SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to the Office of the Board to verify APPLICANT's successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure. *Board-approved courses may be found at the following Board website address: http://www.bon.state.tx.us/disciplinaryaction/stipscourses.html.*

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, APPLICANT SHALL be issued an unencumbered license and multistate licensure privileges, if any, to practice professional nursing in the State of Texas.

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CONTINUED ON NEXT PAGE.

APPLICANT'S CERTIFICATION

I am the Applicant in this matter. I have fully and truthfully disclosed all of my past convictions and I have caused a complete and accurate criminal history to be submitted to the Texas Board of Nursing from each jurisdiction in which I have been convicted. I certify that my past behavior, except as disclosed in my Temporary License/Endorsement Application has been in conformity with the Board's professional character rule. I have provided the Board with complete and accurate documentation of my past behavior in violation of the penal law of any jurisdiction which was disposed of through any procedure short of conviction such as conditional discharge, deferred adjudication or dismissal. I have no criminal prosecution pending in any jurisdiction.

In connection with my application, I acknowledge that I have read and I understand Sections 301.157, 301.252, 301.253, 301.260, and 301.452(b) of the Texas Occupations Code, and Chapter 53, Section 53.001 *et seq.*, and Board Rules at 213.27, 213.28, and 213.29 at 22 Texas Administrative Code, which are incorporated by reference as a part of this Order. I agree with all terms of this Order and any stipulations. I agree to inform the Board of any other grounds for denial of licensure prior to accepting any permit or license from the Texas Board of Nursing.

I understand that if I fail to comply with all terms and conditions of this Order, I will be subject to investigation and disciplinary sanction, including revocation of my license to practice professional nursing in the State of Texas, as a consequence of my noncompliance.

I understand that I can be represented by an attorney in this matter. I waive representation, notice, administrative hearing, and judicial review of this Order and request that the Executive Director of the Texas Board of Nursing enter this Order.

Signed this 05 day of May, 09.

Tracy L Chandler

TRACY LYN CHANDLER, APPLICANT

Sworn to and subscribed before me this 5th day of May, 2009.

D. N. J.

Notary Public in and for the State of New York

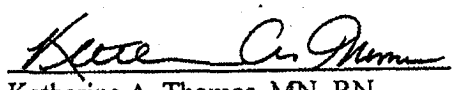
SEAL

DIANA N. JACON
Notary Public, State of New York
Registration #01JA6155380
Qualified in Albany County
Commission Expires Nov. 13, 2010

WHEREFORE, PREMISES CONSIDERED, the Executive Director on behalf of the Texas Board of Nursing does hereby ratify and adopt the Order of Conditional Eligibility that was signed on the 5th day of May, 2009, by TRACY LYN CHANDLER, APPLICANT, for Temporary License/Endorsement Application, and said Order is final.

Entered this 10th day of June, 2009.

BOARD OF NURSING
FOR THE STATE OF TEXAS



By: Katherine A. Thomas, MN, RN
Executive Director
on behalf of said Board

THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12230

OFFICE OF THE PROFESSIONS
DIVISION OF PROFESSIONAL LICENSING SERVICES
Public Information Unit
Tel. (518) 474-3817 EXT: 330
Fax (518) 473-0578
E-mail: DPLSOSU@MAIL.NYSED.GOV

STATE OF NEW YORK)
SS:
COUNTY OF ALBANY)

In accordance with the **Civil Practice Law and Rules Article 45**, I, Connie F. Mitchell, Clerk II in the Division of Professional Licensing Services of the New York State Education Department, have caused this certificate to be prepared. I certify that I have legal custody of the official original records of the Division of Professional Licensing Services and I attest that the attached is a true, complete and correct copies of the original documents in our files relating to TRACY L. CHANDLER a/k/a TRACY LYN BABSON.

Witness my hand and the seal of the New York State Education Department this 22 February, 2008.

Connie F. Mitchell

Connie F. Mitchell, Clerk II
Professional Licensing Services

The University of the State of New York

IN THE MATTER

OF

TRACEY CHANDLER
(Registered Professional Nurse)

ORIGINAL
VOTE AND ORDER
NO. 21957

Upon the application of TRACEY CHANDLER, under Calendar No. 21957, which application is made a part hereof, and in accordance with the provisions of Title VIII of the Education Law, it was

VOTED (May 17, 2005): That the application of TRACEY CHANDLER, respondent, for a consent order be granted; and that the Deputy Commissioner for the Professions be empowered to execute, for and on behalf of the Board of Regents, all orders necessary to carry out the terms of this vote;

and it is

ORDERED: That, pursuant to the above vote of the Board of Regents, said vote and the provisions thereof are hereby adopted and SO ORDERED, and it is further

ORDERED that this order shall take effect as of the date of the personal service of this order upon the respondent or five days after mailing by certified mail.

TRACEY CHANDLER (21957)

IN WITNESS WHEREOF, I, Johanna Duncan-Poitier, Deputy Commissioner for the Professions, for and on behalf of the State Education Department and the Board of Regents, do hereunto set my hand, at the City of Albany, this 17th day of May, 2005.

Johanna Duncan-Poitier

JOHANNA DUNCAN-POITIER
DEPUTY COMMISSIONER
FOR THE PROFESSIONS

NEW YORK STATE EDUCATION DEPARTMENT
OFFICE OF PROFESSIONAL DISCIPLINE
STATE BOARD FOR NURSING
----------X

IN THE MATTER

of the

Disciplinary Proceeding

against

TRACY L. CHANDLER

who is currently licensed to practice
as a registered professional nurse
in the State of New York.
----------X

APPLICATION FOR CONSENT ORDER

CAL. NO. 21957

TRACY L. CHANDLER states:

That on or about June 4, 1996 I was licensed to practice as a registered professional nurse in the State of New York, having been issued license number 481166 by the New York State Education Department.

I am currently registered with the New York State Education Department to practice as a registered professional nurse in the State of New York from an address at 92 N. Greenfield Road, Porter Corners, New York 12859.

That I have been charged with one specification of professional misconduct, a copy of which is annexed hereto, made a part hereof, and marked as Exhibit "A."

TRACY L. CHANDLER

I admit guilt to the aforesaid specification of professional misconduct, charging me with practicing the profession of nursing beyond its authorized scope (wrote order for a cardiac consult).

I hereby agree to the penalty that my license to practice as a registered professional nurse in the State of New York be suspended for a period of one (1) year; that execution of said suspension be stayed; that I be placed on probation for a period of one (1) year, under the terms set forth in the exhibit annexed hereto, made a part hereof, and marked as Exhibit "B;" and that I be fined five hundred ($500) dollars, said fine to be paid in the manner set forth in the aforesaid terms of probation.

I hereby make this application to the Board of Regents and request that it be granted.

I understand that in the event that the Board of Regents denies the application, nothing contained herein shall be binding upon me or construed to be an admission of any act of misconduct alleged or charged against me. Such application shall not be used against me in any way and shall be kept in strict confidence during the pendency of the disciplinary proceeding, and such denial by the Board of Regents shall be without prejudice to the continuance of the disciplinary proceeding and the final determination by the Board of Regents pursuant to the provisions of the Education Law.

I agree that in the event the Board of Regents grants my

application, as set forth herein, an Order may be issued in accordance with the same. I understand that if and when the Board of Regents grants this application, the entire application shall become a matter of public record.

No promises of any kind were made to me. I am making this application of my own free will and accord and not under duress, compulsion, or restraint of any kind or manner.

Tracy L Chandler
Respondent

EXHIBIT "A"

TRACY L. CHANDLER

SPECIFICATION OF PROFESSIONAL MISCONDUCT

Respondent is charged with practicing the profession of nursing beyond the scope authorized by law, within the purview and meaning of New York Education Law section 6509(2), in that Respondent:

On or about July 31, 2004, while employed and on duty as a registered professional nurse at the Saratoga Hospital in Saratoga Springs, New York, ordered a cardiac consult for a PICC line without a physician's authorization.

EXHIBIT "B"

TERMS OF PROBATION

TRACY L. CHANDLER

CALENDAR NO. 21957

1. That Respondent, during the period of probation, shall be in compliance with the standards of conduct prescribed by the law governing Respondent's profession;

2. That Respondent shall submit written notification to the New York State Education Department, addressed to the Director, Office of Professional Discipline, New York State Education Department, 475 Park Avenue South -- Second Floor, New York, New York 10016-6901, of any employment and/or practice, Respondent's residence, telephone number, or mailing address, and of any change in Respondent's employment, practice, residence, telephone number, or mailing address within or without the State of New York;

3. That Respondent shall pay the five hundred ($500) dollar fine imposed upon Respondent, by certified or bank cashier's check, made payable to the order of the New York State Education Department, to be delivered to the Director, Office of Professional Discipline, as aforesaid, within the first three months of the period of probation;

4. That Respondent shall submit written proof from the Division of Professional Licensing Services (DPLS), New York State Education Department (NYSED), that Respondent has paid all registration fees due and owing to the NYSED and Respondent shall cooperate with and submit whatever papers are requested by DPLS in regard to said registration fees, said proof from DPLS to be submitted by Respondent to the NYSED, addressed to the Director, Office of Professional Discipline, as aforesaid, no later than the first three months of the period of probation;

5. That Respondent shall submit written proof to the NYSED, addressed to the Director, Office of Professional Discipline, as aforesaid, that 1) Respondent is currently registered with the NYSED, unless Respondent submits written proof that Respondent has advised DPLS, NYSED, that Respondent is not engaging in the practice of Respondent's profession in the State of New York and does not desire to register, and that 2) Respondent has paid any fines which may have previously been imposed upon Respondent by the Board of Regents, said proof of the above to be submitted no later than the first two months of the period of probation;

TRACY L. CHANDLER
CALENDAR NO. 21957

6. That Respondent shall make quarterly visits to an employee of the Office of Professional Discipline, New York State Education Department, unless otherwise agreed to by said employee, for the purpose of said employee monitoring Respondent's terms of probation to assure compliance therewith, and Respondent shall cooperate with said employee, including the submission of information requested by said employee, regarding the aforesaid monitoring;

7. That upon receipt of evidence of noncompliance with or any other violation of any of the aforementioned terms of probation, the New York State Education Department may initiate a violation of probation proceeding and/or such other proceedings pursuant to the Education Law and/or Rules of the Board of Regents.

NEW YORK STATE EDUCATION DEPARTMENT
OFFICE OF PROFESSIONAL DISCIPLINE
STATE BOARD FOR NURSING

----------X

IN THE MATTER

of the

Disciplinary Proceeding

against

TRACY L. CHANDLER

who is currently licensed to practice as a registered professional nurse in the State of New York.

----------X

APPLICATION FOR CONSENT ORDER

CAL. NO. 21957

The undersigned agree to the above statement and to the proposed penalty based on the terms and conditions thereof.

Dated: 1/8, 2005 — Tracy L Chandler
Respondent

Dated: , 200 — [illegible]
Attorney for Respondent

Dated: January 18, 2005 — Rena L Aggen RN
Member of the State Board for Nursing

Dated: 2/2, 2005 — [illegible]
Director
Office of Professional Discipline

The undersigned, a member of the Board of Regents who has been designated by the Chairman of the Regents Committee on Professional Practice to review this Application for a Consent Order, has reviewed said Application and recommends to the Board of Regents that the Application be granted.

Dated: MARCH 8, 2005 — [illegible]
Member, Board of Regents

BOARD OF NURSING

280 North 8th Street Suite 210
P.O. Box 83720 (Mailing)
Boise Idaho 83720-0061

Phone 208/334-3110 ext 25
Fax 208/334-3262
TDD RELAY 1/800/377-3529

CERTIFICATE OF NOTARIZATION

I hereby certify that I am the Custodian of Records for the Board of Nursing and the attached is a true and correct copy of the document currently on file in this office.

SANDRA EVANS, MAEd, R.N.
Executive Director

On this 5th day of May, 2010, before me Linda H. Coley, notary public, personally appeared Sandra Evans, MAEd, RN, known to me to be the person whose name is subscribed to the above instrument and acknowledged to me that she executed the same.

WITNESS my hand and official seal.

LINDA H COLEY, Notary Public
Residing at Ada County
My Commission expires 3/25/15

LINDA H. COLEY
NOTARY
PUBLIC
STATE OF IDAHO

BOARD OF NURSING – State of Idaho

PO Box 83720 (Mailing) 280 North 8th Street, Suite 210
Boise, Idaho 83720-0061
(208) 334-3110
Fax (208) 334-3262
TDD - 1-800-377-3529

May 3, 2010
CERTIFIED MAIL

Tracy Chandler
78 Ocean Spray Blvd
Clifton Park NY 12065-3233

Dear Ms. Chandler:

During their meeting on April 29-30, 2010, the Board of Nursing members took action to accept the Findings of Fact, Conclusions of Law and Final Order in which your professional nurse license, N-37779 was revoked. During the period of revocation, you may not practice nursing in the State of Idaho. Enclosed is a copy of the Final Order.

The Order became effective April 30, 2009. Please be advised that you may not apply for reinstatement for a period of two (2) years from the date of this order.

Sincerely,

SANDRA EVANS, MAEd, RN
Executive Director

SE:lhc
enclosure

FILED

MAY 3 - 2010

BEFORE THE IDAHO STATE BOARD OF NURSING

In the Matter of the License of:	)	
	)	Case No. BON 09-058
TRACY L. CHANDLER,	)	
License No. N-37779,	)	**FINDINGS OF FACT,**
	)	**CONCLUSIONS OF LAW AND**
Respondent.	)	**FINAL ORDER**
	)	

Having reviewed the Complaint and other documents filed in this matter, the Idaho State Board of Nursing (hereinafter the "Board") enters the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

1. Tracy L. Chandler ("Respondent") is licensed by the Idaho State Board of Nursing under License No. N-37779 to engage in the practice of nursing in the State of Idaho.

2. On or about August 18, 2009, the Board received notice that Respondent had disciplinary action taken against her Texas license. On June 10, 2009, the Board of Nursing for the State of Texas ("Texas Board") issued an Eligibility Agreed Order whereby Respondent was issued a conditional license to practice nursing in Texas.

3. On or about August 31, 2009, Respondent submitted to the Board a renewal application for her Idaho license which failed to disclose the action taken against her by the Texas Board.

4. On November 30, 2009, the Board filed a formal Complaint against Respondent. Said Complaint is expressly incorporated herein and made a part hereof.

5. Copies of the Complaint, along with the Notification of Procedural Rights, were sent to Respondent on March 9, 2010, by United States Mail, postage prepaid, both by certified mail, return receipt requested, and by regular mail. The mailings were addressed to Respondent at her most recent home address on file with the Board, as follows:

Tracy L. Chandler
78 Ocean Spray Blvd.
Clifton Park, NY 12065-3233

6. The Board received back from the post office the certified mail return receipt indicating that the copy of the Complaint sent by certified mail was received at Respondent's address on March 14, 2010.

7. The Notification of Procedural Rights informed Respondent that, under statutes and rules applicable to such proceedings before the Board, Respondent needed to file a formal Answer to the Complaint within twenty-one (21) days of service of the Complaint and that failure to timely file an Answer to the Complaint or otherwise defend against the action would constitute a default and would be sufficient grounds for proceeding administratively against Respondent's license without the necessity of conducting a hearing.

8. On April 6, 2010, a Notice of Proposed Default and Default Order were sent to Respondent by United States Mail, postage prepaid, both by certified mail, return receipt requested, and by regular mail, to Respondent at her address of record with the Board as follows:

Tracy L. Chandler
78 Ocean Spray Blvd.
Clifton Park, NY 12065-3233

9. Respondent failed to contest entry of the proposed Default Order within seven (7) days of service of the Notice of Proposed Default Order.

10. On April 15, 2010, a Default Order was issued by Roger Gabel, the appointed Hearing Officer in this matter. Therefore, the allegations contained in the Complaint on file in this matter are admitted as true without the necessity of conducting a hearing.

11. As detailed in the incorporated Complaint, Respondent, while a licensed nurse, failed to disclose disciplinary action taken against her Texas license.

CONCLUSIONS OF LAW

1. As a licensed nurse in the State of Idaho, Respondent is subject to the jurisdiction of the Board and to the provisions of title 54, chapter 14, Idaho Code.

2. The Complaint was sent to Respondent at the address provided to the Board by the U.S. Post Office. Respondent was duly and lawfully given notice of proceedings against her license pursuant to the provisions of IDAPA 04.11.01.055 and IDAPA 23.01.01.008.03.

3. Respondent's failure to plead or otherwise defend in this action authorizes the Board, pursuant to Idaho Code § 67-5242(4), to enter an Order of Default which is as lawful as if all the allegations in the Complaint were proved or admitted at a hearing.

4. Respondent's acts as detailed in the incorporated Complaint constitute violations of the laws and rules governing Idaho nursing practice, including:

a. Idaho Code § 54-1413(1)(a) and Board Rule (IDAPA 23.01.01) 100.01 (a nurse shall not make, or cause to be made, a false, fraudulent or forged statement or representation in procuring or attempting to procure a license to practice nursing) and

b. Board Rule 100.10 (license or privilege to practice nursing restricted, limited, revoked or suspended or otherwise disciplined in any jurisdiction).

5. Pursuant to Idaho Code §§ 54-1404(2), 54-1413(1) and 67-5242(4), the Board is authorized to impose sanctions against Respondent.

ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, and good cause being shown, it is hereby ordered that:

1. Pursuant to Idaho Code § 67-5242(4), Respondent is in default.

///

///

///

2. License No. N-37779 issued to Tracy L. Chandler is hereby:

✓ **Revoked:** Respondent may not apply for reinstatement for a two (2) year period after entry of this Order or a _____ year period after entry of this Order, whichever period is greater.

____ **Suspended:** _____ days _____ year(s) ____ indefinitely. Respondent's license shall be a single-state license during the term of suspension and Respondent shall not be eligible to practice on the Compact privilege in any other state participating in the Nurse Licensure Compact with the State of Idaho.

3. Any application for reinstatement of licensure by Respondent shall be subject to the provisions of Idaho Code § 54-1411(3). Respondent shall further comply with the provisions of IDAPA 23.01.01, Sections 61.04 and 120, as applicable. This will include, but is not limited to, providing to the Board evidence that Respondent has complied with the Eligibility Agreed Order issued by the Texas Board.

4. The Board reserves the right to assess investigative costs incurred in this matter as a condition of reinstatement, and to impose such other conditions upon Respondent's reinstated license as the Board may deem appropriate in its discretion.

This order is effective immediately.

DATED this 30th day of April, 2010.

IDAHO STATE BOARD OF NURSING

By _____
Susan Odom, Ph.D., R.N.
Chair

NOTICE OF DUE PROCESS RIGHTS

This is a final order of the Board. Any party may file a motion for reconsideration of this final order within fourteen (14) days of the issuance of this order. The Board will dispose of the petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. *See* Idaho Code § 67-5246(4).

Pursuant to Idaho Code §§ 67-5270 and 67-5272, any party aggrieved by this final order or orders previously issued in this case may appeal this final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

a. A hearing was held,
b. The final agency action was taken,
c. The party seeking review of the order resides, or
d. The real property or personal property that was the subject of the agency action is located.

An appeal must be filed within twenty-eight (28) days (a) of the issuance of this final order, (b) of an order denying petition for reconsideration, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration, whichever is later. *See* Idaho Code § 67-5273. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 3RD day of May, 2010, I caused to be served a true and correct copy of the foregoing by the following method to:

Tracy L. Chandler
78 Ocean Spray Blvd.
Clifton Park, NY 12065-3233

- [x] U.S. Mail
- [ ] Hand Delivery
- [x] Certified Mail, Return Receipt Requested
- [ ] Overnight Mail
- [ ] Facsimile: _____
- [ ] Statehouse Mail

Karin Magnelli
Deputy Attorney General
P.O. Box 83720
Boise, ID 83720-0010

- [ ] U.S. Mail
- [ ] Hand Delivery
- [ ] Certified Mail, Return Receipt Requested
- [ ] Overnight Mail
- [ ] Facsimile: _____
- [x] Statehouse Mail

Linda Coley
Management Assistant
Idaho Board of Nursing

FILED

APR 15 2010

BEFORE THE IDAHO STATE BOARD OF NURSING

In the Matter of the License of:	)	
	)	Case No. BON 09-058
TRACY L. CHANDLER, License No. N-37779,	)	
	)	**DEFAULT ORDER**
	)	
Respondent.	)	
	)	

THIS MATTER having come before the Idaho State Board of Nursing by way of formal Complaint pursuant to Idaho Code § 54-1401 et. seq., and Respondent having failed to contest or otherwise respond to the Complaint; now, therefore,

IT IS HEREBY ORDERED that, pursuant to Idaho Code § 67-5242(4) and IDAPA 04.11.01.270 and 700-702, Respondent is in default.

DATED this 15th day of April, 2010.

Roger R. Gabel
Hearing Officer

EXHIBIT 1

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th day of April, 2010, I caused to be served a true and correct copy of the foregoing addressed as follows:

Tracy L. Chandler
78 Ocean Spray Blvd.
Clifton Park, NY 12065-3233

- [x] U.S. Mail
- [ ] Hand Delivery
- [x] Certified Mail, Return Receipt Requested
- [ ] Overnight Mail
- [ ] Facsimile:
- [ ] Statehouse Mail

Karin Magnelli
Deputy Attorney General
P.O. Box 83720
Boise, ID 83720-0010

- [ ] U.S. Mail
- [ ] Hand Delivery
- [ ] Certified Mail, Return Receipt Requested
- [ ] Overnight Mail
- [ ] Facsimile:
- [x] Statehouse Mail

Roger R. Gabel
Hearing Officer

7009 0820 0000 2802 1182

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com®

Postage	$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	$

Mailed 7-15-2010

Postmark Here

Sent To
Street, Apt. No.; or PO Box No. TRACY CHANDLER
78 OCEAN SPRAY BLVD
City, State, ZIP+4 CLIFTON PARK NY 12065-3233

PS Form 3800, August 2006 See Reverse for Instructions

FILED

APR 15 2010

BEFORE THE IDAHO STATE BOARD OF NURSING

In the Matter of the License of:	)	
	)	Case No. BON 09-058
TRACY L. CHANDLER,	)	
License No. N-37779,	)	**NOTICE OF PROPOSED**
	)	**DEFAULT ORDER**
Respondent.	)	
	)	

To: Tracy L. Chandler
78 Ocean Spray Blvd.
Clifton Park, NY 12065-3233

YOU ARE HEREBY NOTIFIED that, pursuant to Idaho Code § 67-5242(4) and IRAP 270 and 700-702, a default order will be issued against you in this matter unless, within seven (7) days of the date of service of this notice, you file a written petition (1) requesting that a default order not be entered and (2) stating the grounds why you believe that default should not be entered. The default order is proposed to be issued because you have failed to plead, answer, or otherwise defend against the Complaint or appear in this matter. A copy of the proposed default order is attached hereto.

YOU ARE HEREBY FURTHER NOTIFIED if a default order is entered, the allegations of the Complaint will be deemed admitted, the case will proceed without your participation, and the Board, at its next regularly scheduled meeting on April 29-30, 2010, will vote on an appropriate resolution including authorizing the entry of formal Findings of Fact, Conclusions of Law and Final Order disposing of the case.

DATED this 6th day of April, 2010.

Roger R. Gabel
Hearing Officer

EXHIBIT 2

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 6th day of April, 2010, I caused to be served a true and correct copy of the foregoing addressed as follows:

Tracy L. Chandler
78 Ocean Spray Blvd.
Clifton Park, NY 12065-3233

- [x] U.S. Mail
- [ ] Hand Delivery
- [x] Certified Mail, Return Receipt Requested
- [ ] Overnight Mail
- [ ] Facsimile:
- [ ] Statehouse Mail

Karin Magnelli
Deputy Attorney General
P.O. Box 83720
Boise, ID 83720-0010

- [ ] U.S. Mail
- [ ] Hand Delivery
- [ ] Certified Mail, Return Receipt Requested
- [ ] Overnight Mail
- [ ] Facsimile:
- [x] Statehouse Mail

Roger R. Gabel
Hearing Officer

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)
For delivery information visit our website at www.usps.com
Postage $
5.54
7009 0820 0000 2797 5608
Ct A - Roger Gabel
Tracy L Chandler
78 Ocean Spray Blvd
Clifton Park, NY 12065-3233

FILED
APR 5 2010

LAWRENCE G. WASDEN
ATTORNEY GENERAL

STEVEN L. OLSEN
Chief, Civil Litigation Division

KARIN MAGNELLI, ISB NO. 6929
Deputy Attorneys General
P.O. Box 83720
Boise, ID 83720-0010
Telephone: (208) 334-2400
Facsimile: (208) 854-8073

BEFORE THE IDAHO STATE BOARD OF NURSING

In the Matter of the License of: TRACY L. CHANDLER, License No. N-37779, Respondent.	)))))))	Case No. BON 09-058 **APPLICATION FOR ENTRY OF DEFAULT ORDER**

The State, through counsel, applies under Idaho Code § 67-5242(4) and IRAP 270 and 700-702 for the issuance of a notice of proposed default order, and the subquent entry of a default order, against Respondent Tracy L. Chandler. The grounds for this application are that Respondent has failed to plead, answer, or otherwise appear in this matter as required by law. This application is supported by the Affidavit of Janet Edmonds, M.S.N., R.N., filed herewith.

DATED this 6th day of April, 2010.

STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL

By Karin Magnelli
Karin Magnelli
Deputy Attorney General

EXHIBIT 3

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 6th day of April, 2010, I caused to be served a true and correct copy of the foregoing by the following method to:

Tracy L. Chandler
78 Ocean Spray Blvd.
Clifton Park, NY 12065-3233

- [x] U.S. Mail
- [ ] Hand Delivery
- [x] Certified Mail, Return Receipt Requested
- [ ] Overnight Mail
- [ ] Facsimile: _____
- [ ] Statehouse Mail

Roger Gabel
Deputy Attorney General
P.O. Box 83720
Boise, ID 83720-0010

- [ ] U.S. Mail
- [ ] Hand Delivery
- [ ] Certified Mail, Return Receipt Requested
- [ ] Overnight Mail
- [ ] Facsimile: _____
- [x] Statehouse Mail

Karin Magnelli
Deputy Attorney General

7009 0820 0000 2802 1137

CERTIFIED MAIL RECEIPT

(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com®

Postage	$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	$

Mailed 4-5-11

Postmark Here CT

Sent To

Street, Apt. No.; or PO Box No.

City, State, ZIP+4

TRACY L. CHANDLER
78 OCEAN SPRAY BLVD.
CLIFTON PARK, NY 12065-3233

PS Form 3800, August

LAWRENCE G. WASDEN
ATTORNEY GENERAL

STEVEN L. OLSEN
Chief, Civil Litigation Division

KARIN MAGNELLI, ISB NO. 6929
Deputy Attorneys General
P.O. Box 83720
Boise, ID 83720-0010
Telephone: (208) 334-2400
Facsimile: (208) 854-8073

FILED
APR 5 2010

BEFORE THE IDAHO STATE BOARD OF NURSING

In the Matter of the License of:	)	
	)	Case No. BON 09-058
TRACY L. CHANDLER,	)	
License No. N-37779,	)	**AFFIDAVIT OF**
	)	**JANET EDMONDS, M.S.N., R.N.**
Respondent.	)	
	)	

STATE OF IDAHO)
) ss.
County of Ada)

I, Janet Edmonds, M.S.N., R.N., being first duly sworn, depose and state upon personal knowledge as follows:

1. I am the Director for Professional Compliance for the Idaho State Board of Nursing (the "Board") and am responsible for maintaining the files of the contested cases for the Board.

2. On March 9, 2010, copies of the Complaint in this matter were re-mailed by regular mail and certified mail, return receipt requested to Respondent at the address provided by the post office:

Tracy L. Chandler
78 Ocean Spray Blvd.
Clifton Park, NY 12065-3233

EXHIBIT 4

3. On or about March 17, 2009, the Board received back from the post office the certified mail return receipt indicating that the copy of the Complaint sent by certified mail was received at Respondent's address on February 14, 2010. A copy of the certified mail return receipt is attached as Exhibit A.

4. I believe the date the Complaint was received by Respondent should be March 14, 2010, rather than February 14, 2010. The article number, 7007-3020-0001-4047-1583, on the Certified Mail Receipt is the same article number on the Domestic Return Receipt.

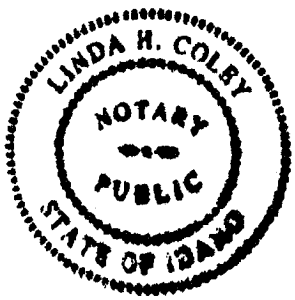
5. As of this date, Respondent has not filed an answer or any other document with the Board in response to the Complaint.

This concludes my affidavit.

Janet Edmonds

Janet Edmonds, M.S.N., R.N.

SUBSCRIBED AND SWORN TO before me this 5th day of April, 2010.



Linda H Colby

Notary Public for Idaho
My Commission Expires: 3/25/2015

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 6th day of April, 2010, I caused to be served a true and correct copy of the foregoing by the following method to:

Tracy L. Chandler
78 Ocean Spray Blvd.
Clifton Park, NY 12065-3233

- [x] U.S. Mail
- [ ] Hand Delivery
- [x] Certified Mail, Return Receipt Requested
- [ ] Overnight Mail
- [ ] Facsimile: _____
- [ ] Statehouse Mail

Roger Gabel
Deputy Attorney General
P.O. Box 83720
Boise, ID 83720-0010

- [ ] U.S. Mail
- [ ] Hand Delivery
- [ ] Certified Mail, Return Receipt Requested
- [ ] Overnight Mail
- [ ] Facsimile: _____
- [x] Statehouse Mail

Karin Magnelli

Karin Magnelli
Deputy Attorney General

7007 3020 0001 4047 1583

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

Postage	$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	$

3/9/10
Affidavit
Complaint

Sent To TRACY CHANDLER
Street, Apt. or PO Box 78 OCEAN SPRAY BLVD
City, State, CLIFTON PARK N.Y. 12065-3233

PS Form 3800, August 2006 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

3-9-10 JE

1. Article Addressed to:

TRACY CHANDLER
78 OCEAN SPRAY BLVD
CLIFTON PARK N.Y. 12065-3233

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X Tracy Chandler ☐ Agent ☒ Addressee

B. Received by (Printed Name) Tracy Chandler C. Date of Delivery 2/19

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

'10 MAR 17 PM 9:03

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number
(Transfer from service label) 7007 3020 0001 4047 1583

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

Exhibit A
Page 1 of 1

FILED

NOV 30 2009

BEFORE THE IDAHO STATE BOARD OF NURSING

In the Matter of the License of:	)	
	)	Case No. BON 09-058
Tracy L. Chandler,	)	
License No. N-37779,	)	**COMPLAINT**
	)	
Respondent.	)	
	)	

To: Tracy L. Chandler
23 Adirondack Circle, Apt. A
Gansevoort, NY 12831

Complainant the Idaho State Board of Nursing (the "Board") charges Respondent Tracy L. Chandler with violating the laws and rules governing the practice of nursing as follows:

FACTS

1. The Board regulates Idaho nursing practice under Idaho Code § 54-1404.

2. The Board has licensed Respondent to practice nursing under License No. N-37779.

3. On or about August 18, 2009, the Board received notice that Respondent had disciplinary action taken against her Texas license. On June 10, 2009, the Board of Nursing for the State of Texas ("Texas Board") issued an Eligibility Agreed Order whereby Respondent was issued a conditional license to practice nursing in Texas. A true and correct copy of the Texas Board's Eligibility Agreed Order is attached as Exhibit A.

4. On or about August 31, 2009, Respondent submitted to the Board a renewal application for her Idaho license in which failed to disclose the action taken against her by the Texas Board. A true and correct copy of Respondent's renewal application is attached as Exhibit B.

///

///

EXHIBIT 5

CONTROLLING LAW

5. Respondent's conduct as described above violates laws and rules governing Idaho nursing practice, including:

a. Idaho Code § 54-1413(1)(a) and Board Rule (IDAPA 23.01.01) 100.01 (a nurse shall not make, or cause to be made, a false, fraudulent or forged statement or representation in procuring or attempting to procure a license to practice nursing), and

b. Idaho Code § 54-1413(1)(i) and Board Rule 100.10 (license to practice nursing suspended or revoked in any jurisdiction).

REQUESTED RELIEF

WHEREFORE, Complainant requests that the Board provide the following relief:

1. That the Board conduct a hearing to allow the State and Respondent to present evidence on the Complaint's allegations;

2. That after the hearing, the waiver of a hearing, or Respondent's failure to file an Answer to the Complaint, the Board, or its designated hearing officer, shall issue findings of fact and conclusions of law finding the violations of law alleged herein;

3. That the Board determine whether Respondent's license should be suspended, revoked or otherwise disciplined;

4. That Respondent be ordered to pay the Board's expenses incurred in investigating and prosecuting this matter including without limitation attorney fees and costs; and

5. For such other and further relief as the Board deems just and proper.

DATED this 30th day of November, 2009.

IDAHO STATE BOARD OF NURSING

By _____
Sandra Evans, M.A.Ed., R.N.
Executive Director

NOTIFICATION OF PROCEDURAL RIGHTS

Pursuant to the provisions of the Administrative Procedure Act codified at title 67, chapter 52, Idaho Code, and the Idaho Rules of the Administrative Procedure of the Attorney General, promulgated at IDAPA 04.11.01, if you wish to contest the charges set forth in this Complaint, you must: (1) file with the Idaho State Board of Nursing a written Answer to the allegations contained herein within twenty-one (21) days after you are served with this Complaint and (2) request an evidentiary hearing on the charges. You are further notified that if you fail to answer, request a hearing and/or fail to appear at a schedule hearing, the Board may enter a default against you and be granted the relief sought in this Complaint. Upon receipt of your Answer and request for hearing, the matter will be reviewed and a hearing scheduled. You will then be notified of the date, time and place of the hearing, the name of the hearing officer appointed by the Board (if any) and further notification of your procedural rights and responsibilities.

You also have the right to be represented by legal counsel, at your own expense, during this administrative proceeding.

Copies of the Administrative Procedure Act and of the Idaho Rules of the Administrative Procedure of the Attorney General may be obtained at the Idaho State Law Library and at many county law libraries. The Idaho Administrative Procedure Act is available on the internet at:

http://www3.state.id.us/idstat/TOC/67052KTOC.html.

The Idaho Rules of Administrative Procedure are available on the internet at:

http://adm.idaho.gov/adminrules/rules/idapa04/1101.pdf,

All original official documents must be filed with the Board or mailed to the Board at the following address:

Idaho State Board of Nursing
280 N. 8th Street, Suite 210
Boise, ID 83720-0061
Telephone: (208) 334-3110
Facsimile: (208) 334-3262

All original official documents must be received by the Board between the hours of 8 a.m. and 5 p.m. except Saturdays, Sundays, and holidays. The Board does permit the filing of facsimile copies of documents that do not exceed ten pages provided that the facsimile transmission is received during the hours of 8 a.m. and 5 p.m. except Saturdays, Sundays, and holidays and is legible in its entirety. It shall be the responsibility of the filing party to verify with the staff of the Board staff that any facsimile transmission is successfully received and legible in its entirety.

A copy of the Answer and every pleading, motion or subsequent document filed with the Board must also be served upon the prosecutor for the Board at the following address:

Karin Magnelli
Deputy Attorney General
Civil Litigation Division
P.O. Box 83720
Boise, ID 83720-0010

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 30th day of November, 2009, I caused to be served a true and correct copy of the foregoing addressed as follows:

Tracy L. Chandler 23 Adirondack Circle, Apt. A Gansevoort, NY 12831	☒ U.S. Mail ☐ Hand Delivery ☒ Certified Mail, Return Receipt Requested ☐ Overnight Mail ☐ Facsimile: ☐ Statehouse Mail
Karin Magnelli Deputy Attorney General P.O. Box 83720 Boise, ID 83720-0010	☐ U.S. Mail ☐ Hand Delivery ☐ Certified Mail, Return Receipt Requested ☐ Overnight Mail ☐ Facsimile: ☒ Statehouse Mail

Sandra Evans, M.A.Ed., R.N.
Executive Director
Board of Nursing

BEFORE THE BOARD OF NURSING
FOR THE STATE OF TEXAS

In the Matter of	§	ELIGIBILITY
TRACY LYN CHANDLER	§	
APPLICANT for Eligibility for Licensure	§	AGREED ORDER

On the date entered below, the Texas Board of Nursing, hereinafter referred to as the Board, considered the Temporary License/Endorsement Application and supporting documents filed by TRACY LYN CHANDLER, hereinafter referred to as APPLICANT, together with any documents and information gathered by staff and APPLICANT's Certificate contained herein. Information received by the Board produced evidence that APPLICANT may have violated Section 301.452(8)&(12) *et seq.*, Texas Occupations Code.

APPLICANT waived representation by counsel, notice and hearing, and agreed to the entry of this Order offered on March 16, 2009, by Katherine A. Thomas, MN, RN, Executive Director.

FINDINGS OF FACT

1. On or about February 20, 2008, Applicant submitted an Application for Licensure by Endorsement requesting a determination of eligibility for licensure in compliance with Section 301.257 of the Texas Occupations Code and the Board's Rule at 22 Texas Administrative Code Section 213.30.

2. Applicant waived representation, notice, administrative hearing, and judicial review.

3. Applicant graduated with an Associate Degree in Nursing from Adirondack Community College, Queensbury, New York, in January 1996.

4. Applicant completed the Application for Licensure by Endorsement and answered "yes" to the question which reads as follows: *"Has any licensing authority refused to issue you a license or ever revoked, annulled, cancelled, accepted surrender of, suspended, placed on probation, refused to renew a professional license or certificate held by you now or previously, or ever fined, censured, reprimanded or otherwise disciplined you?"*

A

1 of 7

5. On May 17, 2005, Applicant was issued a Consent Order by the New York State Education Department, Office of Professional Discipline State Board of Nursing, Albany, New York. A copy of the May 17, 2005, Consent Order is attached and incorporated, by reference, as part of this Order.

6. On May 30, 2006, Applicant satisfied all terms and conditions as set forth in the Consent Order issued on May 17, 2005, by the New York State Education Department, Office of Professional Discipline State Board of Nursing.

7. Applicant completed the Application for Licensure by Endorsement and answered "yes" to the question which reads as follows: *"Within the past five (5) years have you been diagnosed with, treated, or hospitalized for schizophrenia and/or psychotic disorder, bipolar disorder, paranoid personality disorder, antisocial personality disorder, or borderline personality disorder?"*

8. A letter was received from David C. Belanger, Ph.D., FNP, BC, BCETS, Pinnacle Behavioral Clinic, Albany, New York, stating that he has been treating Applicant for two (2) years for the diagnosis of Bipolar Disorder. Applicant is functioning as a registered nurse whereby she provides facilitation of health services for members throughout the United States with her company. Applicant is able to maintain the workload, process all required tasks within a timely basis. Her mental status has been stable, there have no hospitalizations, well focused. Follow-up recommendations are to continue with therapy with her therapist and to see Dr. Belanger monthly for medication, evaluation, and treatment.

9. Applicant has sworn that with the exception of matters disclosed in connection with the Temporary License/Endorsement Application, her past behavior conforms to the Board's professional character requirements.

10. After considering the action taken by the New York State Education Department, Office of Professional Discipline State Board of Nursing along with Applicant's conduct since May 30, 2006, the Executive Director is satisfied that Applicant is able to meet the requirements of the Nursing Practice Act, the Board's Rules and Regulations, and generally accepted standards of nursing practice.

11. Applicant has sworn that her past behavior conforms to the Board's professional character requirements. Applicant presented no evidence of behavior which is inconsistent with good professional character.

12. On March 16, 2009, the Executive Director considered evidence of Applicant's past behavior in light of the character factors set out in 22 Texas Administrative Code §213.27 and determined that Applicant currently demonstrates the criteria required for good professional character.

13. Licensure of Applicant poses no direct threat to the health and safety of patients or the public.

14. The Executive Director's review of the grounds for potential ineligibility has been made on the basis of Applicant's disclosures.

15. Applicant has been advised by the Board that any information found to be incomplete, incorrect or misleading to the Board or a subsequent discovery of a basis of ineligibility will be considered by the Board and may result in an ultimate determination of ineligibility or the later revocation of a license obtained through fraud or deceit.

CONCLUSIONS OF LAW

1. The Texas Board of Nursing has jurisdiction over this matter pursuant to Section 301.453 *et seq.*, Texas Occupations Code.

2. Applicant has submitted an Application for Licensure by Endorsement requesting a determination of eligibility for licensure in compliance with Section 301.257 of the Texas Occupations Code and the Board's Rule at 22 Texas Administrative Code Section 213.30.

3. The evidence in Findings of Fact Numbers Five (5), and Eight (8), is sufficient cause to take disciplinary action under Section 301.452 *et seq.*, Texas Occupations Code, and, therefore, sufficient cause to deny licensure.

4. The action taken by another jurisdiction is grounds for denial of a license under Section 301.452 *et seq.*, Texas Occupations Code.

5. Applicant shall immediately notify the Board of any fact or event that could constitute a ground of ineligibility for licensure under Section 301.452 *et seq.*, Texas Occupations Code.

6. The Board may license an individual with prior behaviors inconsistent with the Board's character requirements if, upon evaluation of the factors in 22 Texas Administrative Code §213.27, the Board is satisfied that the individual is able to consistently conform her conduct to the requirements of the Nursing Practice Act, the Board's Rules and Regulations, and generally accepted standards of nursing practice.

ORDER

IT IS THEREFORE AGREED that the application of TRACY LYN CHANDLER, APPLICANT, is hereby CONDITIONALLY GRANTED and shall be subject to the following conditions:

Exhibit A
Page 3 of 7

(1) APPLICANT SHALL obtain and read the Texas Nursing Practice Act, and the Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice.

(2) Upon payment of the necessary fees, APPLICANT SHALL be issued a license to practice professional nursing in the State of Texas, which shall bear the appropriate notation.

(3) Upon receiving authorization to practice professional nursing in Texas, APPLICANT SHALL comply in all respects with the Nursing Practice Act, Texas Occupations Code, §§301.001 *et seq.*, the Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.1 *et seq.* and this Order.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to APPLICANT's multistate licensure privilege, if any, to practice professional nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that while APPLICANT's license is encumbered by this Order the APPLICANT may not work outside the State of Texas pursuant to a multistate licensure privilege without the written permission of the State of Texas and the Board of Nursing in the party state where APPLICANT wishes to work.

(6) APPLICANT SHALL, within one (1) year of initial licensure in the State of Texas, successfully complete a course in Texas nursing jurisprudence and ethics. APPLICANT SHALL obtain Board approval of the course prior to enrollment only if the course is <u>not</u> being offered by a pre-approved provider. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include nurses. It shall be a minimum of six (6) contact hours in length. The course's content shall include the Nursing Practice Act, standards of practice, documentation of care, principles of nursing ethics, confidentiality, professional boundaries, and the Board's Disciplinary Sanction Policies regarding Sexual

Exhibit A
Page 4 of 7

Misconduct; Fraud, Theft and Deception; Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder; and Lying and Falsification. Courses focusing on malpractice issues will not be accepted. APPLICANT SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to the Office of the Board to verify APPLICANT's successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure. *Board-approved courses may be found at the following Board website address: http://www.bon.state.tx.us/disciplinaryaction/stipscourses.html.*

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, APPLICANT SHALL be issued an unencumbered license and multistate licensure privileges, if any, to practice professional nursing in the State of Texas.

BALANCE OF PAGE INTENTIONALLY LEFT BLANK.

CONTINUED ON NEXT PAGE.

APPLICANT'S CERTIFICATION

I am the Applicant in this matter. I have fully and truthfully disclosed all of my past convictions and I have caused a complete and accurate criminal history to be submitted to the Texas Board of Nursing from each jurisdiction in which I have been convicted. I certify that my past behavior, except as disclosed in my Temporary License/Endorsement Application has been in conformity with the Board's professional character rule. I have provided the Board with complete and accurate documentation of my past behavior in violation of the penal law of any jurisdiction which was disposed of through any procedure short of conviction such as conditional discharge, deferred adjudication or dismissal. I have no criminal prosecution pending in any jurisdiction.

In connection with my application, I acknowledge that I have read and I understand Sections 301.157, 301.252, 301.253, 301.260, and 301.452(b) of the Texas Occupations Code, and Chapter 53, Section 53.001 *et seq.*, and Board Rules at 213.27, 213.28, and 213.29 at 22 Texas Administrative Code, which are incorporated by reference as a part of this Order. I agree with all terms of this Order and any stipulations. I agree to inform the Board of any other grounds for denial of licensure prior to accepting any permit or license from the Texas Board of Nursing.

I understand that if I fail to comply with all terms and conditions of this Order, I will be subject to investigation and disciplinary sanction, including revocation of my license to practice professional nursing in the State of Texas, as a consequence of my noncompliance.

I understand that I can be represented by an attorney in this matter. I waive representation, notice, administrative hearing, and judicial review of this Order and request that the Executive Director of the Texas Board of Nursing enter this Order.

Signed this 05 day of May, 09.

Tracy L Chandler

TRACY LYN CHANDLER, APPLICANT

Sworn to and subscribed before me this 5th day of May, 2009.

SEAL

DIANA N. JACON
Notary Public, State of New York
Registration #01JA6155380
Qualified in Albany County
Commission Expires Nov. 13, 2010

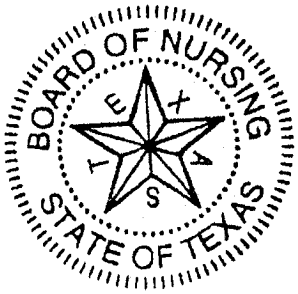
Notary Public in and for the State of New York

WHEREFORE, PREMISES CONSIDERED, the Executive Director on behalf of the Texas Board of Nursing does hereby ratify and adopt the Order of Conditional Eligibility that was signed on the 5th day of May, 2009, by TRACY LYN CHANDLER, APPLICANT, for Temporary License/Endorsement Application, and said Order is final.

Entered this 10th day of June, 2009.

BOARD OF NURSING
FOR THE STATE OF TEXAS

By: Katherine A. Thomas, MN, RN
Executive Director
on behalf of said Board



I certify this to be a true copy of the records on file with the Texas Board of Nursing.
Date: 8-17-09
Signed:

24492

PROFESSIONAL NURSE (R.N.) LICENSE RENEWAL APPLICATION 2009-2011 Period

Office use only
Certificate No._____
☐ Check ☐ MO ☐ Cash
☐ Renewal ☐ Late Renewal

Mail completed application with $90.00 check or money order, payable to Board of Nursing to: POB 83720, BOISE, ID 83720-0061, before August 31, 2007. *The amount due will be $125.00 if the renewal application and fee are postmarked after August 31, 2007. An administrative fine maybe assessed if you practice without current licensure.*

CHANDLER TRACY
23 ADIRONDACK CIRCLE APT #A
GANSEVOORT NY 12831

I declare that I have no mental or physical conditions that currently impair my ability to competently and safely practice nursing, that I am not currently in treatment for chemical addiction, that I have not been convicted of, received a withheld judgment for, or entered a plea of nolo contendre to any felony; nor have I failed to report every action taken or initiated against any professional or occupational license, registration, or other certification held by me, that was not previously disclosed to the Board (If unable to sign, explain on reverse.)

Signature:

Date of Renewal: 08/31/2009

Transaction Number: 2316227

LICENSE NUMBER: 37779

Gender (Optional)
○ Male ● Female

Ethnicity (Optional)
● Caucasian
○ African American/Black
○ Hispanic
○ Am. Indian/Alaska Native
○ Asian/Pacific Islander
○ Multi-Racial
○ Other

Idaho County codes
☐☐ Reside ☐☐ Employed

Employment
● Employed in Nursing full-time
○ Employed in Nursing part-time
○ Employed outside nursing
○ Not Employed/Seeking Employment
○ Not Employed/Student
○ Not Employed/Not Seeking
○ Volunteer
○ Emeritus
○ Retired

If employed, indicate name and address of your primary employer below:
WELLPOINT
11 CORP WOODS BLVD
ALBANY NY 12211

Primary Employment (If selecting Other, please specify)
○ Hospital
○ Nursing Home
○ Home Health/Hospice
○ Public Health
○ Occupational Health
○ Medical Office/Clinic
○ Residential
○ Nursing Education
● Insurance Company
○ Jail/Prison
○ School Health
○ Outpatient Facility
○ Other

Type of Position (If selecting Other, please specify)
○ Staff or General Duty
○ Case Manager/Discharge Planner
○ Administrator/Supervisor
○ Education
○ Advanced practice (not RN Specialty)
○ Quality Assurance/Outcomes Management
○ Consultant/Researcher
○ Charge/Head Nurse/Team Leader
● Other *TELENURSING*

Major Clinical Area (If selecting Other, please specify)
○ Geriatric
○ Gynecological/Obstetric
○ Medical/Surgical
○ Pediatric
○ Psychiatric/Mental Health
○ Emergency
○ Community/Public Health
○ Rehabilitation/Restorative
○ Other

Highest Degree (If selecting Other, please specify)
○ Diploma/RN
● Associate Degree/RN
○ Baccalaureate Degree/RN
○ Baccalaureate in Other Field
○ Masters in Nursing
○ Masters in Other Field
○ Doctorate in Nursing
○ Doctorate in Other Field
○ PN Certificate/Diploma
○ PN Associate Degree
○ Other

Year Advanced Degree Granted: 1996

I am currently taking courses toward an additional/advanced degree in nursing? YES NO
I intend to leave/retire from the practice of nursing in the next five years? YES NO
States other than Idaho in which I am practicing. NY

Exhibit B
Page 1 of 1

7002 3020 0001 4042 2351

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com®

OFFICIAL USE

Postage	$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	$

Postmark Here

Mailed 11-30-09 CT

Sent To
Street, Apt. No.; or PO Box No.
City, State, ZIP+4

TRACY L. CHANDLER
23 ADIRONDACK CIRCLE, APT A
GANSEVOORT, NY 12831

PS Form 3800, August 2006 See Reverse for Instructions

Returned
Resent
12-29-2009
CT

IDAHO BOARD OF NURSING
280 N 8TH ST #210
PO BOX 83720
BOISE ID 83720-0061

RETURN SERVICE REQUESTED

FIRST CLASS

UNITED STATES POSTAL SERVICE

$ 01.22

TRACY L. CHANDLER
23 ADIRONDACK CIRCLE, APT A
GANSEVOORT, NY 12831

CHAN023 128313012 1909 08 12/05/09
RETURN TO SENDER
CHANDLER'TRACY
78 OCEAN SPRAY BLVD
CLIFTON PARK NY 12065-3233

RETURN TO SENDER

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. LC
- Print your name and address on the reverse so that we can return the card to you. 11-20-09
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

TRACY L. CHANDLER
13 ADIRONDACK CIRCLE, APT A
GANSEVOORT, NY 12831

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X
☐ Agent
☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☐ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number
(Transfer from service label) 7007 2020 0001 4247 3351

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

IDAHO BOARD OF N
280 N 8TH ST #210
PO BOX 83720
BOISE ID 83720-0061

RETURN SERVICE REQUESTED

7007 3020 0001 4047 2351

02 1H $ 06.32
0004271054 DEC 01
MAILED FROM ZIP CODE

Dec 11 2007
11 AM

TRACY L. CHANDLER
23 ADIRONDACK CIRCLE, APT A
GANSEVOORT, NY 12831

FWD

122 NYE 1 9090 02 12/06/07
RETURN TO SENDER
CHANDLER TRACY
79 OCEAN SPRAY BLVD
CLIFTON PARK NY 12065 [illegible]

RETURN TO SENDER

9372060061

COMMONWEALTH of VIRGINIA

Dianne L. Reynolds-Cane, M.D.
Director

Department of Health Professions
Perimeter Center
9960 Mayland Drive, Suite 300
Henrico, Virginia 23233-1463

www.dhp.virginia.gov
TEL (804) 367- 4400
FAX (804) 527- 4475

Virginia Board of Nursing
Jay P. Douglas, RN, MSM, CSAC
Executive Director

Board of Nursing (804) 367-4515
Nurse Aide Registry (804) 367-4569
FAX (804) 527-4455

TO: **Soraya Trammell, Administrative Assistant III**
Texas Board of Nursing
333 Guadalupe, Suite 3-460
Austin, TX 78701

FROM: **Donna M. Lee** DML
Senior Discipline Specialist
Virginia Board of Nursing

SUBJECT: **Tracy Chandler**
License #0001-211637
Mandatorily Suspended on May 20, 2010

DATE: **July 16, 2010**

Your request for information has been received under the provisions of § 2.1-342 of the Code of Virginia (1950), as amended, as follows:

X 1. The requested information is enclosed. If you have questions, contact this office at (804) 367-4502.

___ 2. Certain documents involving attorney-client privilege which you requested were prepared in accordance with Sections 2.1-342.5 and 6 of the Virginia Freedom of Information Act and are exempted and will not be released.

___ 3. Applications for licensure cannot be released in accordance with Section 2.1-342.B-10 of the Virginia Freedom of Information Act and § 54.1-108.2.

___ 4. The requested information would be practically impossible to provide, or to determine its availability, in the five-work-day period allowed, so under Section 2.1-342.B-10 of the Virginia Freedom of Information Act, you are hereby informed that an additional seven days are needed to respond to your request.

___ 5. Personnel records and medical records are excluded from the provisions of the Freedom of Information Act (§ 2.1-342.B-3).

COMMONWEALTH of VIRGINIA

Dianne L. Reynolds-Cane, M.D.
Director

Department of Health Professions
Perimeter Center
9960 Mayland Drive, Suite 300
Henrico, Virginia 23233-1463

www.dhp.virginia.gov
TEL (804) 367-4400
FAX (804) 527-4475

RECEIVED
MAY 21 2010
VA BD OF NURSING

May 20, 2010

Tracy Lyn Petrillo Chandler
23 Adirondack Circle, Apt. A
Gansevoort, NY 12931

CERTIFIED MAIL

DUPLICATE COPY
VIA FIRST CLASS MAIL
DATED 5/20/10

RE: License No.: 0001-211637

Dear Ms. Chandler:

Pursuant to Section 54.1-2409 of the Code of Virginia (1950), as amended, ("Code"), you are hereby given notice that your license to practice nursing in the Commonwealth of Virginia has been mandatorily suspended by the enclosed Order entered May 20, 2010. You are hereby advised that, pursuant to Section 54.1-2409.1 of the Code, any person who practices a profession or occupation after having their license or certificate to do so suspended shall be guilty of a felony. Please return your license to Jay P. Douglas, Executive Director of the Board of Nursing, at the above address, immediately upon receipt of this letter.

Section 54.1-2409 of the Code further provides that you may apply to the Board of Nursing ("Board") for reinstatement of your license, and shall be entitled to a hearing not later than the next regular meeting of the Board after the expiration of sixty days from the receipt of such reinstatement application. You have the following rights, among others: to be represented by legal counsel, to have witnesses subpoenaed on your behalf, to present documentary evidence and to cross-examine adverse witnesses. The reinstatement of your license shall require the affirmative vote of three-fourths of the members present of the Board of Nursing.

Should you wish to petition the Board of Nursing for reinstatement of your license, contact Jay P. Douglas, Executive Director, at the above address or (804) 367-4599.

Sincerely,

DL Reynolds Cane MD

Dianne L. Reynolds-Cane, M.D., Director
Department of Health Professions

Enclosures
Case # 132088

VIRGINIA:

BEFORE THE DEPARTMENT OF HEALTH PROFESSIONS

IN RE: TRACY LYN PETRILLO CHANDLER, R.N.
License No.: 0001-211637

ORDER

In accordance with Section 54.1-2409 of the Code of Virginia (1950), as amended, ("Code"), I, Dianne L. Reynolds-Cane, M.D., Director of the Virginia Department of Health Professions, received and acted upon evidence that the license of Tracy Lyn Petrillo Chandler, R.N., to practice nursing in the State of Idaho was revoked by a Final Order entered April 30, 2010. A certified copy of the Final Order is attached to this Order and is marked as Commonwealth's Exhibit No. 1.

WHEREFORE, by the authority vested in the Director of the Department of Health Professions pursuant to Section 54.1-2409 of the Code, it is hereby ORDERED that the license of Tracy Lyn Petrillo Chandler, R.N., to practice nursing in the Commonwealth of Virginia be, and hereby is, SUSPENDED.

Upon entry of this Order, the license of Tracy Lyn Petrillo Chandler, R.N., will be recorded as suspended and no longer current. Should Ms. Chandler seek reinstatement of her license pursuant to Section 54.1-2409 of the Code, she shall be responsible for any fees that may be required for the reinstatement and renewal of her license prior to issuance of her license to resume practice.

Pursuant to Sections 2.2-4023 and 54.1-2400.2 of the Code, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record and shall be made available for public inspection and copying upon request.

Certified True Copy
By Donna Lee
Virginia Board of Nursing

D Reynolds-Cane MD 5-20-10
Dianne L. Reynolds-Cane, M.D., Director
Department of Health Professions

ENTERED: _____

COMMONWEALTH of VIRGINIA

Dianne L. Reynolds-Cane, M.D.
Director

Department of Health Professions
Perimeter Center
9960 Mayland Drive, Suite 300
Henrico, Virginia 23233-1463

www.dhp.virginia.gov
TEL (804) 367-4400
FAX (804) 527-4475

CERTIFICATION OF DUPLICATE RECORDS

I, Dianne L. Reynolds-Cane, M.D., Director of the Department of Health Professions, hereby certify that the attached Final Order entered April 30, 2010, regarding Tracy Lyn Petrillo Chandler, R.N., is a true copy of the records received from the Idaho State Board of Nursing.

D L Reynolds Cane MD Date: 5-20-10

Dianne L. Reynolds-Cane, M.D.

FILED

MAY 3 - 2010

BEFORE THE IDAHO STATE BOARD OF NURSING

In the Matter of the License of:	)	
	)	Case No. BON 09-058
TRACY L. CHANDLER,	)	
License No. N-37779,	)	**FINDINGS OF FACT,**
	)	**CONCLUSIONS OF LAW AND**
Respondent.	)	**FINAL ORDER**
	)	

Having reviewed the Complaint and other documents filed in this matter, the Idaho State Board of Nursing (hereinafter the "Board") enters the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

1. Tracy L. Chandler ("Respondent") is licensed by the Idaho State Board of Nursing under License No. N-37779 to engage in the practice of nursing in the State of Idaho.

2. On or about August 18, 2009, the Board received notice that Respondent had disciplinary action taken against her Texas license. On June 10, 2009, the Board of Nursing for the State of Texas ("Texas Board") issued an Eligibility Agreed Order whereby Respondent was issued a conditional license to practice nursing in Texas.

3. On or about August 31, 2009, Respondent submitted to the Board a renewal application for her Idaho license which failed to disclose the action taken against her by the Texas Board.

4. On November 30, 2009, the Board filed a formal Complaint against Respondent. Said Complaint is expressly incorporated herein and made a part hereof.

5. Copies of the Complaint, along with the Notification of Procedural Rights, were sent to Respondent on March 9, 2010, by United States Mail, postage prepaid, both by certified mail, return receipt requested, and by regular mail. The mailings were addressed to Respondent at her most recent home address on file with the Board, as follows:

COMMONWEALTH'S EXHIBIT 1

PENGAD 800-631-6989

Tracy L. Chandler
78 Ocean Spray Blvd.
Clifton Park, NY 12065-3233

6. The Board received back from the post office the certified mail return receipt indicating that the copy of the Complaint sent by certified mail was received at Respondent's address on March 14, 2010.

7. The Notification of Procedural Rights informed Respondent that, under statutes and rules applicable to such proceedings before the Board, Respondent needed to file a formal Answer to the Complaint within twenty-one (21) days of service of the Complaint and that failure to timely file an Answer to the Complaint or otherwise defend against the action would constitute a default and would be sufficient grounds for proceeding administratively against Respondent's license without the necessity of conducting a hearing.

8. On April 6, 2010, a Notice of Proposed Default and Default Order were sent to Respondent by United States Mail, postage prepaid, both by certified mail, return receipt requested, and by regular mail, to Respondent at her address of record with the Board as follows:

Tracy L. Chandler
78 Ocean Spray Blvd.
Clifton Park, NY 12065-3233

9. Respondent failed to contest entry of the proposed Default Order within seven (7) days of service of the Notice of Proposed Default Order.

10. On April 15, 2010, a Default Order was issued by Roger Gabel, the appointed Hearing Officer in this matter. Therefore, the allegations contained in the Complaint on file in this matter are admitted as true without the necessity of conducting a hearing.

11. As detailed in the incorporated Complaint, Respondent, while a licensed nurse, failed to disclose disciplinary action taken against her Texas license.

CONCLUSIONS OF LAW

1. As a licensed nurse in the State of Idaho, Respondent is subject to the jurisdiction of the Board and to the provisions of title 54, chapter 14, Idaho Code.

2. The Complaint was sent to Respondent at the address provided to the Board by the U.S. Post Office. Respondent was duly and lawfully given notice of proceedings against her license pursuant to the provisions of IDAPA 04.11.01.055 and IDAPA 23.01.01.008.03.

3. Respondent's failure to plead or otherwise defend in this action authorizes the Board, pursuant to Idaho Code § 67-5242(4), to enter an Order of Default which is as lawful as if all the allegations in the Complaint were proved or admitted at a hearing.

4. Respondent's acts as detailed in the incorporated Complaint constitute violations of the laws and rules governing Idaho nursing practice, including:

a. Idaho Code § 54-1413(1)(a) and Board Rule (IDAPA 23.01.01) 100.01 (a nurse shall not make, or cause to be made, a false, fraudulent or forged statement or representation in procuring or attempting to procure a license to practice nursing) and

b. Board Rule 100.10 (license or privilege to practice nursing restricted, limited, revoked or suspended or otherwise disciplined in any jurisdiction).

5. Pursuant to Idaho Code §§ 54-1404(2), 54-1413(1) and 67-5242(4), the Board is authorized to impose sanctions against Respondent.

ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, and good cause being shown, it is hereby ordered that:

1. Pursuant to Idaho Code § 67-5242(4), Respondent is in default.

///

///

///

2. License No. N-37779 issued to Tracy L. Chandler is hereby:

✓ **Revoked:** Respondent may not apply for reinstatement for a two (2) year period after entry of this Order or a _____ year period after entry of this Order, whichever period is greater.

____ **Suspended:** _____ days _____ year(s) ____ indefinitely. Respondent's license shall be a single-state license during the term of suspension and Respondent shall not be eligible to practice on the Compact privilege in any other state participating in the Nurse Licensure Compact with the State of Idaho.

3. Any application for reinstatement of licensure by Respondent shall be subject to the provisions of Idaho Code § 54-1411(3). Respondent shall further comply with the provisions of IDAPA 23.01.01, Sections 61.04 and 120, as applicable. This will include, but is not limited to, providing to the Board evidence that Respondent has complied with the Eligibility Agreed Order issued by the Texas Board.

4. The Board reserves the right to assess investigative costs incurred in this matter as a condition of reinstatement, and to impose such other conditions upon Respondent's reinstated license as the Board may deem appropriate in its discretion.

This order is effective immediately.

DATED this 30th day of April, 2010.

IDAHO STATE BOARD OF NURSING

By _____
Susan Odom, Ph.D., R.N.
Chair

NOTICE OF DUE PROCESS RIGHTS

This is a final order of the Board. Any party may file a motion for reconsideration of this final order within fourteen (14) days of the issuance of this order. The Board will dispose of the petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. *See* Idaho Code § 67-5246(4).

Pursuant to Idaho Code §§ 67-5270 and 67-5272, any party aggrieved by this final order or orders previously issued in this case may appeal this final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

a. A hearing was held,
b. The final agency action was taken,
c. The party seeking review of the order resides, or
d. The real property or personal property that was the subject of the agency action is located.

An appeal must be filed within twenty-eight (28) days (a) of the issuance of this final order, (b) of an order denying petition for reconsideration, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration, whichever is later. *See* Idaho Code § 67-5273. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 3RD day of May, 2010, I caused to be served a true and correct copy of the foregoing by the following method to:

Tracy L. Chandler
78 Ocean Spray Blvd.
Clifton Park, NY 12065-3233

- [x] U.S. Mail
- [ ] Hand Delivery
- [x] Certified Mail, Return Receipt Requested
- [ ] Overnight Mail
- [ ] Facsimile: _____
- [ ] Statehouse Mail

Karin Magnelli
Deputy Attorney General
P.O. Box 83720
Boise, ID 83720-0010

- [ ] U.S. Mail
- [ ] Hand Delivery
- [ ] Certified Mail, Return Receipt Requested
- [ ] Overnight Mail
- [ ] Facsimile: _____
- [x] Statehouse Mail

Linda Coley
Management Assistant
Idaho Board of Nursing

BEFORE THE BOARD OF NURSING
FOR THE STATE OF TEXAS
****

In the Matter of	§	ELIGIBILITY
TRACY LYN CHANDLER	§	
APPLICANT for Eligibility for Licensure	§	AGREED ORDER

On the date entered below, the Texas Board of Nursing, hereinafter referred to as the Board, considered the Temporary License/Endorsement Application and supporting documents filed by TRACY LYN CHANDLER, hereinafter referred to as APPLICANT, together with any documents and information gathered by staff and APPLICANT's Certificate contained herein. Information received by the Board produced evidence that APPLICANT may have violated Section 301.452(8)&(12) *et seq.*, Texas Occupations Code.

APPLICANT waived representation by counsel, notice and hearing, and agreed to the entry of this Order offered on March 16, 2009, by Katherine A. Thomas, MN, RN, Executive Director.

FINDINGS OF FACT

1. On or about February 20, 2008, Applicant submitted an Application for Licensure by Endorsement requesting a determination of eligibility for licensure in compliance with Section 301.257 of the Texas Occupations Code and the Board's Rule at 22 Texas Administrative Code Section 213.30.

2. Applicant waived representation, notice, administrative hearing, and judicial review.

3. Applicant graduated with an Associate Degree in Nursing from Adirondack Community College, Queensbury, New York, in January 1996.

4. Applicant completed the Application for Licensure by Endorsement and answered "yes" to the question which reads as follows: *"Has any licensing authority refused to issue you a license or ever revoked, annulled, cancelled, accepted surrender of, suspended, placed on probation, refused to renew a professional license or certificate held by you now or previously, or ever fined, censured, reprimanded or otherwise disciplined you?"*

5. On May 17, 2005, Applicant was issued a Consent Order by the New York State Education Department, Office of Professional Discipline State Board of Nursing, Albany, New York. A copy of the May 17, 2005, Consent Order is attached and incorporated, by reference, as part of this Order.

6. On May 30, 2006, Applicant satisfied all terms and conditions as set forth in the Consent Order issued on May 17, 2005, by the New York State Education Department, Office of Professional Discipline State Board of Nursing.

7. Applicant completed the Application for Licensure by Endorsement and answered "yes" to the question which reads as follows: *"Within the past five (5) years have you been diagnosed with, treated, or hospitalized for schizophrenia and/or psychotic disorder, bipolar disorder, paranoid personality disorder, antisocial personality disorder, or borderline personality disorder?"*

8. A letter was received from David C. Belanger, Ph.D., FNP, BC, BCETS, Pinnacle Behavioral Clinic, Albany, New York, stating that he has been treating Applicant for two (2) years for the diagnosis of Bipolar Disorder. Applicant is functioning as a registered nurse whereby she provides facilitation of health services for members throughout the United States with her company. Applicant is able to maintain the workload, process all required tasks within a timely basis. Her mental status has been stable, there have no hospitalizations, well focused. Follow-up recommendations are to continue with therapy with her therapist and to see Dr. Belanger monthly for medication, evaluation, and treatment.

9. Applicant has sworn that with the exception of matters disclosed in connection with the Temporary License/Endorsement Application, her past behavior conforms to the Board's professional character requirements.

10. After considering the action taken by the New York State Education Department, Office of Professional Discipline State Board of Nursing along with Applicant's conduct since May 30, 2006, the Executive Director is satisfied that Applicant is able to meet the requirements of the Nursing Practice Act, the Board's Rules and Regulations, and generally accepted standards of nursing practice.

11. Applicant has sworn that her past behavior conforms to the Board's professional character requirements. Applicant presented no evidence of behavior which is inconsistent with good professional character.

12. On March 16, 2009, the Executive Director considered evidence of Applicant's past behavior in light of the character factors set out in 22 Texas Administrative Code §213.27 and determined that Applicant currently demonstrates the criteria required for good professional character.

13. Licensure of Applicant poses no direct threat to the health and safety of patients or the public.

14. The Executive Director's review of the grounds for potential ineligibility has been made on the basis of Applicant's disclosures.

15. Applicant has been advised by the Board that any information found to be incomplete, incorrect or misleading to the Board or a subsequent discovery of a basis of ineligibility will be considered by the Board and may result in an ultimate determination of ineligibility or the later revocation of a license obtained through fraud or deceit.

CONCLUSIONS OF LAW

1. The Texas Board of Nursing has jurisdiction over this matter pursuant to Section 301.453 *et seq.*, Texas Occupations Code.

2. Applicant has submitted an Application for Licensure by Endorsement requesting a determination of eligibility for licensure in compliance with Section 301.257 of the Texas Occupations Code and the Board's Rule at 22 Texas Administrative Code Section 213.30.

3. The evidence in Findings of Fact Numbers Five (5), and Eight (8), is sufficient cause to take disciplinary action under Section 301.452 *et seq.*, Texas Occupations Code, and, therefore, sufficient cause to deny licensure.

4. The action taken by another jurisdiction is grounds for denial of a license under Section 301.452 *et seq.*, Texas Occupations Code.

5. Applicant shall immediately notify the Board of any fact or event that could constitute a ground of ineligibility for licensure under Section 301.452 *et seq.*, Texas Occupations Code.

6. The Board may license an individual with prior behaviors inconsistent with the Board's character requirements if, upon evaluation of the factors in 22 Texas Administrative Code §213.27, the Board is satisfied that the individual is able to consistently conform her conduct to the requirements of the Nursing Practice Act, the Board's Rules and Regulations, and generally accepted standards of nursing practice.

ORDER

IT IS THEREFORE AGREED that the application of TRACY LYN CHANDLER, APPLICANT, is hereby CONDITIONALLY GRANTED and shall be subject to the following conditions:

(1) APPLICANT SHALL obtain and read the Texas Nursing Practice Act, and the Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice.

(2) Upon payment of the necessary fees, APPLICANT SHALL be issued a license to practice professional nursing in the State of Texas, which shall bear the appropriate notation.

(3) Upon receiving authorization to practice professional nursing in Texas, APPLICANT SHALL comply in all respects with the Nursing Practice Act, Texas Occupations Code, §§301.001 *et seq.*, the Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.1 *et seq.* and this Order.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to APPLICANT's multistate licensure privilege, if any, to practice professional nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that while APPLICANT's license is encumbered by this Order the APPLICANT may not work outside the State of Texas pursuant to a multistate licensure privilege without the written permission of the State of Texas and the Board of Nursing in the party state where APPLICANT wishes to work.

(6) APPLICANT SHALL, within one (1) year of initial licensure in the State of Texas, successfully complete a course in Texas nursing jurisprudence and ethics. APPLICANT SHALL obtain Board approval of the course prior to enrollment only if the course is <u>not</u> being offered by a pre-approved provider. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include nurses. It shall be a minimum of six (6) contact hours in length. The course's content shall include the Nursing Practice Act, standards of practice, documentation of care, principles of nursing ethics, confidentiality, professional boundaries, and the Board's Disciplinary Sanction Policies regarding: Sexual

Misconduct; Fraud, Theft and Deception; Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder; and Lying and Falsification. Courses focusing on malpractice issues will not be accepted. APPLICANT SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to the Office of the Board to verify APPLICANT's successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure. *Board-approved courses may be found at the following Board website address: http://www.bon.state.tx.us/disciplinaryaction/stipscourses.html.*

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, APPLICANT SHALL be issued an unencumbered license and multistate licensure privileges, if any, to practice professional nursing in the State of Texas.

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CONTINUED ON NEXT PAGE.

APPLICANT'S CERTIFICATION

I am the Applicant in this matter. I have fully and truthfully disclosed all of my past convictions and I have caused a complete and accurate criminal history to be submitted to the Texas Board of Nursing from each jurisdiction in which I have been convicted. I certify that my past behavior, except as disclosed in my Temporary License/Endorsement Application has been in conformity with the Board's professional character rule. I have provided the Board with complete and accurate documentation of my past behavior in violation of the penal law of any jurisdiction which was disposed of through any procedure short of conviction such as conditional discharge, deferred adjudication or dismissal. I have no criminal prosecution pending in any jurisdiction.

In connection with my application, I acknowledge that I have read and I understand Sections 301.157, 301.252, 301.253, 301.260, and 301.452(b) of the Texas Occupations Code, and Chapter 53, Section 53.001 *et seq.*, and Board Rules at 213.27, 213.28, and 213.29 at 22 Texas Administrative Code, which are incorporated by reference as a part of this Order. I agree with all terms of this Order and any stipulations. I agree to inform the Board of any other grounds for denial of licensure prior to accepting any permit or license from the Texas Board of Nursing.

I understand that if I fail to comply with all terms and conditions of this Order, I will be subject to investigation and disciplinary sanction, including revocation of my license to practice professional nursing in the State of Texas, as a consequence of my noncompliance.

I understand that I can be represented by an attorney in this matter. I waive representation, notice, administrative hearing, and judicial review of this Order and request that the Executive Director of the Texas Board of Nursing enter this Order.

Signed this 05 day of May, 09.

Tracy L Chandler

TRACY LYN CHANDLER, APPLICANT

Sworn to and subscribed before me this 5th day of May, 2009.

D. N. J.

Notary Public in and for the State of New York

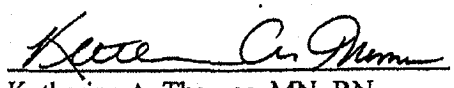
SEAL

DIANA N. JACON
Notary Public, State of New York
Registration #01JA6155380
Qualified in Albany County
Commission Expires Nov. 13, 2010

WHEREFORE, PREMISES CONSIDERED, the Executive Director on behalf of the Texas Board of Nursing does hereby ratify and adopt the Order of Conditional Eligibility that was signed on the 5th day of May, 2009, by TRACY LYN CHANDLER, APPLICANT, for Temporary License/Endorsement Application, and said Order is final.

Entered this 10th day of June, 2009.

BOARD OF NURSING
FOR THE STATE OF TEXAS



By: Katherine A. Thomas, MN, RN
Executive Director
on behalf of said Board

THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12230

OFFICE OF THE PROFESSIONS
DIVISION OF PROFESSIONAL LICENSING SERVICES
Public Information Unit
Tel. (518) 474-3817 EXT: 330
Fax (518) 473-0578
E-mail: DPLSDSU@MAIL.NYSED.GOV

STATE OF NEW YORK)
SS:
COUNTY OF ALBANY)

In accordance with the **Civil Practice Law and Rules Article 45**, I, Connie F. Mitchell, Clerk II in the Division of Professional Licensing Services of the New York State Education Department, have caused this certificate to be prepared. I certify that I have legal custody of the official original records of the Division of Professional Licensing Services and I attest that the attached is a true, complete and correct copies of the original documents in our files relating to TRACY L. CHANDLER a/k/a TRACY LYN BABSON.

Witness my hand and the seal of the New York State Education Department this 22 February, 2008.

Connie F. Mitchell

Connie F. Mitchell, Clerk II
Professional Licensing Services

The University of the State of New York

IN THE MATTER

OF

TRACEY CHANDLER
(Registered Professional Nurse)

ORIGINAL
VOTE AND ORDER
NO. 21957

Upon the application of TRACEY CHANDLER, under Calendar No. 21957, which application is made a part hereof, and in accordance with the provisions of Title VIII of the Education Law, **it was**

VOTED (May 17, 2005): That the application of TRACEY CHANDLER, respondent, for a consent order be granted; and that the Deputy Commissioner for the Professions be empowered to execute, for and on behalf of the Board of Regents, all orders necessary to carry out the terms of this vote;

and it is

ORDERED: That, pursuant to the above vote of the Board of Regents, said vote and the provisions thereof are hereby adopted and SO ORDERED, and it is further

ORDERED that this order shall take effect as of the date of the personal service of this order upon the respondent or five days after mailing by certified mail.

TRACEY CHANDLER (21957)

IN WITNESS WHEREOF, I, Johanna Duncan-Poitier, Deputy Commissioner for the Professions, for and on behalf of the State Education Department and the Board of Regents, do hereunto set my hand, at the City of Albany, this 17th day of May, 2005.

Johanna Duncan-Poitier

JOHANNA DUNCAN-POITIER
DEPUTY COMMISSIONER
FOR THE PROFESSIONS

NEW YORK STATE EDUCATION DEPARTMENT
OFFICE OF PROFESSIONAL DISCIPLINE
STATE BOARD FOR NURSING

----------X

IN THE MATTER

of the

Disciplinary Proceeding

against

TRACY L. CHANDLER

who is currently licensed to practice
as a registered professional nurse
in the State of New York.

----------X

APPLICATION FOR CONSENT ORDER

CAL. NO. 21957

TRACY L. CHANDLER states:

That on or about June 4, 1996 I was licensed to practice as a registered professional nurse in the State of New York, having been issued license number 481166 by the New York State Education Department.

I am currently registered with the New York State Education Department to practice as a registered professional nurse in the State of New York from an address at 92 N. Greenfield Road, Porter Corners, New York 12859.

That I have been charged with one specification of professional misconduct, a copy of which is annexed hereto, made a part hereof, and marked as Exhibit "A."

TRACY L. CHANDLER

I admit guilt to the aforesaid specification of professional misconduct, charging me with practicing the profession of nursing beyond its authorized scope (wrote order for a cardiac consult).

I hereby agree to the penalty that my license to practice as a registered professional nurse in the State of New York be suspended for a period of one (1) year; that execution of said suspension be stayed; that I be placed on probation for a period of one (1) year, under the terms set forth in the exhibit annexed hereto, made a part hereof, and marked as Exhibit "B;" and that I be fined five hundred ($500) dollars, said fine to be paid in the manner set forth in the aforesaid terms of probation.

I hereby make this application to the Board of Regents and request that it be granted.

I understand that in the event that the Board of Regents denies the application, nothing contained herein shall be binding upon me or construed to be an admission of any act of misconduct alleged or charged against me. Such application shall not be used against me in any way and shall be kept in strict confidence during the pendency of the disciplinary proceeding, and such denial by the Board of Regents shall be without prejudice to the continuance of the disciplinary proceeding and the final determination by the Board of Regents pursuant to the provisions of the Education Law.

I agree that in the event the Board of Regents grants my

TRACY L. CHANDLER

application, as set forth herein, an Order may be issued in accordance with the same. I understand that if and when the Board of Regents grants this application, the entire application shall become a matter of public record.

No promises of any kind were made to me. I am making this application of my own free will and accord and not under duress, compulsion, or restraint of any kind or manner.

Tracy L Chandler
Respondent

EXHIBIT "A"

TRACY L. CHANDLER

SPECIFICATION OF PROFESSIONAL MISCONDUCT

Respondent is charged with practicing the profession of nursing beyond the scope authorized by law, within the purview and meaning of New York Education Law section 6509(2), in that Respondent:

On or about July 31, 2004, while employed and on duty as a registered professional nurse at the Saratoga Hospital in Saratoga Springs, New York, ordered a cardiac consult for a PICC line without a physician's authorization.

EXHIBIT "B"

TERMS OF PROBATION

TRACY L. CHANDLER

CALENDAR NO. 21957

1. That Respondent, during the period of probation, shall be in compliance with the standards of conduct prescribed by the law governing Respondent's profession;

2. That Respondent shall submit written notification to the New York State Education Department, addressed to the Director, Office of Professional Discipline, New York State Education Department, 475 Park Avenue South -- Second Floor, New York, New York 10016-6901, of any employment and/or practice, Respondent's residence, telephone number, or mailing address, and of any change in Respondent's employment, practice, residence, telephone number, or mailing address within or without the State of New York;

3. That Respondent shall pay the five hundred ($500) dollar fine imposed upon Respondent, by certified or bank cashier's check, made payable to the order of the New York State Education Department, to be delivered to the Director, Office of Professional Discipline, as aforesaid, within the first three months of the period of probation;

4. That Respondent shall submit written proof from the Division of Professional Licensing Services (DPLS), New York State Education Department (NYSED), that Respondent has paid all registration fees due and owing to the NYSED and Respondent shall cooperate with and submit whatever papers are requested by DPLS in regard to said registration fees, said proof from DPLS to be submitted by Respondent to the NYSED, addressed to the Director, Office of Professional Discipline, as aforesaid, no later than the first three months of the period of probation;

5. That Respondent shall submit written proof to the NYSED, addressed to the Director, Office of Professional Discipline, as aforesaid, that 1) Respondent is currently registered with the NYSED, unless Respondent submits written proof that Respondent has advised DPLS, NYSED, that Respondent is not engaging in the practice of Respondent's profession in the State of New York and does not desire to register, and that 2) Respondent has paid any fines which may have previously been imposed upon Respondent by the Board of Regents, said proof of the above to be submitted no later than the first three months of the period of probation;

TRACY [illegible] ER
CALEN[illegible] 21957

6. The Respondent shall make quarterly visits to an employee of the Office of Professional Discipline, New York State Education Department, unless otherwise agreed to by said [illegible] for the purpose of said employee monitoring [illegible]'s terms of probation to assure compliance th[illegible] and Respondent shall cooperate with said employee, including the submission of information requested by said employee regarding the aforesaid monitoring;

7. Upon receipt of evidence of noncompliance with or any violation of any of the aforementioned terms of [illegible] the New York State Education Department may [illegible] a violation of probation proceeding and/or such [illegible] proceedings pursuant to the Education Law and/or Rules of the Board of Regents.

NEW Y[illegible] EDUCATION DEPARTMENT
OFFIC[illegible] PROFESSIONAL DISCIPLINE
STATE [illegible] NURSING
----------X

IN THE MATTER

of the

Disciplinary Proceeding

against

TRACY L. CHANDLER

who [illegible] licensed to practice
as a [illegible] professional nurse
in the [illegible] New York.
----------X

APPLICATION FOR CONSENT ORDER

CAL. NO. 21957

The undersigned agree to the above statement and to the proposed [illegible] based on the terms and conditions thereof.

Date [illegible], 2005 — Tracy L Chandler
Respondent

Dated [illegible], 200[illegible] — Attorney for Respondent

Date [illegible] 18, 2005 — Rena L Eggen RN
Member of the State Board for Nursing

Dated [illegible], 2005 — Director
Office of Professional Discipline

The undersigned, a member of the Board of Regents who has been [illegible] by the Chairman of the Regents Committee on Professional Practice to review this Application for a Consent Order [illegible] reviewed said Application and recommends to the Board of Regents [illegible] the Application be granted.

Date [illegible] 8, 2005 — Member, Board of Regents