

Final Order No. DOH-19-1430-^{FOF} - MQA
FILED DATE - **SEP 06 2019**
Department of Health
By: Angela S. S. S.
Deputy Agency Clerk

STATE OF FLORIDA
BOARD OF NURSING

DEPARTMENT OF HEALTH,

Petitioner,

vs.

DOAH CASE NO.: 19-1929PL
DOH CASE NO.: 2017-04133
LICENSE NO.: RN 9278405

KATIE ELIZABETH, R.N.,

Respondent.

FINAL ORDER

THIS CAUSE came before the Board of Nursing (Board) pursuant to Sections 120.569 and 120.57(1), Florida Statutes, on August 8, 2019, in Fort Myers, Florida, for the purpose of considering the Administrative Law Judge's Recommended Order, which is attached hereto as Exhibit A, in the above-styled cause. Petitioner was represented by Matthew J. Witters, Chief Legal Counsel. Respondent was neither present nor represented by counsel.

Upon review of the Recommended Order 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 in the record to support the findings of fact.

CONCLUSIONS OF LAW

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

4. 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 ACCEPTS the recommendation of the Administrative Law Judge of: payment of an administrative fine of \$500, payable within **12 months** of the filing date of this Final Order; suspension of license until Respondent complies with all of the requirements set forth in the Final Order entered in DOH case #2014-18443, including compliance with the Intervention Project for Nurses (IPN) recommendations and contract conditions; and the costs incurred in the investigation and prosecution of this matter.

The Department filed an uncontested Motion to Assess Costs and the Board awarded costs in the amount of **thirteen thousand nine hundred fifty-four dollars and ninety-six (\$13,954.96)**, to be paid within **fourteen (14) years** from the filing date of this Final Order. Payment of the costs shall be made to the Board of Nursing and mailed to, DOH-Compliance Management Unit, 4052 Bald Cypress Way, Bin C76, Tallahassee, FL 32399-3276, Attention: Nursing Compliance Officer. **Payment must be made by cashier's check or money order ONLY.** Personal checks will not be accepted.

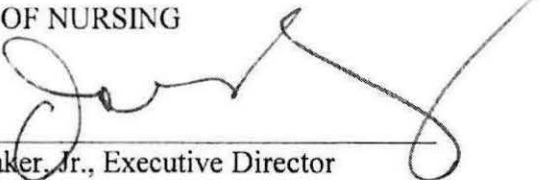
WHEREFORE, IT IS HEREBY ORDERED AND ADJUDGED:

The Board finds that Respondent violated Section 456.072(1)(q), Florida Statutes; imposes a \$500 fine to be paid within 12 months; suspends Respondent's registered nurse license until she is compliant with all of the terms and conditions imposed by the Final Order filed in DOH Case number 2014-18443, and pays the costs of \$13,954.96, within 14 years of the filing date of this Final Order.

This Final Order shall become effective upon filing with the Clerk of the Department of Health.

DONE AND ORDERED this 6th day of Sept, 2019.

BOARD OF NURSING



Joe R. Baker, Jr., Executive Director
for Kathryn L. Whitson, MSN., 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 THE FILING DATE OF THE ORDER TO BE REVIEWED.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by **certified** U.S. Mail to: **Katie Elizabeth**, 1311 Pullen Road, Jacksonville, Florida 32216; by US Mail to: **E. Gary Early**, Administrative Law Judge, Division of Administrative Hearings, The DeSoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060; and by electronic mail to: **Matthew Witters**, Chief Legal Counsel, Department of Health, Matthew.Witters@flhealth.gov; and **Deborah B. Loucks**, Senior Assistant Attorney General, Office of the Attorney General, deborah.loucks@myfloridalegal.com, on September 6, 2019.

Angel Sanders

Deputy Agency Clerk

Katie Elizabeth
1311 Pullen Rd.
Jacksonville, FL 32216

Certified Article Number

9414 7266 9904 2140 1208 41

SENDER'S RECORD

E. Gary Early, Administrative Law Judge
Division of Administrative Hearings
The Desoto Bldg.
1230 Apalachee Parkway
Tallahassee, FL 32399-3060

- Regular mail