BEFORE THE TEXAS BOARD OF NURSING

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| In the Matter of Registered Nurse | § | AGREED |
| License Number 675869 | § | |
| issued to TANJI DEVON YOUNG | § | ORDER |

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of TANJI DEVON YOUNG, Registered Nurse License Number 675869, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(3)&(10), Texas Occupations Code. Respondent waived representation by counsel, informal conference, notice and hearing, and agreed to the entry of this Order offered on August 27, 2008, by Katherine A. Thomas, MN, RN, Executive Director, subject to ratification by the Board.

## FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was served on Respondent and Respondent was given an opportunity to show compliance with all requirements of the law for retention of the license.

2. Respondent waived representation by counsel, informal conference, notice and hearing, and agreed to the entry of this Order.

3. Respondent is currently licensed to practice professional nursing in the State of Texas.

4. Respondent received an Associate Degree in Nursing from South Plains College, Levelland, Texas, on December 14, 2000. Respondent was licensed to practice professional nursing in the State of Texas on February 27, 2001.

5. Respondent's complete professional nursing employment history is unknown.

6. On or about May 4, 1999, Respondent was issued an Declaratory Order of Conditional Eligibility Order by the Board of Nurse Examiners for the State of Texas. A copy of the May 4, 1999, Declaratory Order of Conditional Eligibility Order, Findings of Fact, and Conclusions of Law is attached and incorporated, by reference, as part of this Order.

7. On or about August 27, 2007, Respondent submitted a renewal application to the Board of Nurse Examiners for the State of Texas in which she answered "Yes" to the renewal eligibility question that requests in pertinent part: "**Have you ever been convicted, placed on community supervision whether not adjudicated guilty,...?**" Respondent disclosed the following offenses:

   A. On or about April 15, 2005, Respondent was arrested for Conspiracy to Commit Prohibited Substance in a Correctional Facility, Count I and Prohibited Substance in a Correctional Facility Drug/Tobacco/Phone Count II, by the Lubbock County Sheriff's Office.

      On or about June 6, 2006, Counts I and II were dismissed, in the 364th District Court, Lubbock County, Texas, under Cause Numbers 5405 and 5406, for the reason of:

      "The prosecuting attorney consented to adjudication of this case with a case pending in another county. Prosecution of this case is barred by Section 12.45(c) of the Texas Penal Code. "

   B. On or about May 18, 2005, Respondent was arrested and charged with Theft of Property Less Than $1,500 with 2 or more previous convictions, a State Jail Felony by the Lubbock Police Department

      On or about June 1, 2006, Respondent entered a plea of "Guilty" to Theft $1,500 - 20,000, a State Jail Felony, in the 364th District Court, Lubbock, Texas, under Cause Number 2005-410954. As a result of the plea, the proceedings against Respondent were Deferred without entering an adjudication of guilt, and Respondent was placed on probation for a period of three (3) years. Additionally, Respondent was ordered to pay $203.00 in court costs.

   C. On or about June 1, 2006, an Order Dismissing the Tampering With Government Records offense, allegedly committed on July 29, 2005, in the 364th District Court, Lubbock, Texas, under Cause Number 2005-409920, for the reason of:

      "The Defendant has been convicted in Cause Number 2005-410954 in the 364th District Court."

8. Respondent submitted a written statement related to Finding of Fact Number 7(A), which states her former spouse was in this correctional facility and that prohibited offense was the result of packages he received by mail. She states her spouse also was charged. The conspiracy charge was the result of her formal spouse asked her many times during phone conversations to send him items. She never sent anything prohibited only letters. Once the evidence was reviewed the charges were dismissed.

In regards to Finding of Fact Number 7(B), Respondent states, while married to her formal spouse purchases were made at a local furniture showroom. A line of credit was received online by her spouse in another persons name. After a month of being married to him, he was detained on a parole violation and sent to a correctional facility. While he was detained a Detective came to the residence investigating the purchases made on this line of credit. Since Respondent was found to be in possession of these purchases she was charged with the offense.

Respondent did not offer an explanation in regards to Finding of Fact Number 7(C), she only stated while her Attorney was preparing for the Theft charge, the Tampering with Government Records charge surfaced. Once the attorney investigated the charges were dismissed immediately.

## CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.

2. Notice was served in accordance with law.

3. The evidence received is sufficient to prove violations of Section 301.452(b)(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(13).

4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 675869, heretofore issued to TANJI DEVON YOUNG, including revocation of Respondent's license to practice professional nursing in the State of Texas.

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## ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that RESPONDENT SHALL receive the sanction of a REPRIMAND WITH STIPULATIONS, and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Texas Occupations Code, §§301.001 *et seq.*, the Rules and Regulations Relating to Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.1 *et seq.* and this Order.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's multistate licensure privilege, if any, to practice professional nursing in compact states.

IT IS FURTHER AGREED and ORDERED that while Respondent's license is encumbered by this Order, Respondent may not work outside the State of Texas pursuant to a multistate licensure privilege without the written permission of the Texas Board of Nursing and the Board of Nursing in the party state where Respondent wishes to work.

IT IS FURTHER AGREED that:

(1) RESPONDENT SHALL deliver the wallet-sized license issued to TANJI DEVON YOUNG, to the office of the Texas Board of Nursing within ten (10) days from the date of ratification of this Order for appropriate notation.

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in Texas nursing jurisprudence and ethics. RESPONDENT SHALL obtain Board approval of the course prior to enrollment only if the course is <u>not</u> being offered by a pre-approved provider. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include nurses. It shall be a minimum of six (6) contact hours

in length. The course's content shall include the Nursing Practice Act, standards of practice, documentation of care, principles of nursing ethics, confidentiality, professional boundaries, and the Board's Disciplinary Sanction Policies regarding: Sexual Misconduct; Fraud, Theft and Deception; Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder; and Lying and Falsification. Courses focusing on malpractice issues will not be accepted. RESPONDENT SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to the Office of the Board to verify RESPONDENT's successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure. *Board-approved courses may be found at the following Board website address: http://www.bon.state.tx.us/disciplinaryaction/stipscourses.html.*

(3) RESPONDENT SHALL pay a monetary fine in the amount of five hundred dollars ($500.00). RESPONDENT SHALL pay this fine within forty-five (45) days of entry of this Order. Payment is to be made directly to the Texas Board of Nursing in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

**IT IS FURTHER AGREED, SHOULD RESPONDENT PRACTICE AS A REGISTERED NURSE IN THE STATE OF TEXAS, RESPONDENT WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING AND RESPONDENT MUST WORK IN SUCH SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING STIPULATIONS FOR THREE (3) YEARS OF EMPLOYMENT. THE LENGTH OF THE STIPULATION PERIOD WILL BE EXTENDED UNTIL SUCH THIRTY-SIX (36) MONTHS HAVE**

**ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE THE USE OF A REGISTERED NURSE (RN) LICENSE WILL NOT APPLY TO THIS STIPULATION PERIOD:**

(4) RESPONDENT SHALL notify each present employer in nursing of this Order of the Board and the stipulations on RESPONDENT's license. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each present employer within five (5) days of receipt of this Order. RESPONDENT SHALL notify all future employers in nursing of this Order of the Board and the stipulations on RESPONDENT's license. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each future employer prior to accepting an offer of employment.

(5) RESPONDENT SHALL CAUSE each present employer in nursing to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within five (5) days of employment as a nurse.

(6) RESPONDENT SHALL be supervised by a Registered Nurse who is on the premises. The supervising nurse is not required to be on the same unit or ward as RESPONDENT, but should be on the facility grounds and readily available to provide assistance and intervention if necessary. The supervising nurse shall have a minimum of two (2) years experience in the same or similar practice setting to which the Respondent is currently working. RESPONDENT SHALL work only regularly assigned, identified and predetermined unit(s). RESPONDENT SHALL NOT be

employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(7) RESPONDENT SHALL CAUSE each employer to submit, on forms provided to the Respondent by the Board, periodic reports as to RESPONDENT's capability to practice nursing. These reports shall be completed by the Registered Nurse who supervises the RESPONDENT. These reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) month period for three (3) years of employment as a nurse.

(8) RESPONDENT SHALL CAUSE her probation officer to submit written reports on forms provided to the Respondent by the Board. The reports shall indicate the RESPONDENT's compliance with the court ordered probation. The reports shall be furnished each and every three (3) month period until RESPONDENT is released from probation.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, RESPONDENT SHALL be issued an unencumbered license and multistate licensure privileges, if any, to practice professional nursing in the State of Texas.

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## RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that this Order is subject to ratification by the Board. When this Order is ratified, the terms of this Order become effective, and a copy will be mailed to me. I understand that if I fail to comply with all terms and conditions of this Order, I will be subject to investigation and disciplinary sanction, including revocation of my license to practice professional nursing in the State of Texas, as a consequence of my noncompliance.

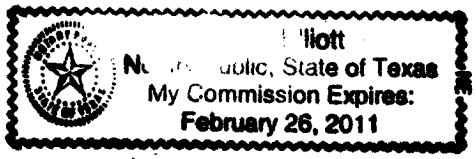
Signed this 29 day of October, 2008

Tanji Devon Young

TANJI DEVON YOUNG, Respondent

Sworn to and subscribed before me this 29th day of OCTOBER, 2008.

SEAL




Gracy Elliott

Notary Public in and for the State of Texas

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 29th day of October, 2008, by TANJI DEVON YOUNG, Registered Nurse License Number 675869, and said Order is final.

Effective this 9th day of December, 2008.

Katherine A. Thomas, MN, RN
Executive Director on behalf
of said Board