

IN THE MATTER OF  
PERMANENT REGISTERED NURSE  
LICENSE NUMBER 249849 &  
PERMANENT VOCATIONAL NURSE  
LICENSE NUMBER 73690  
ISSUED TO  
ELIZABETH MAYE BILLINGS

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BEFORE THE TEXAS  
BOARD OF NURSING  
ELIGIBILITY AND  
DISCIPLINARY COMMITTEE



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.  
*Patricia R. Plummer*  
Executive Director of the Board

### ORDER OF THE BOARD

TO: ELIZABETH MAYE BILLINGS  
909 JACKSON  
LAS VEGAS, NM 87701

During open meeting held in Austin, Texas, on **November 12, 2014**, the Texas Board of Nursing 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 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(s) to practice 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 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 Registered Nurse License Number 249849, and Permanent Vocational Nurse License Number 73690, previously issued to ELIZABETH MAYE BILLINGS, to practice nursing in the State of Texas be, and the same is/are hereby, REVOKED.

IT IS FURTHER ORDERED that this Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

Entered this 12th day of November, 2014.

TEXAS BOARD OF NURSING



BY:

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

Attachment: Formal Charge filed August 18, 2014.

Re: Permanent Registered Nurse License Number 249849  
& Permanent Vocational Nurse License Number 73690  
Issued to ELIZABETH MAYE BILLINGS  
DEFAULT ORDER - REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 13<sup>th</sup> day of November, 2014, a true and correct copy of the foregoing DEFAULT ORDER was served and addressed to the following person(s), as follows:

Via USPS Certified Mail, Return Receipt Requested

ELIZABETH MAYE BILLINGS  
909 JACKSON  
LAS VEGAS, NM 87701

Via USPS First Class Mail

ELIZABETH MAYE BILLINGS  
311 SOUTH HACHMAN STREET  
COALINGA, CA 93210

BY:



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

In the Matter of	§	BEFORE THE TEXAS
Permanent Registered Nurse	§	
License Number 249849 &	§	
Permanent Vocational Nurse	§	
License Number 73690	§	
Issued to ELIZABETH MAYE BILLINGS,	§	
Respondent	§	BOARD OF NURSING

**FORMAL CHARGES**

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, ELIZABETH MAYE BILLINGS, is a Registered Nurse holding License Number 249849, which is in inactive status at the time of this pleading, and is a Vocational Nurse holding License Number 73690, which is in delinquent 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 May 21, 2014, Respondent's Registered Nurse license was Revoked by the State of California Board of Registered Nursing, Sacramento, California. A copy of the State of California Board of Registered Nursing Default Order and Decision effective May 21, 2014, is attached and incorporated, by reference, as part of this pleading.

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 up to, and including, revocation of Respondent's license/s to practice nursing in the State of Texas pursuant to the Nursing Practice Act, Chapter 301, Texas Occupations Code and 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 Section 301.461, Texas Occupations Code. 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.texas.gov](http://www.bon.texas.gov).

NOTICE IS GIVEN

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 for Fraud, Theft and Deception, which can be found at the Board's website, [www.bon.texas.gov](http://www.bon.texas.gov).

NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, which can be found at [www.bon.texas.gov/disciplinaryaction/discp-matrix.html](http://www.bon.texas.gov/disciplinaryaction/discp-matrix.html).

NOTICE IS ALSO GIVEN that Respondent's past disciplinary history, as set out below and described in the Order(s) which is/are attached and incorporated by reference as part of these charges, will be offered in support of the disposition recommended by staff: State of California Board of Registered Nursing Default Order and Decision effective May 21, 2014.

Filed this 18<sup>th</sup> day of August, 2014.

NOTICE IS GIVEN  
of Adopted  
Disciplinary

NOTICE IS GIVEN  
Matrix

Disciplinary  
Charges  
Board

TEXAS BOARD OF NURSING

*R. Kyle Hensley*

James W. Johnston, General Counsel  
Board Certified - Administrative Law  
Texas Board of Legal Specialization  
State Bar No. 10838300

Jena Abel, Assistant General Counsel  
State Bar No. 24036103

John R. Griffith, Assistant General Counsel  
State Bar No. 24079751

Robert Kyle Hensley, Assistant General Counsel  
State Bar No. 50511847

John F. Legris, Assistant General Counsel  
State Bar No. 00785533

John Vanderford, Assistant General Counsel  
State Bar No. 24086670

333 Guadalupe, Tower III, Suite 460  
Austin, Texas 78701  
P: (512) 305-6811  
F: (512) 305-8101 or (512)305-7401

Attachments: State of California Board of Registered Nursing Default Order and Decision effective May 21, 2014.

D/2014.05.23

I hereby certify the foregoing to be a true copy of the documents on file in our office.

BOARD OF REGISTERED NURSING

*Louise R. Bailey, M.Ed., RN*  
Louise R. Bailey, M. Ed., RN  
Executive Officer



BEFORE THE  
BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

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In the Matter of the Accusation Against:  
**ELIZABETH BILLINGS**  
311 South Hachman Street  
Coalinga, CA 93210  
**Registered Nurse License No. 312615**  
**RESPONDENT**

Case No. 2014-357  
**DEFAULT DECISION AND ORDER**  
[Gov. Code, §11520]

FINDINGS OF FACT

1. On or about September 4, 2013, Complainant Louise R. Bailey, M.Ed.,RN, in her official capacity as the Executive Officer of the Board of Registered Nursing, Department of Consumer Affairs, filed Accusation No. 2014-357 against Elizabeth Billings (Respondent) before the Board of Registered Nursing. (Accusation attached as Exhibit A.)
2. On or about March 31, 1980, the Board of Registered Nursing (Board) issued Registered Nurse License No. 312615 to Respondent. The Registered Nurse License expired on September 30, 2011 and has not been renewed.
3. On or about September 4, 2013, Respondent was served by Certified and First Class Mail copies of the Accusation No. 2014-357, Statement to Respondent, Notice of Defense, Request for Discovery, and Government Code sections 11507.5, 11507.6, and 11507.7 to Respondent's address of record which, pursuant to Business and Professions Code section 136 and Title 16, California Code of Regulation, section 1409.1, is required to be reported and maintained with the Board, which was and is:  
  
311 South Hachman Street  
Coalinga, CA 93210.
4. Service of the Accusation was effective as a matter of law under the provisions of Government Code section 11505, subdivision (c) and/or Business & Professions Code section

1 124.

2 5. On or about September 28, 2013, the Certified Mail documents were returned and  
3 marked by the U.S. Postal Service, "Not Deliverable as Addressed, UTF." The address on the  
4 documents was the same as the address on file with the Board. Respondent failed to maintain an  
5 updated address with the Board and the Board has made attempts to serve the Respondent at the  
6 address on file. Respondent has not made herself, available for service and therefore, has not  
7 availed herself of her right to file a notice of defense and appear at hearing.

8 6. Business and Professions Code section 2764 states:

9 The lapsing or suspension of a license by operation of law or by order or decision of  
10 the board or a court of law, or the voluntary surrender of a license by a licentiate shall not deprive  
11 the board of jurisdiction to proceed with an investigation of or action or disciplinary proceeding  
12 against such license, or to render a decision suspending or revoking such license.

13 7. Government Code section 11506 states, in pertinent part:

14 (c) The respondent shall be entitled to a hearing on the merits if the respondent files a  
15 notice of defense, and the notice shall be deemed a specific denial of all parts of the accusation  
16 not expressly admitted. Failure to file a notice of defense shall constitute a waiver of respondent's  
17 right to a hearing, but the agency in its discretion may nevertheless grant a hearing.

18 8. Respondent failed to file a Notice of Defense within 15 days after service of  
19 the Accusation upon her, and therefore waived her right to a hearing on the merits of Accusation  
20 No. 2014-357.

21 9. California Government Code section 11520 states, in pertinent part:

22 (a) If the respondent either fails to file a notice of defense or to appear at the hearing, the  
23 agency may take action based upon the respondent's express admissions or upon other evidence  
24 and affidavits may be used as evidence without any notice to respondent.

25 10. Pursuant to its authority under Government Code section 11520, the Board after  
26 having reviewed the proof of service dated September 4, 2013, signed by Kami Pratab, and the  
27 returned envelope, finds Respondent is in default. The Board will take action without further  
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1 hearing and, based on Accusation No. 2014-357 and the documents contained in Default Decision  
2 Investigatory Evidence Packet in this matter which includes:

3 Exhibit 1: Pleadings offered for jurisdictional purposes; Accusation Case No. 2014-  
4 357, Statement to Respondent, Notice of Defense (two blank copies),  
5 Request for Discovery and Discovery Statutes (Government Code sections  
6 11507.5, 11507.6 and 11507.7), proof of service; and if applicable, mail  
7 receipt or copy of returned mail envelopes;

8 Exhibit 2: License History Certification for Elizabeth Billings, Registered Nurse  
9 License No. 312615;

10 Exhibit 3: Affidavit of Frank Root;

11 Exhibit 4: Certification of costs by Board for investigation and enforcement in Case  
12 No. 2014-357;

13 Exhibit 5: Declaration of costs by Office of the Attorney General for prosecution of  
14 Case No. 2014-357.

15 The Board finds that the charges and allegations in Accusation No. 2014-357 are separately and  
16 severally true and correct by clear and convincing evidence.

17 11. Taking official notice of Certification of Board Costs and the Declaration of Costs by  
18 the Office of the Attorney General contained in the Default Decision Investigatory Evidence  
19 Packet, pursuant to the Business and Professions Code section 125.3, it is hereby determined that  
20 the reasonable costs for Investigation and Enforcement in connection with the Accusation are  
21 \$6926.75 as of November 27, 2013.

22 DETERMINATION OF ISSUES

23 1. Based on the foregoing findings of fact, Respondent Elizabeth Billings has subjected  
24 her following license(s) to discipline:

25 a. Registered Nurse License No. 312615

26 2. The agency has jurisdiction to adjudicate this case by default.  
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3. The Board of Registered Nursing is authorized to revoke Respondent's license(s) based upon the following violations alleged in the Accusation, which are supported by the evidence contained in the Default Decision Investigatory Evidence Packet in this case.

a. Violation of Business and Professions Code section 2761(a) - Unprofessional Conduct.

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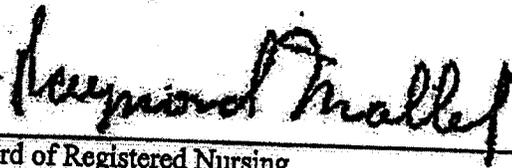
ORDER

IT IS SO ORDERED that Registered Nurse License No. 312615, heretofore issued to Respondent Elizabeth Billings, is revoked.

Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a written motion requesting that the Decision be vacated and stating the grounds relied on within seven (7) days after service of the Decision on Respondent. The agency in its discretion may vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

This Decision shall become effective on May 21, 2014.

It is so ORDERED April 21, 2014.



Board of Registered Nursing  
Department of Consumer Affairs  
State of California

Attachment:

Exhibit A: Accusation No. 2014-357

**Exhibit A**

Accusation No. 2014-357

1 KAMALA D. HARRIS  
Attorney General of California  
2 KENT D. HARRIS  
Supervising Deputy Attorney General  
3 STERLING A. SMITH  
Deputy Attorney General  
4 State Bar No. 84287  
1300 I Street, Suite 125  
5 P.O. Box 944255  
Sacramento, CA 94244-2550  
6 Telephone: (916) 445-0378  
Facsimile: (916) 327-8643  
7 *Attorneys for Complainant*

8 **BEFORE THE**  
9 **BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:  
12 **ELIZABETH BILLINGS**  
13 **311 South Hachman Street**  
**Coalinga, CA 93210**  
14 **Registered Nurse License No. 312615**  
15 **Respondent.**

Case No. 2014-357

**ACCUSATION**

17 Louise R. Bailey, M.Ed., RN ("Complainant") alleges:

18 **PARTIES**

- 19 1. Complainant brings this Accusation solely in her official capacity as the Executive  
20 Officer of the Board of Registered Nursing ("Board"), Department of Consumer Affairs.  
21 2. On or about March 31, 1980, the Board issued Registered Nurse License Number  
22 312615 to Elizabeth Billings ("Respondent"). The license was in full force and effect at all times  
23 relevant to the charges brought herein. The license expired on September 30, 2011.

24 **STATUTORY AND REGULATORY PROVISIONS**

- 25 3. Business and Professions Code ("Code") section 2750 provides, in pertinent part, that  
26 the Board may discipline any licensee, including a licensee holding a temporary or an inactive  
27 license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing  
28 Practice Act.

1 4. Code section 2764 provides, in pertinent part, that the expiration of a license shall not  
2 deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or  
3 to render a decision imposing discipline on the license. Under Code section 2811(b), the Board  
4 may renew an expired license at any time within eight years after the expiration.

5 5. Code section 2761(a) states, in pertinent part, that the board may take disciplinary  
6 action against a certified or licensed nurse or deny an application for a certificate or license for  
7 unprofessional conduct.

8 6. California Code of Regulations, title 16, section 1444, states, in pertinent part:

9 An act shall be considered to be substantially related to the qualifications,  
10 functions or duties of a registered nurse if to a substantial degree it evidences the  
11 present or potential unfitness of a registered nurse to practice in a manner consistent  
12 with the public health, safety, or welfare. Such acts shall include but not be limited to  
13 the following:

14 (c) Theft, dishonesty, fraud, or deceit.

#### 15 COST RECOVERY

16 7. Code section 125.3 provides, in pertinent part, that the Board may request the  
17 administrative law judge to direct a licensee found to have committed a violation or violations of  
18 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
19 enforcement of the case.

#### 20 BACKGROUND INFORMATION

21 8. On or about February 7, 2010, while a staff nurse at Coalinga State Hospital, located  
22 at Coalinga, California, Respondent attempted to smuggle three plastic baggies (totaling over 1.1  
23 pounds) of loose tobacco and twenty-two (22) packs of Buglar cigarette rolling papers into a  
24 secured treatment area of the facility by concealing the contraband in her purse. When  
25 Respondent was questioned by the Coalinga State Hospital Police Officers, Respondent denied  
26 knowing anything about the contraband found in her purse, but later admitted to the Officers that  
27 she was going to sell the contraband to a patient for \$300 because she needed the money.  
28 Respondent also admitted to smuggling contraband into the facility in or about January 2010.

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CAUSE FOR DISCIPLINE

(Unprofessional Conduct)

9. Respondent is subject to discipline for unprofessional conduct under Code section 2761(a), in that on or about February 7, 2010, in that while a staff nurse at Coalinga State Hospital, Respondent attempted to smuggle contraband into the facility and lied to the police officers when questioned, as more particularly set forth above in paragraph 8. In addition, in or about January 2010, Respondent smuggled contraband into the facility.

PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

1. Revoking or suspending Registered Nurse License Number 312615, issued to Elizabeth Billings;

2. Ordering Elizabeth Billings to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3; and,

3. Taking such other and further action as deemed necessary and proper.

DATED: *September 9, 2013*

*Louise R. Bailey*

LOUISE R. BAILEY, M.ED., RN  
Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
Complainant

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