

State of Florida
Division of Administrative Hearings

Rick Scott
Governor

Robert S. Cohen
Director and Chief Judge

Claudia Lladó
Clerk of the Division

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FLORIDA BOARD
OF NURSING



David M. Maloney
Deputy Chief
Administrative Law Judge

David W. Langham
Deputy Chief Judge
Judges of Compensation Claims

September 26, 2014

Joe Baker, Jr., Executive Director
Department of Health, Division of Medical
Quality Assurance Boards/Councils
4052 Bald Cypress Way
Tallahassee, Florida 32399

Re: DENISE STRALKA vs. BOARD OF NURSING, DOAH Case No. 14-3095

Dear Mr. Baker:

The Recommended Order has been transmitted in electronic format to the registered eALJ users and is enclosed for the non-registered parties in the referenced case. Also, enclosed is Respondent's Exhibit. Copies of this letter will serve to notify the parties that my Recommended Order and the hearing record have been transmitted this date.

As required by section 120.57(1)(m), Florida Statutes, you are requested to furnish the Division of Administrative Hearings with a copy of the Final Order within 15 days of its rendition. Any exceptions to the Recommended Order filed with the agency shall be forwarded to the Division of Administrative Hearings with the Final Order.

Sincerely,

A handwritten signature in black ink, appearing to read "W. David Watkins".

W. DAVID WATKINS
Administrative Law Judge

WDW/cs

Enclosures

cc: Lee Ann Gustafson, Esquire (eServed)
Denise Stralka
✓ Lavigna A. Kirkpatrick, BS, RN, Chair
Jennifer A. Tschetter, General Counsel (eServed)

The DeSoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060
Administrative Law (850) 488-9675 * Fax Filing (850) 921-6847
Judges of Compensation Claims (850) 487-1911
www.doah.state.fl.us

FILED DATE DEC 15 2014

Department of Health

By: [Signature]
Deputy Agency Clerk

**STATE OF FLORIDA
BOARD OF NURSING**

YOLETTE TEMA,

Petitioner,

vs.

DOAH Case No.: 14-2096

BOARD OF NURSING,

Respondent.

DIVISION OF
ADMINISTRATIVE HEARINGS

2015 JAN -7 AM 9:48

FILED

FINAL ORDER

THIS CAUSE came before the Board of Nursing pursuant to Sections 120.569 and 120.57(1), Florida Statutes, on December 5, 2014 in Tampa, 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 Pro se. Respondent was represented by Lee Ann Gustafson, Esquire.

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.

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.
3. Petitioner failed to establish that her application for licensure as a practical nurse should be granted.

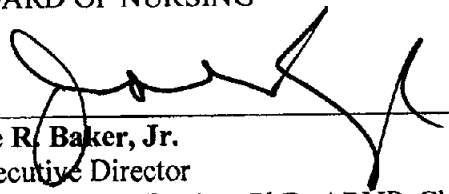
DISPOSITION

Upon a complete review of the record in this case, the Board determines that the disposition recommended by the Administrative Law Judge be ACCEPTED. WHEREFORE,

IT IS HEREBY ORDERED AND ADJUDGED that Yolette Tema's application for licensure as a practical nurse is denied.

DONE AND ORDERED this 15 day of Dec, 2014.

BOARD OF NURSING



Joe R. Baker, Jr.
Executive Director
for Ann-Lynn Denker, PhD, ARNP, 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 **Petitioner**, 115 Northeast 133rd Street, Miami, Florida 33161, Administrative Law Judge, Division of Administrative Hearings, The DeSoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060; to **Lee Ann Gustafson, Esquire**, Department of Legal Affairs, The Capitol, Plaza Level 01, Tallahassee, Florida 32399-1050; and to **Jennifer A. Tschetter, Esquire**, Office of General Counsel, Department of Health, 4052 Bald Cypress Way, Bin A-02, Tallahassee, Florida 32399-1701.

THIS 15th day of December, 2014.

Brygel Saunders

DEPUTY AGENCY CLERK