

IN THE MATTER OF	§	BEFORE THE ELIGIBILITY
	§	
PERMANENT CERTIFICATE	§	AND DISCIPLINARY
	§	
NUMBERS 139484	§	COMMITTEE
	§	
ISSUED TO	§	OF THE TEXAS
	§	
LARA LYNN LANEHART-MOUSER	§	BOARD OF NURSING

**ORDER OF THE BOARD**

TO: LARA LYNN LANEHART-MOUSER  
906 PERLA ROAD TRAILER 45  
PASADENA, TEXAS 77502

During open meeting held in Austin, Texas, on Tuesday, March 18, 2008, 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 appear as required by 22 TEX. ADMIN. CODE Ch. 213.

The Committee of the Texas Board of Nursing 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 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 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 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 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 139484, previously issued to Lara Lynn Lanehart-Mouser, to practice vocational nursing in the State of Texas be, and the same is hereby, REVOKED.

IT IS FURTHER ORDERED that Permanent Certificate Number 139484, previously issued to Lara Lynn Lanehart-Mouser, 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 18th day of March, 2008.

TEXAS BOARD OF NURSING

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

Re: Permanent Certificate Number 139484  
Issued to Lara Lynn Lanehart-Mouser  
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 24<sup>th</sup> day of March, 2008 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):

LARA LYNN LANEHART-MOUSER  
906 PERLA ROAD TRAILER 45  
PASADENA, TEXAS 77502

BY:

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

**In the Matter of Vocational Nurse License** § **BEFORE THE TEXAS**  
**Number 139484, Issued to** §  
**LARA LYNN LANEHART-MOUSER, Respondent** § **BOARD OF NURSING**

### **FORMAL CHARGES**

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, LARA LYNN LANEHART-MOUSER, is a Vocational Nurse holding license number 139484, 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 June 5, 2007, Respondent entered a plea of Guilty to "Possession of Cocaine Less than 1 Gram" (a State Jail Felony offense committed on May 7, 2007) in the 337th District Court, Harris County, Texas, under Cause No. 1115667. As a result of Respondent's Guilty plea, the proceedings against her were deferred without entering an adjudication of guilt, and Respondent was placed on probation for a period of two (2) years.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(3)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(11)(B)&(13).

#### **CHARGE II.**

On or about May 31, 2007, Respondent submitted a renewal application to the Board of Nurse Examiners for the State of Texas in which she provided false, deceptive, and/or misleading information, in that she answered "no" to the following question:

"Have you ever been convicted, placed on community supervision whether or not adjudicated guilty, sentenced to serve jail or prison time or granted pre-trial diversion, or plead guilty, no contest or nolo contendere to any crime in any state, territory or country, or received a court order whether or not a sentence was imposed, including any pending criminal charges or unresolved arrests whether or not on appeal (excluding minor Class C traffic violations)? This includes expunged offenses and deferred adjudications with or without a finding of guilt."

On or about May 5, 2007, Respondent was arrested for the offense, "Possession of a Controlled Substance, PG 1 >= 4G <200G" in Houston, Texas. Respondent's conduct was likely to deceive the Board of Nurse Examiners for the State of Texas, and may have affected their decision to license Respondent.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(2)&(10) Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(6)(H)(I).

### **CHARGE III.**

On or about September 17, 2007, while seeking employment as a Licensed Vocational Nurse at River Oaks Hospital, Houston, Texas, Respondent engaged in the intemperate use of Methadone in that Respondent produced a specimen for a drug screen which resulted positive for Methadone. Possession of Methadone without a lawful prescription is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Methadone by a Licensed Vocational 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 grounds for disciplinary action in accordance with Section 301.452(b)(9)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(10)(A)(D)&(11)(B).

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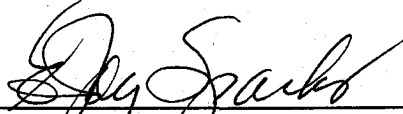
NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of revocation of Respondent's license to practice nursing in the State of Texas pursuant to the Board's rules, 22 TEX. ADMIN. CODE §§ 213.27 - 213.33. Additionally, staff will seek to impose on Respondent the administrative 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.bon.state.tx.us](http://www.bon.state.tx.us).

NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Sanction Policies for Nurses with Chemical Dependency and Lying and Falsification, which can be found at the Board's website, [www.bon.state.tx.us](http://www.bon.state.tx.us).

Filed this 2nd day of January, 2008.

TEXAS BOARD OF NURSING



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

Victoria Cox, Assistant General Counsel  
State Bar No. 00789585

E. Joy Sparks, Assistant General Counsel  
State Bar No. 18874600

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