

IN THE MATTER OF
PERMANENT CERTIFICATE
NUMBER 130699
ISSUED TO
TAMARA LOVE CHEYNE

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BEFORE THE ELIGIBILITY
AND DISCIPLINARY
COMMITTEE
OF THE TEXAS
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.
Tamara Love Cheyne
Executive Director of the Board

ORDER OF THE BOARD

TO: Tamara Love Cheyne
3002 4th Street #C135
Lubbock, Texas, 79415

During open meeting held in Austin, Texas, on Tuesday, November 9, 2010, 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 vocational nursing in the State of Texas.

The Committee finds that the Formal Charges were properly initiated and filed in accordance with section 301.458, Texas Occupations Code.

The Committee finds that after proper and timely Notice regarding the violations alleged in the Formal Charges was given to Respondent in this matter, Respondent has failed to appear in accordance with 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that the Board is authorized to enter a default order pursuant to Texas Government Code § 2001.056.

The Eligibility and Disciplinary Committee, after review and due consideration, adopts the

proposed findings of fact and conclusions of law as stated in the Formal Charges which are attached hereto and incorporated by reference for all purposes and the Staff's recommended sanction of revocation by default. This Order will be properly served on all parties and all parties will be given an opportunity to file a motion for rehearing [22 TEX. ADMIN.CODE § 213.16(j)]. All parties have a right to judicial review of this Order.

All proposed findings of fact and conclusions of law filed by any party not specifically adopted herein are hereby denied.

NOW, THEREFORE, IT IS ORDERED that Permanent Certificate Number 130699, previously issued to TAMARA LOVE CHEYNE, to practice vocational 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 vocational nursing in the State of Texas.

Entered this 9th day of November, 2010.

TEXAS BOARD OF NURSING



BY:

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

In the Matter of Permanent License § **BEFORE THE TEXAS**
Number 130699, Issued to §
TAMARA LOVE CHEYNE, Respondent § **BOARD OF NURSING**

FIRST AMENDED FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, TAMARA LOVE CHEYNE, is a Vocational Nurse holding license number 130699, which is in current status at the time of this pleading.

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

CHARGE I.

On or about December 31, 2006 through November 17, 2008, while employed with Garrison Center, Lubbock, Texas, Respondent practiced as a Vocational Nurse without a valid license. Board records indicate Respondent's license expired December 31, 2006, and was not renewed until November 13, 2008. Respondent's conduct deceived residents, their families, fellow care givers and the public in that they believed Respondent's nursing practice was in compliance with all Board rules and regulations.

The above action constitutes grounds for disciplinary action in accordance with Section 301.251, Texas Occupations Code and Section 301.452(b)(1)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(6)(H).

CHARGE II.

On or about December 25, 2008, while employed as a Licensed Vocational Nurse with Carillon House, Lubbock, Texas, Respondent removed two (2) Hydrocodone/APAP 5-325mg tablets from a bubble pack belonging to Client PH and put them into Client RW's bubble pack containing Hydrocodone/APAP 5-500MG tablets. Respondent's conduct was likely to deceive the facility's pharmacy and placed them in violation of Chapter 481 of the Texas Health and Safety Code (Controlled Substance Act).

The above action constitutes grounds for disciplinary action in accordance with Section 301.251, Texas Occupations Code and Section 301.452(b)(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(4).

CHARGE III.

On or about December 25, 2008, while employed as a Licensed Vocational Nurse with Carillon House, Lubbock, Texas, Respondent falsely documented on the Medication Administration Records for Client PH that she administered a Hydrocodone/APAP 5-325mg tablet to the client. Respondent's conduct resulted in an inaccurate, incomplete medical record, and was likely to injure the patient in that subsequent care givers would rely on her documentation in order to provide further care.

The above action constitutes grounds for disciplinary action in accordance with Section 301.251, Texas Occupations Code and Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A),(B)&(C), and 22 TEX. ADMIN. CODE §217.12(4),(6)(A)&(10)(B).

CHARGE IV.

On or about December 25, 2008, while employed as a Licensed Vocational Nurse with Carillon House, Lubbock, Texas, Respondent falsely documented on the Medication Administration Records for Client RW that she administered a Hydrocodone/APAP 5-500MG tablet to the client. Respondent's conduct resulted in an inaccurate, incomplete medical record, and was likely to injure the patient in that subsequent care givers would rely on her documentation in order to provide further care.

The above action constitutes grounds for disciplinary action in accordance with Section 301.251, Texas Occupations Code and Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A),(B)&(C), and 22 TEX. ADMIN. CODE §217.12(4),(6)(A)&(10)(B).

NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of 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 § 301.461, TEX. OCC. CODE ANN. 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).

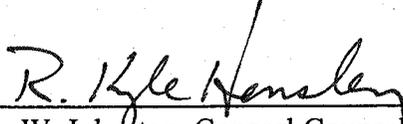
NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, www.bon.state.tx.us.

NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Sanction Policies for Lying and Falsification, and Fraud, Theft and Deception, which can be found at the Board's website, www.bon.state.tx.us.

NOTICE IS ALSO GIVEN that Respondent's past disciplinary history, as set out below and described in the Order's which are attached and incorporated by reference as part of these charges, will be offered in support of the disposition recommended by staff: Agreed Order dated June 21, 2001 and Agreed Order dated June 10, 2002.

Filed this 28th day of July, 20 10.

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

Robert Kyle Hensley, Assistant General Counsel

State Bar No. 50511847

John F. Legris, Assistant General Counsel

State Bar No. 00785533

TEXAS BOARD OF NURSING

333 Guadalupe, Tower III, Suite 460

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Attachments: Agreed Order dated June 21, 2001
Agreed Order dated June 10, 2002

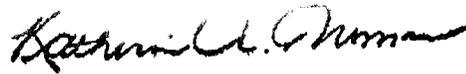
Re: Permanent Certificate Number 130699
Issued to TAMARA LOVE CHEYNE
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 9th day of November, 2010, 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):

Tamara Love Cheyne
3002 4th Street #C135
Lubbock, Texas 79415

BY:



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