

FILED DATE **AUG 22 2013**

Department of Health

By Angel Sanders  
Deputy Agency Clerk

STATE OF FLORIDA  
BOARD OF NURSING

DEPARTMENT OF HEALTH,

Petitioner,

vs.

DOH CASE NO.: 2012-10117  
DOAH CASE NO.: 13-0495PL  
LICENSE NO.: RN 9276699

RENEA J. CHAFE,

Respondent.

**FILED**  
2013 AUG 23 PM 11 48  
DIVISION OF  
ADMINISTRATIVE  
HEARINGS

FINAL ORDER

THIS CAUSE came before the BOARD OF NURSING (Board) pursuant to Sections 120.569 and 120.57(1), Florida Statutes, on August 1, 2013, in Orlando, Florida, for the purpose of considering the Administrative Law Judge's Recommended Order (a copy of which is attached hereto as Exhibit A) in the above-styled cause. Petitioner was represented by Jodi Ann Johnson, Assistant General Counsel. Respondent was present at the beginning of the hearing. After being advised that she could not give additional testimony, Respondent became disruptive and was escorted from the room.

Upon review of the Recommended Order, the argument of the parties, and after a review of the complete record in this case, the Board makes the following findings and conclusions.

RULING ON EXCEPTIONS

After the issuance of the Recommended Order, Respondent submitted the following documents to the Division of Administrative Hearings:

1. Respondent's Response to Complaint of May 21<sup>st</sup>, 2013, and Objection to Recommended Order of May 22<sup>nd</sup>, 2013

2. Respondent's Response to Petitioner's Response to Respondent's Exceptions Filed on June 12<sup>th</sup>, 2013

These documents do not comply with the requirements of Rule 28-106.217, Florida Administrative Code, and seek relief that neither the Division of Administration Hearings or the Board of Nursing has jurisdiction or authority to grant.

#### FINDINGS OF FACT

1. The findings of fact set forth in the Recommended Order are approved and adopted and incorporated herein by reference.

2. There is competent substantial evidence to support the findings of fact.

#### CONCLUSIONS OF LAW

1. The Board has jurisdiction of this matter pursuant to Section 120.57(1), Florida Statutes, and Chapter 464, Florida Statutes.

2. The conclusions of law set forth in the Recommended Order are approved and adopted and incorporated herein by reference.

#### PENALTY

Upon a complete review of the record in this case, the Board determines that the penalty recommended by the Administrative Law Judge is rejected. IT IS HEREBY ORDERED AND ADJUDGED:

The license of RENE A J. CHAFE is suspended until she personally appears before the Board and can demonstrate her present ability to engage in the safe practice of nursing. That demonstration shall include at least an in-depth psychological evaluation coordinated through the Intervention Project for Nurses, with an MMPI or other appropriate testing from a psychiatrist, psychologist or other licensed mental health counselor. The licensee shall supply a copy of this Order to the evaluator. The evaluation must contain evidence that the evaluator knows of the reason for referral. The evaluator must specifically advise this Board that the licensee is presently able to engage in the safe practice of nursing or recommend the conditions under which safe practice could be attained. The licensee must also submit prior to appearance before the Board proof of continued treatment and counseling if recommended in the psychological evaluation and a reentry plan. The Board reserves the right to impose reasonable conditions of reinstatement at the time the licensee appears before the Board to demonstrate the present ability to engage in the safe practice of nursing.

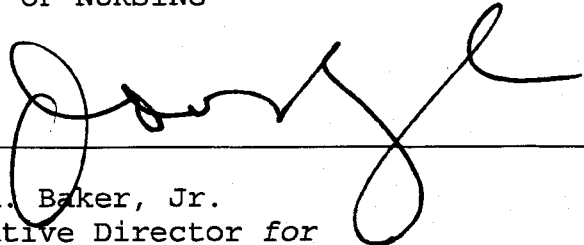
RULING ON MOTION TO ASSESS COSTS

The Board retains jurisdiction to rule on Petitioner's Motion to Assess Costs.

This Final Order shall take effect upon being filed with the Clerk of the Department of Health.

DONE AND ORDERED this 22<sup>nd</sup> day of August, 2013.

BOARD OF NURSING

  
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Joe R. Baker, Jr.  
Executive Director for  
Lavigne Ann Kirkpatrick, BS, RN Chair

NOTICE OF RIGHT TO JUDICIAL REVIEW

A PARTY WHO IS ADVERSELY AFFECTED BY THIS FINAL ORDER IS ENTITLED TO JUDICIAL REVIEW PURSUANT TO SECTION 120.68, FLORIDA STATUTES. REVIEW PROCEEDINGS ARE GOVERNED BY THE FLORIDA RULES OF APPELLATE PROCEDURE. SUCH PROCEEDINGS ARE COMMENCED BY FILING ONE COPY OF A NOTICE OF APPEAL WITH THE AGENCY CLERK OF THE DEPARTMENT OF HEALTH AND A SECOND COPY, ACCOMPANIED BY FILING FEES PRESCRIBED BY LAW, WITH THE DISTRICT COURT OF APPEAL, FIRST DISTRICT, OR WITH THE DISTRICT COURT OF APPEAL IN THE APPELLATE DISTRICT WHERE THE PARTY RESIDES. THE NOTICE OF APPEAL MUST BE FILED WITHIN THIRTY (30) DAYS OF RENDITION OF THE ORDER TO BE REVIEWED.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Final Order has been provided by U.S. Mail to RENEA J. CHAFE, 665 SE 20<sup>th</sup> Avenue, A1A, Deerfield Beach FL 33441; to Todd P. Resavage, Administrative Law Judge, Division of Administrative Hearings, The DeSoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060; and by interoffice delivery to Jodi Ann Johnson, Department of Health, 4052 Bald Cypress Way, Bin #C-65, Tallahassee, Florida 32399-3265 this 22<sup>nd</sup> day of August, 2012.

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Deputy Agency Clerk