BOARD OF NURSE EXAMINERS	*	STATE OF TEXAS
	*	
VS.	*	
	*	
RANDY DALE CHUMLEY	*	COUNTY OF TRAVIS

AGREED BOARD ORDER

On this day came to be considered by the Board of Nurse Examiners the matter of vocational nurse license number 147399 held by RANDY DALE CHUMLEY, hereinafter called Respondent.

By letter, the Board of Nurse Examiners sent preliminary notice to Respondent of its intent to take disciplinary action with respect to said license held by Respondent, as a result of a complaint and subsequent investigation. Said investigation produced evidence indicating that Respondent has engaged in unprofessional or dishonorable conduct that, in the Board's opinion, is likely to deceive, defraud, or injure the public, in violation of Texas Occupations Code, Chapter 302, Section 302.402 (a) (10), in the following manner:

I.

a. Respondent was employed as a licensed vocational nurse at SCCI Hospital in Amarillo, Texas from about June 19, 2001 through about October 27, 2002.

b. While so employed at said facility, on or about October 25, 2002, Respondent verbally abused resident M.J. by yelling at facility staff in said patient's presence to "keep his ass down the hall or I will hit him" and "he is in my fucking way". Furthermore, Respondent later contacted the facility by phone and made verbal threats against employees.

c. On or about June 9, 1995, Respondent was convicted of the Class C Misdemeanor Offense of: ISSUANCE OF A BAD CHECK, in the County Court at Law of Potter County, Texas, under Cause Number 65898P. As a result of said conviction, Respondent was assessed a fine of $168.00.

d. On or about June 19, 1996, Respondent submitted an application for renewal to the Board office and falsely checked "no" in response to item (15b): "Were you *convicted of a misdemeanor other than a minor traffic violation since your last renewal?*"

e. Respondent has been convicted of a crime, which the Board considers to be directly related to the duties and responsibilities of a Licensed Vocational Nurse. Said conviction is inconsistent with the basic duties and responsibilities inherent in the occupation of vocational nursing in that said occupation requires the maintenance of accurate and complete records, and safeguarding personal property of the patient, client, and employer.

By Respondent's signature on this Order, Respondent neither admits nor denies the truth of the matters previously set out in this Order with respect to the above-mentioned investigation. By Respondent's signature on this Order, Respondent acknowledges that they have read and understood this Order and have approved it for consideration by the Board.

By their notarized signature on this Order, Respondent does hereby waive the right to a formal Complaint, Notice of Hearing and a Public Hearing held before an Administrative Law Judge with the State Office of Administrative Hearings, and to judicial review of this disciplinary action. Notice of this disciplinary action will appear in the Board's newsletter sent to Texas employers.

ORDER OF THE BOARD

NOW THEREFORE, IT IS ORDERED, subject to ratification by the Board of Vocational Nurse Examiners that license number 147399, heretofore issued to RANDY DALE CHUMLEY to practice vocational nursing in the State of Texas be, and the same is hereby suspended until such time as Respondent provides the Board office with a satisfactory report from his/her psychiatrist, stating that Respondent is deemed psychologically fit to carry out the duties and responsibilities for a Licensed Vocational Nurse. Upon receipt of said satisfactory psychiatrist's statement the suspension of said license shall be automatically lifted and the license reinstated, without stipulations.

This Agreed Order shall not be effective or take effect and become enforceable in accordance with its terms until ratified by a majority of the Board present and voting, at its next regularly called session.

Dated this the 22 day of January, 2004.

Randy Chumley
Signature of Respondent

7501 Seville Dr.
Current Address

Amarillo, Texas 79121
City, State and Zip

806 / 468-7429
Area Code and Telephone Number

The State of Texas
County of RANDALL

Before me, the undersigned authority, on this day personally appeared RANDY DALE CHUMLEY, who being duly sworn by me stated that he or she executed the above for the purpose therein contained, and that he or she understood same.

SWORN TO AND SUBSCRIBED before me on this the 22 day of JANUARY, 2004.

JESUS RAMOS, JR.
MY COMMISSION EXPIRES
January 20, 2006

Jesus Ramos Jr.
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

Katherine A. Thomas, MN, RN
Agent for the Board of
Nurse Examiners

SWORN TO AND SUBSCRIBED before me, the undersigned authority, on this the _____ day of _____, 2004.

NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

WHEREFORE, PREMISES CONSIDERED, the Board of Nurse Examiners for the State of Texas does hereby ratify and adopt the Agreed Board Order, notarized on the 22nd day of January, 2004 by RANDY DALE CHUMLEY, license number 147399 and that Said Order is Final.

Effective this 22nd day of April, 2004.

Katherine A. Thomas, MN, RN
Executive Director
On Behalf of Said Board