

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 § 213.2(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 188615, previously issued to EDDIE TENORIO, to practice vocational nursing in the State of Texas be, and the same is hereby, REVOKED.

IT IS FURTHER ORDERED that Permanent Certificate Number 188615, previously issued to EDDIE TENORIO, upon receipt of this Order, be immediately delivered to the office of the Texas Board of Nursing.

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 9th day of June, 2009.

TEXAS BOARD OF NURSING

BY: 

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


Re: Permanent Certificate Number 188615
Issued to Eddie Tenorio
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 11th day of June, 2009, 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):

Eddie Tenorio
244 Espanola NE
Albuquerque, NM 87108

Eddie Tenorio
940 Walnut
Colorado City, TX 79512

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

**In the Matter of Permanent License
Number 188615, Issued to
EDDIE TENORIO, Respondent**

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§

**BEFORE THE TEXAS
BOARD OF NURSING**

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, EDDIE TENORIO, is a Vocational Nurse holding license number 188615, which is in MSR - Invalid 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 February 11, 2009, Respondent's license to practice vocational nursing in the State of New Mexico was revoked by default by the Board of Nursing for the State of New Mexico, Albuquerque, New Mexico. A copy of the Default Order dated February 11, 2009, is attached and incorporated, by reference, as a part of this Order.

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 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.

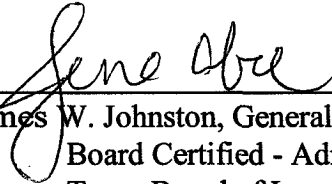
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CONTINUED ON NEXT PAGE.

NOTICE IS ALSO GIVEN that Respondent's past disciplinary history, as set out below and described in the Order which is 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 New Mexico Default Order dated February 11, 2009.

Filed this 4th day of May, 2009.

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
Austin, Texas 78701
P: (512) 305-6824
F: (512) 305-8101 or (512)305-7401

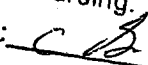
Attachments: Board of Nursing for the State of New Mexico Default Order, dated February 11, 2009

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BEFORE THE BOARD OF NURSING
FOR THE STATE OF NEW MEXICO

IN THE MATTER OF:
Eddie Tenorio
LICENSE NO.: L18451

Respondent

I certify this to be a true copy of the
records on file with the New Mexico
Board of Nursing.
Signed: 

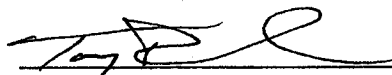
DEFAULT ORDER

THIS MATTER having come before the Board of Nursing ("BON") on Wednesday, February 11, 2009, the
BON finds the following:

1. A Notice of Contemplated Action was served on the respondent in accordance with the Uniform
Licensing Act, N.M.S.A. §61-1-1 et seq.
2. The respondent has not mailed a request for hearing within the time and in the manner required by
N.M.S.A. §61-1-4 and is therefore in default.

IT IS THEREFORE ORDERED THAT: the license of Eddie Tenorio, L18451, is hereby revoked by default.

DATE: Feb. 11, 2009


TONY ESCUDERO, CHAIRPERSON
NEW MEXICO BOARD OF NURSING

CERTIFIED MAIL NO: 7006345000051644968
RETURN RECEIPT REQUESTED

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BEFORE THE BOARD OF NURSING
OF THE STATE OF NEW MEXICO

IN THE MATTER OF:
Eddie Tenorio
License No.: L18451

Respondent.

I certify this to be a true copy of the
records on file with the New Mexico
Board of Nursing.

Signed: CA

NOTICE OF CONTEMPLATED ACTION

1. The Respondent is licensed or applying for licensure pursuant to the Nursing Practice Act Licensing Act ("Act") and subject to jurisdiction of the Board of Nursing ("Board").

2. The Board has sufficient evidence to take disciplinary action against the Respondent pursuant to the Parental Responsibility Act.

3. The general nature of the allegations against the Respondent is as follows:

a. Respondent is an obligor under the Parental Responsibility Act who is:

An applicant for licensure by the Board;

An applicant for renewal of license number _____ by the Board;

Licensed by the Board, holding license number L18451.

b. The Board has been provided a certified list of obligors not in compliance with a judgment and order for child support in accordance with the Parental Responsibility Act. The list was

provided by the Human Services Department ("Department").

c. The Respondent appears on the certified list of obligors not in compliance with a judgment and order for child support and therefore, Respondent's

application is being denied.

application for renewal is being denied.

license will be suspended or revoked.

d. Respondent's application for licensure or application for renewal of license will not be sanctioned as set forth above if the Respondent provides the Board with a certified statement from the Department that Respondent is in compliance with the judgment and order for child support, assuming no other grounds exist by law or regulation for such disciplinary action.

4. Unless the Respondent within twenty (20) days after service of this notice deposits in the mail a certified, return receipt requested letter addressed to the Board, at the address below containing a request for hearing, the Board will take the contemplated action.

61-1-8. Rights of person entitled to hearing.

A. A person entitled to be heard under the Uniform Licensing Act [61-1-1 to 61-1-31 NMSA 1979] shall have the right to be represented by counsel or by a licensed member of his own profession or occupation, or both; to present all relevant

evidence by means of witnesses and books, papers, documents and other evidence; to examine all opposing witnesses who appear on any matter relevant to the issues; and to have subpoenas and subpoenas duces tecum issued as of right prior to the commencement of the hearing to compel discovery and the attendance of witnesses and the production of relevant books, papers, documents and other evidence upon making written request therefor to the board or hearing officer. The issuance of such subpoenas after the commencement of the hearing rests in the discretion of the board or the hearing officer. All notices issued pursuant to §61-1-4 NMSA 1978 shall contain a statement of these rights.

B. Upon written request to another party, any party is entitled to:

(1) obtain the names and addresses of witnesses who will or may be called by the other party to testify at the hearing; and

(2) inspect and copy any documents or items which the other party will or may introduce in evidence at the hearing.

The party to whom such a request is made shall comply with it within ten days after the mailing or delivery of the request. No request shall be made less than fifteen days before the hearing.

C. Any party may take depositions after service of notice in accordance with the Rules of Civil Procedure for the District Courts. Depositions may be used as in proceedings governed by those rules.

Date: 12/19/08

Allison Kozeliski
Board of Nursing
6301 Indian School Rd., NE
Suite 710
Albuquerque, NM 87110

CERTIFIED MAIL: 7006345800005164715
RETURN RECEIPT REQUESTED