

IN THE MATTER OF	§	BEFORE THE ELIGIBILITY
PERMANENT CERTIFICATE	§	AND DISCIPLINARY
NUMBER 185283	§	COMMITTEE OF THE BOARD
ISSUED TO	§	OF NURSE EXAMINERS OF THE
CHANDRA DANAE NEWBILL	§	STATE OF TEXAS

ORDER OF THE BOARD

TO: Chandra Danae Newbill
2683 Bradley Ln
Round Rock, Texas 78664

During open meeting held in Austin, Texas, on February 13, 2007, the Eligibility and Disciplinary Committee (hereinafter "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 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 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 185283, previously issued to CHANDRA DANAE NEWBILL, to practice vocational nursing in the State of Texas be, and the same is hereby, REVOKED.

IT IS FURTHER ORDERED that Permanent Certificate Number 185283, previously issued to CHANDRA DANAE NEWBILL, 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 vocational nursing in the State of Texas.

Entered this 13th day of February, 2007.

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 185283
Issued to CHANDRA DANAE NEWBILL
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 16 day of February, 2007, 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):

Chandra Danae Newbill
2683 Bradley Ln
Round Rock, Texas 78664

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

In the Matter of Permanent License § **BEFORE THE BOARD**
Number 185283, Issued to § **OF NURSE EXAMINERS**
CHANDRA DANAE NEWBILL, Respondent § **FOR THE STATE OF TEXAS**

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, CHANDRA DANAE NEWBILL, is a Vocational Nurse holding license number 185283, 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 August 13, 2005, while employed with South Austin Hospital, Austin, Texas, Respondent left her nursing assignment for over two (2) hours without authorization and without notifying her appropriate supervisor, as evidenced by surveillance video. While Respondent was off of the unit, Patient Medical Record Number K0010397647, who was assigned to Respondent and a patient at high risk for falls, continuously attempted to crawl out of bed and disconnected his catheter causing urine to spill all over the patient and the floor. Respondent's conduct was likely to injure the patients in that leaving her nursing assignment for an extended period of time left her assigned patients unattended and could have resulted in Patient Medical Record Number K0010397647 falling out of bed and not getting the care that he needed.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(4)&(12).

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CHARGE II

On or about August 14, 2005, while employed with South Austin Hospital, Austin, Texas, Respondent left her nursing assignment for approximately fifty (50) minutes without authorization and without notifying her appropriate supervisor, as evidenced by surveillance video. While Respondent was off of the unit, the IV of Patient Medical Record Number K000433190, who was assigned to Respondent, infiltrated, causing the patient's arm to be cold, clammy, and tight with edema, and the IV had to be restarted by another staff member. Also, during the time while Respondent was off of the unit, Patient Medical Record Number K000426371, who was assigned to Respondent and had loose bowels, had to have her bed completely changed and appeared to have been lying in stool for quite some time. Respondent's conduct was likely to injure the patients in that leaving her nursing assignment for an extended period of time left her assigned patients unattended and resulted in the patients not getting the care that they needed.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(4)&(12).

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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.bne.state.tx.us.

Filed this 10th day of November, 2006.

BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS



James W. Johnston, General Counsel

Board Certified - Administrative Law
Texas Board of Legal Specialization
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FOR THE STATE OF TEXAS

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