IN THE MATTER OF	§	BEFORE THE ELIGIBILITY
	§	
PERMANENT CERTIFICATE	§	AND DISCIPLINARY
	§	
NUMBER 247918	§	COMMITTEE OF THE BOARD
	§	
ISSUED TO	§	OF NURSE EXAMINERS OF THE
	§	
TANYA MARIE FRADEN	§	STATE OF TEXAS

ORDER OF THE BOARD

TO: Tanya Marie Fraden
6232 Hwy 29 W
Burnet, Texas 78611

During open meeting held in Austin, Texas, on September 13, 2005, the Eligibility and Disciplinary Committee (herinafter "Committee") heard the above-styled case. This case was heard, and based on the failure of the Respondent to file a written response to the Formal Charges as required by 22 TEX. ADMIN. CODE, §213.16.

The Committee of the Board of Nurse Examiners 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 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 of the violations alleged in the Formal Charges were given to Respondent in this matter, Respondent has failed to file an answer in accordance with 22 TEX. ADMIN. CODE, §213.16.

The Committee finds that the Board is authorized to enter a default order pursuant to Texas Government Code, §2001.056 and 22 Texas Administrative Code, §213.16.

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 to set aside the default order (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 247918, previously issued to TANYA MARIE FRADEN, to practice professional nursing in the State of Texas be, and the same is hereby, REVOKED.

IT IS FURTHER ORDERED that Permanent Certificate Number 247918, previously issued to TANYA MARIE FRADEN, upon receipt of this Order, be immediately delivered to the office of the Board of Nurse Examiners for the State of Texas.

IT IS FURTHER ORDERED that this Order SHALL be applicable to Respondent's multi-state privilege, if any, to practice professional nursing in the State of Texas.

Entered this 13th day of September, 2005.

BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

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

Re: Permanent Certificate Number 247918
Issued to TANYA MARIE FRADEN
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 26th day of September, 2005, a true and correct copy of the foregoing DEFAULT ORDER was served by placement in the U.S. Mail via first class mail, and addressed to the following person(s):

Tanya Marie Fraden
6232 W Hwy 29
Burnet, Texas 78611

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

In the Matter of Registered Nurse License	§	**BEFORE THE BOARD**
Number 247918, Issued to	§	**OF NURSE EXAMINERS**
TANYA MARIE FRADEN, Respondent	§	**FOR THE STATE OF TEXAS**

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, TANYA MARIE FRADEN, is a Registered Nurse holding license number 247918, which is in current status at the time of this pleading.

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

CHARGE I.

On or about December 8, 2004, while employed with Maricopa Integrated Health System, Phoenix, Arizona, while utilizing her Texas multi-state license, Respondent lacked fitness to practice professional nursing in that she exhibited impaired behavior while on duty, including but not limited to: slurred speech, falling asleep, and an unsteady gait. Respondent's conduct could have affected his/her ability to recognize subtle signs, symptoms or changes in patients' conditions, and could have affected his/her ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patients in potential danger.

The above action constitutes a violation of Section 301.452(b)(10)&(12),Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(12).

CHARGE II.

On or about December 8, 2004, while employed with Maricopa Integrated Health System, Phoenix, Arizona, while utilizing her Texas multi-state license, Respondent misappropriated Ativan belonging to the facility and patients thereof, or failed to take precautions to prevent such misappropriation. Respondent's conduct was likely to defraud the facility and patients of the cost of the medications.

The above action constitutes a violation of Section 301.452(b)(10),Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(19).

CHARGE III.

On or about December 8, 2004, while employed with Maricopa Integrated Health System, Phoenix, Arizona, while utilizing her Texas multi-state license, Respondent failed to follow the policy and procedure for the wastage of Ativan in that Respondent admitted that she wasted the medication in the garbage can without a witness. Respondent's conduct was likely to deceive the hospital pharmacy and placed them in violation of Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).

The above action constitutes a violation of Section 301.452(b)(10),Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(18).

CHARGE IV.

On or about December 8, 2004, while employed with Maricopa Integrated Health System, Phoenix, Arizona, while utilizing her Texas multi-state license, Respondent engaged in the intemperate use of Lorazepam, Oxycodone, and Oxymorphone as evidenced by a positive drug screen. Possession of Lorazepam, Oxycodone, and Oxymorphone is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Lorazepam, Oxycodone, and Oxymorphone by a nurse, while subject to call or duty, could impair the nurse's ability to recognize subtle signs, symptoms or changes in the patient's condition, and could impair the nurse's ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patient in potential danger.

The above action constitutes a violation of Section 301.452(b)(9)&(10),Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(1).

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NOTICE IS GIVEN that staff will present evidence in support of any recommended disposition of this matter pursuant to the factors stated in the Board's rules regarding penalty/sanction factors, 22 TEX. ADMIN. CODE, Sections 213.27 through 213.33. Additionally, staff will seek to impose on Respondent administrative costs in an amount of at least one thousand two hundred dollars ($1200.00) pursuant to § 301.461 Texas Occupations Code.

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.bne.state.tx.us.

Filed this 8th day of July, 20 05.

BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

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