

VIRGINIA:

BEFORE THE BOARD OF NURSING

RECEIVED  
SEP 15 2014

IN RE: TAMEKA DENAE MITCHELL, R.N.  
License No.: 0001-233619

VA BD OF NURSING

CONSENT ORDER

The Virginia Board of Nursing ("The Board") and Tameka DeNae Mitchell, R. N., as evidenced by their signatures affixed below, agree to enter into this Consent Order affecting the license of Ms. Mitchell to practice nursing in the Commonwealth of Virginia.

FINDINGS OF FACT

The Board adopts the following findings of fact in this matter:

1. Tameka DeNae Mitchell, R.N., was issued license number 0001-233619 by the Board to practice nursing in the Commonwealth of Virginia on September 12, 2011. Said license is active and will expire on May 31, 2016, unless renewed or otherwise restricted. Ms. Mitchell holds active licenses to practice professional nursing in California, Colorado, Connecticut, Hawaii, Idaho, Iowa, Maine, Michigan, Minnesota, Missouri, Montana, Nebraska, New Mexico, New York, Oklahoma, Washington and the District of Columbia. Ms. Mitchell's primary state of residence is New York.
2. On September 10, 2010, Ms. Mitchell was charged with Second Degree Assault, a felony, in the Criminal Court of Albany, New York. On February 22, 2013, she pled guilty to Third Degree Assault, a misdemeanor and was ordered to pay a fine.
3. On February 21, 2012, the New Mexico State Board of Nursing ("New Mexico Board") entered a Default Order of Revocation revoking Ms. Mitchell's license to practice professional nursing in the State of New Mexico. This action was based on her failure to respond to a notice that required her to provide additional information regarding the assault charge in New York.

Consent Order – Tameka DeNae Mitchell, R.N.  
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4. By Order entered March 23, 2013, the Director of the Department of Health Professions mandatorily suspended Ms. Mitchell's license to practice nursing in the Commonwealth of Virginia pursuant to Section 54.1-2409 of the Code due to the February 21, 2012, Default Order of Revocation entered by the New Mexico Board.
5. On August 22, 2013, the New Mexico Board reinstated Ms. Mitchell's license to practice professional nursing in the State of New Mexico.
6. By Order entered March 29, 2013, the Virginia Board of Nursing reinstated Ms. Mitchell's license to practice nursing in the Commonwealth of Virginia. The Order also reprimanded her and required that she complete the NCSBN course: "Patient Privacy and Respecting Professional Boundaries". Ms. Mitchell provided evidence that she completed said course on April 3, 2013.
7. By an Order entered July 30, 2013, the Oklahoma Board of Nursing accepted the voluntary surrender, in lieu of further disciplinary action, of Ms. Mitchell's license to practice nursing in the State of Oklahoma. This action was based on the March 23, 2012, Virginia Board's mandatory suspension order and the New Mexico Board's February 12, 2012, Default Order, which Virginia had already considered and was the basis for the mandatory suspension of her license to practice nursing in the Commonwealth of Virginia.
8. By an Order entered November 20, 2013, the Director of the Department of Health Professions mandatorily suspended and simultaneously reinstated Ms. Mitchell's license to practice nursing in the Commonwealth of Virginia. This action was based on the July 30, 2013, action by the Oklahoma Board of Nursing, which was based on the March 23, 2012, Virginia Board's mandatory suspension order and the New Mexico's Board's February 12, 2012, Default Order, which Virginia

had already considered and was the basis for the mandatory suspension of her license to practice nursing in the Commonwealth of Virginia.

9. By an Order entered on February 12, 2014, the California Board of Registered Nursing accepted the voluntary surrender, in lieu of further disciplinary action of Ms. Mitchell's license to practice nursing in the State of California. This action was based on the March 23, 2012, Virginia Board's mandatory suspension order and the New Mexico Board's February 12, 2012, Default Order, which Virginia had already considered and was the basis for the mandatory suspension of her license to practice nursing in the Commonwealth of Virginia.

10. By Order entered September 16, 2014, the Director of the Department of Health Professions mandatorily suspended Ms. Mitchell's license pursuant to Section 54.1-2409 of the Code due to the action of the California Board of Registered Nursing.

#### CONCLUSIONS OF LAW

This matter of the reinstatement of Ms. Mitchell's license to practice nursing in the Commonwealth of Virginia is properly before the Board.

#### CONSENT

I, Tameka DeNae Mitchell, R.N., by affixing my signature hereto, acknowledge that:

1. I have been advised specifically to seek the advice of counsel prior to signing this document;
2. I am fully aware that without my consent, no legal action can be taken against me, except pursuant to the Virginia Administrative Process Act, § 2.2-4000.A et seq. of the Code of Virginia;
3. I have the following rights, among others:
  - a. the right to a formal administrative hearing before the Board;

Consent Order - Tameka DeNae Mitchell, R.N.  
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- b. the right to appear in person or by counsel, or other qualified representative before the agency; and
  - c. the right to cross-examine witnesses against me.
4. I waive all rights to a formal hearing;
  5. I admit the truth of the above Findings of Fact; and
  6. I consent to the following Order affecting my license to practice nursing in the Commonwealth of Virginia.


ORDER

WHEREFORE, based on the foregoing Findings of Fact and Conclusions of Law, and with the consent of the licensee, it is hereby ORDERED that the license of Tameka DeNae Mitchell, R.N., to practice nursing in the Commonwealth of Virginia, be, and hereby is, REINSTATED.

Ms. Mitchell shall maintain a course of conduct in her practice of nursing commensurate with the requirements of Title 54.1, Chapter 30 of the Code and all laws of the Commonwealth.

Pursuant to Section 54.1-2400.2 of the Code, the signed original of this Consent Order shall remain in the custody of the Department of Health Professions as a public record and shall be made available for public inspection and copying upon request.

FOR THE BOARD:

  
Jane R. Ingalls, R.N., Ph.D.  
President, Virginia Board of Nursing


ENTERED: 16 Sept. 2014

SEEN AND AGREED TO:

  
Tameka DeNae Mitchell, R.N.

STATE OF NEW YORK  
COUNTY/CITY OF ALBANY, TO WIT:

Subscribed and sworn to before me, the undersigned Notary Public, in and for the State of New York, at large, this 11 day of September, 2014, by Tameka DeNae Mitchell, R.N.

  
Notary Public

Registration Number: 01BA6261734

My commission expires: May 14, 2016

LAKISHA D BANKS  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01BA6261734  
Qualified in Rensselaer County  
My Commission Expires May 14, 2016

Certified True Copy  
By dgraham  
Virginia Board Of Nursing

**VIRGINIA:**

**BEFORE THE DEPARTMENT OF HEALTH PROFESSIONS**


**IN RE: TAMEKA DENAE MITCHELL, R.N.  
License No.: 0001-233619**

**ORDER**

In accordance with Section 54.1-2409 of the Code of Virginia (1950), as amended, ("Code"), I, David E. Brown, D.C., Director of the Virginia Department of Health Professions, received and acted upon evidence that the State of California, Board of Registered Nursing accepted the voluntary surrender, in lieu of further disciplinary action, of the license of Tameka DeNae Mitchell, R.N., to practice nursing in the State of California by an Order entered February 12, 2014. A certified copy of the Order is attached to this Order and is marked as Commonwealth's Exhibit No. 1.

WHEREFORE, by the authority vested in the Director of the Department of Health Professions pursuant to Section 54.1-2409 of the Code, it is hereby ORDERED that the license of Tameka DeNae Mitchell, R.N., to practice nursing in the Commonwealth of Virginia be, and hereby is, SUSPENDED.

Pursuant to Sections 2.2-4023 and 54.1-2400.2 of the Code, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record and shall be made available for public inspection and copying upon request.



\_\_\_\_\_  
David E. Brown, D.C., Director  
Department of Health Professions

ENTERED: 2/16/14

**Certified True Copy,**  
By dyraham  
**Virginia Board Of Nursing**

**CERTIFICATION OF DUPLICATE RECORDS**

I, David E. Brown, D.C., Director of the Department of Health Professions, hereby certify that the attached Order entered February 12, 2014, regarding Tameka DeNae Mitchell, R.N., are true copies of the records received from the State of California Board of Registered Nursing.

David E. Brown  
David E. Brown, D.C.

Date: 9/16/14

BEFORE THE  
BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the First Amended Accusation  
Against:

**TAMEKA DANA E MITCHELL**  
3 Silverberry Place  
Albany, NY 12211

Registered Nurse License No. 644928

Respondent

Case No. 2013-715

OAH No. 2013031013

**DECISION AND ORDER**

The attached Stipulated Surrender of License and Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on February 12, 2014.

IT IS SO ORDERED February 12, 2014.

I hereby certify the  
foregoing to be a true copy  
of the documents on file in our office.

REGISTERED NURSING PROGRAM

*Louise R. Bailey M.Ed., RN*  
Louise R. Bailey, M. ED., RN



*Raymond Mallel*

Raymond Mallel, President  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California





1 KAMALA D. HARRIS  
Attorney General of California  
2 JANICE K. LACHMAN  
Supervising Deputy Attorney General  
3 ANAHITA S. CRAWFORD  
Deputy Attorney General  
4 State Bar No. 209545  
1300 I Street, Suite 125  
5 P.O. Box 944255  
Sacramento, CA 94244-2550  
6 Telephone: (916) 322-8311  
Facsimile: (916) 327-8643  
7 *Attorneys for Complainant*

8 **BEFORE THE**  
9 **BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

11 In the Matter of the First Amended Accusation  
12 Against:

13 **TAMEKA DANA E MITCHELL**

14 3 Silverberry Place  
Albany, NY 12211  
15 Registered Nurse License No. 644928

16 Respondent.

Case No. 2013-715

OAH No. 2013031013

17 **STIPULATED SURRENDER OF**  
18 **LICENSE AND ORDER**

18 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-  
19 entitled proceedings that the following matters are true:

20 PARTIES

21 1. Louise R. Bailey, M.Ed., RN (Complainant) is the Executive Officer of the Board of  
22 Registered Nursing. She brought this action solely in her official capacity and is represented in  
23 this matter by Kamala D. Harris, Attorney General of the State of California, by Anahita S.  
24 Crawford, Deputy Attorney General.

25 2. Tameka Danae Mitchell (Respondent) is representing herself in this proceeding and  
26 has chosen not to exercise her right to be represented by counsel.

27 3. On or about September 15, 2004, the Board of Registered Nursing issued Registered  
28 Nurse License No. 644928 to Tameka Danae Mitchell (Respondent). The Registered Nurse

1 License was in full force and effect at all times relevant to the charges brought in First Amended  
2 Accusation No. 2013-715 and will expire on June 30, 2014, unless renewed.

3 JURISDICTION

4 4. First Amended Accusation No. 2013-715 was filed before the Board of Registered  
5 Nursing (Board), Department of Consumer Affairs, and is currently pending against Respondent.  
6 The First Amended Accusation and all other statutorily required documents were properly served  
7 on Respondent on July 23, 2013. Respondent timely filed her Notice of Defense contesting the  
8 First Amended Accusation. A copy of First Amended Accusation No. 2013-715 is attached as  
9 Exhibit A and incorporated by reference.

10 ADVISEMENT AND WAIVERS

11 5. Respondent has carefully read, and understands the charges and allegations in First  
12 Amended Accusation No. 2013-715. Respondent also has carefully read, and understands the  
13 effects of this Stipulated Surrender of License and Order.

14 6. Respondent is fully aware of her legal rights in this matter, including the right to a  
15 hearing on the charges and allegations in the First Amended Accusation; the right to be  
16 represented by counsel, at her own expense; the right to confront and cross-examine the witnesses  
17 against her; the right to present evidence and to testify on her own behalf; the right to the issuance  
18 of subpoenas to compel the attendance of witnesses and the production of documents; the right to  
19 reconsideration and court review of an adverse decision; and all other rights accorded by the  
20 California Administrative Procedure Act and other applicable laws.

21 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and  
22 every right set forth above.

23 CULPABILITY

24 8. Respondent admits the truth of each and every charge and allegation in First  
25 Amended Accusation No. 2013-715, agrees that cause exists for discipline and hereby surrenders  
26 her Registered Nurse License No. 644928 for the Board's formal acceptance.

27 9. Respondent understands that by signing this stipulation she enables the Board to issue  
28 an order accepting the surrender of her Registered Nurse License without further process.

1 CONTINGENCY

2 10. This stipulation shall be subject to approval by the Board of Registered Nursing.  
3 Respondent understands and agrees that counsel for Complainant and the staff of the Board of  
4 Registered Nursing may communicate directly with the Board regarding this stipulation and  
5 surrender, without notice to or participation by Respondent. By signing the stipulation,  
6 Respondent understands and agrees that she may not withdraw her agreement or seek to rescind  
7 the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt  
8 this stipulation as its Decision and Order, the Stipulated Surrender and Disciplinary Order shall be  
9 of no force or effect, except for this paragraph, it shall be inadmissible in any legal action  
10 between the parties, and the Board shall not be disqualified from further action by having  
11 considered this matter.

12 11. The parties understand and agree that Portable Document Format (PDF) and facsimile  
13 copies of this Stipulated Surrender of License and Order, including Portable Document Format  
14 (PDF) and facsimile signatures thereto, shall have the same force and effect as the originals.

15 12. This Stipulated Surrender of License and Order is intended by the parties to be an  
16 integrated writing representing the complete, final, and exclusive embodiment of their agreement.  
17 It supersedes any and all prior or contemporaneous agreements, understandings, discussions,  
18 negotiations, and commitments (written or oral). This Stipulated Surrender of License and Order  
19 may not be altered, amended, modified, supplemented, or otherwise changed except by a writing  
20 executed by an authorized representative of each of the parties.

21 13. In consideration of the foregoing admissions and stipulations, the parties agree that  
22 the Board may, without further notice or formal proceeding, issue and enter the following Order:

23 ORDER

24 IT IS HEREBY ORDERED that Registered Nurse License No. 644928, issued to  
25 Respondent Tameka Danae Mitchell, is surrendered and accepted by the Board of Registered  
26 Nursing.

27 1. The surrender of Respondent's Registered Nurse License and the acceptance of the  
28 surrendered license by the Board shall constitute the imposition of discipline against Respondent.

1 This stipulation constitutes a record of the discipline and shall become a part of Respondent's  
2 license history with the Board of Registered Nursing.

3 2. Respondent shall lose all rights and privileges as a Registered Nurse in California as  
4 of the effective date of the Board's Decision and Order.

5 3. Respondent shall cause to be delivered to the Board her pocket license and, if one was  
6 issued, her wall certificate on or before the effective date of the Decision and Order.

7 4. If Respondent ever files an application for licensure or a petition for reinstatement in  
8 the State of California, the Board shall treat it as a petition for reinstatement. Respondent must  
9 comply with all the laws, regulations and procedures for reinstatement of a revoked license in  
10 effect at the time the petition is filed, and all of the charges and allegations contained in First  
11 Amended Accusation No. 2013-715 shall be deemed to be true, correct and admitted by  
12 Respondent when the Board determines whether to grant or deny the petition.

13 5. If and when Respondent's license is reinstated, she shall pay to the Board costs  
14 associated with its investigation and enforcement pursuant to Business and Professions Code  
15 section 125.3 in the amount of \$2445.00 Respondent shall be permitted to pay these costs in a  
16 payment plan approved by the Board. Nothing in this provision shall be construed to prohibit the  
17 Board from reducing the amount of cost recovery upon reinstatement of the license.

18 6. If Respondent should ever apply or reapply for a new license or certification, or  
19 petition for reinstatement of a license, by any other health care licensing agency in the State of  
20 California, all of the charges and allegations contained in First Amended Accusation, No. 2013-  
21 715 shall be deemed to be true, correct, and admitted by Respondent for the purpose of any  
22 Statement of Issues or any other proceeding seeking to deny or restrict licensure.

23 7. Respondent shall not apply for licensure or petition for reinstatement for two (2)  
24 years from the effective date of the Board of Registered Nursing's Decision and Order.

25 ACCEPTANCE

26 I have carefully read the Stipulated Surrender of License and Order. I understand the  
27 stipulation and the effect it will have on my Registered Nurse License. I enter into this  
28

1 Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to  
2 be bound by the Decision and Order of the Board of Registered Nursing.

3  
4 DATED:

10/25/2013

  
TAMEKA DANAE MITCHELL  
Respondent

6  
7 ENDORSEMENT

8 The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted  
9 for consideration by the Board of Registered Nursing of the Department of Consumer Affairs.

10 Dated: 11.5.13

Respectfully submitted,

11 KAMALA D. HARRIS  
Attorney General of California  
12 JANICE K. LACHMAN  
Supervising Deputy Attorney General

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15 ANAHITA S. CRAWFORD  
Deputy Attorney General  
16 *Attorneys for Complainant*

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**Exhibit A**

**First Amended Accusation No. 2013-715**

1 KAMALA D. HARRIS  
Attorney General of California  
2 JANICE K. LACHMAN  
Supervising Deputy Attorney General  
3 ANAHITA S. CRAWFORD  
Deputy Attorney General  
4 State Bar No. 209545  
1300 I Street, Suite 125  
5 P.O. Box 944255  
Sacramento, CA 94244-2550  
6 Telephone: (916) 322-8311  
Facsimile: (916) 327-8643  
7 Attorneys for Complainant

8 **BEFORE THE**  
9 **BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

11 In the Matter of the First Amended Accusation  
Against:  
12 **TAMEKA DANAE MITCHELL**  
13 **3 Silveryberry Place**  
14 **Albany, NY 12211**  
15 **Registered Nurse License No. 644928**  
16 **Respondent.**

Case No. 2013-715  
**FIRST AMENDED**  
**ACCUSATION**

17  
18 Complainant alleges:

19 **PARTIES**

20 1. Louise R. Bailey, M.Ed., RN ("Complainant") brings this First Amended Accusation  
21 solely in her official capacity as the Executive Officer of the Board of Registered Nursing  
22 ("Board"), Department of Consumer Affairs.

23 2. On or about September 15, 2004, the Board issued Registered Nurse License Number  
24 644928 to Tameka Danae Mitchell ("Respondent"). Respondent's registered nurse license was in  
25 full force and effect at all times relevant to the charges brought herein and will expire on June 30,  
26 2014, unless renewed.

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**JURISDICTION**

This First Amended Accusation is brought before the board under the authority of the following laws. All section references are to the Business and Professions Code ("Code") unless otherwise indicated.

**STATUTORY PROVISIONS**

3. Business and Professions Code ("Code") section 2750 provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.

4. Code section 2764 provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license. Under Code section 2811, subdivision (b), the Board may renew an expired license at any time within eight years after the expiration.

5. Code section 2761 states, in pertinent part:

The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

(a) Unprofessional conduct . . .

....

(4) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action against a health care professional license or certificate by another state or territory of the United States, by any other government agency, or by another California health care professional licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that action . . .

...

(f) Conviction of a felony or of any offense substantially related to the qualifications, functions, and duties of a registered nurse, in which event the record of the conviction shall be conclusive evidence thereof.

**COST RECOVERY**

6. Section 125.3 of the Code provides, in pertinent part, that the Board may request the administrative law judge to direct a licentiate found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and



1 enforcement of the case, with failure of the licentiate to comply subjecting the license to not being  
2 renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be  
3 included in a stipulated settlement.

4 **FIRST CAUSE FOR DISCIPLINE**

5 **(Disciplinary Actions by the New Mexico Board of Nursing,  
6 Virginia Board of Nursing and Arizona Board of Nursing)**

7 7. Respondent is subject to disciplinary action pursuant to Code section 2761,  
8 subdivision (a)(4), on the grounds of unprofessional conduct, in that she was disciplined by the  
9 New Mexico Board of Nursing ("New Mexico Board"), the Virginia Board of Nursing ("Virginia  
10 Board") and the Arizona Board of Nursing ("Arizona Board") as follows:

11 a. On or about February 21, 2012, pursuant to the Default Order in the disciplinary  
12 proceeding titled "In the Matter of: Tameka Mitchell License No. RN74314", the New Mexico  
13 Board revoked Respondent's license to practice registered nursing in the state of New Mexico.  
14 Respondent had submitted an RN endorsement form to the Board on October 12, 2011, and  
15 "marked yes to the felony question". Later, the Board received information that Respondent had  
16 been arrested on September 10, 2010 for assault with intent to cause physical injury with a  
17 weapon, a class D felony. A true and correct copy of the Default Order is attached as Exhibit A  
18 and incorporated herein.

19 b. On or about March 23, 2012, pursuant to the Order in the disciplinary proceeding  
20 titled "In re: Tameka Danae Mitchell, R.N., License No. 0001-233619", the Virginia Board  
21 suspended Respondent's license to practice registered nursing in the state of Virginia. The  
22 Virginia Board's disciplinary proceeding is based on the Default Order of the New Mexico Board.  
23 A true and correct copy of the Order by the Virginia Board is attached as Exhibit B and  
24 incorporated herein.

25 c. On or about May 21, 2013, pursuant to a Decree of Censure, Consent Agreement and  
26 Order, in the disciplinary proceeding titled "In the Matter of Application for Registered Nurse  
27 Licensure by: Tameka D. Mitchell", the Arizona Board issued a license to Respondent but  
28

1 ordered that a DECREE OF CENSURE be entered against the license. The discipline is based on  
2 the finding of fact that on or about February 21, 2013, Respondent was convicted of third degree  
3 assault, a misdemeanor, in that on or about August 25, 2010, Respondent punched an individual  
4 on the left side of the forehead with a blunt object that caused a laceration requiring medical  
5 treatment. A true and correct copy of the Order by the Arizona Board is attached as Exhibit C  
6 and incorporated herein.

7 **SECOND CAUSE FOR DISCIPLINE**

8 8. Respondent is subject to disciplinary action pursuant to Code section 2761,  
9 subdivision (f) on the grounds of unprofessional conduct, in that on or about February 21, 2013,  
10 in the criminal case of *People of the State of New York vs. Tameka D. Mitchell*, Case No. 10-  
11 204071 (Albany City Court), Respondent was convicted on her plea for a violation of New York  
12 Penal Law section 120.00 (Assault in the third degree), a misdemeanor.

13 **PRAYER**

14 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
15 and that following the hearing, the Board of Registered Nursing issue a decision:

- 16 1. Revoking or suspending Registered Nurse License Number 644928, issued to  
17 Tameka Danae Mitchell;
- 18 2. Ordering Tameka Danae Mitchell to pay the Board of Registered Nursing the  
19 reasonable costs of the investigation and enforcement of this case, pursuant to Business and  
20 Professions Code section 125.3;
- 21 3. Taking such other and further action as deemed necessary and proper.
- 22

23 DATED: July 22, 2013

24 *for* Stacie Ben  
25 LOUISE R. BAILEY, M.ED., RN  
26 Executive Officer  
27 Board of Registered Nursing  
28 Department of Consumer Affairs  
State of California  
Complainant

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**EXHIBIT A**

**Default Order, New Mexico Board of Nursing**

BEFORE THE BOARD OF NURSING  
FOR THE STATE OF NEW MEXICO

IN THE MATTER OF:  
Tameka Mitchell  
LICENSE NO.: RN74314

Respondent

I certify this to be a true copy of the  
records on file with the New Mexico  
Board of Nursing.

Signed: CA  
DEFAULT ORDER

THIS MATTER having come before the Board of Nursing ("BON") on Thursday, February 9, 2012, the BON finds the following:

1. A Notice of Contemplated Action was served on the respondent in accordance with the Uniform Licensing Act, N.M.S.A. §61-1-1 et seq.
2. The respondent has not mailed a request for hearing within the time and in the manner required by N.M.S.A. §61-1-4 and is therefore in default.

IT IS THEREFORE ORDERED THAT: the license of Tameka Mitchell, RN74314, is hereby revoked by default.

DATE: 2/21/12

Robin Jones, Chairperson  
ROBIN JONES, CHAIRPERSON  
NEW MEXICO BOARD OF NURSING

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**EXHIBIT B**

**Default Order, Virginia Board of Nursing**

VIRGINIA:

BEFORE THE DEPARTMENT OF HEALTH PROFESSIONS

IN RE: TAMEKA DENAE MITCHELL, R.N.  
License No.: 0001-233619

ORDER

In accordance with Section 54.1-2409 of the Code of Virginia (1950), as amended, ("Code"), I, Dianne L. Reynolds-Cane, M.D., Director of the Virginia Department of Health Professions, received and acted upon evidence that the license of Tameka DeNae Mitchell, R.N., to practice nursing in the State of New Mexico was revoked by a Default Order dated February 21, 2012. A certified copy of the Default Order (with attachment) is attached to this Order and is marked as Commonwealth's Exhibit No. 1.

WHEREFORE, by the authority vested in the Director of the Department of Health Professions pursuant to Section 54.1-2409 of the Code, it is hereby ORDERED that the license of Tameka DeNae Mitchell, R.N., to practice nursing in the Commonwealth of Virginia be, and hereby is, SUSPENDED.

Upon entry of this Order, the license of Tameka DeNae Mitchell, R.N., will be recorded as suspended and no longer current. Should Ms. Mitchell seek reinstatement of her license pursuant to Section 54.1-2409 of the Code, she shall be responsible for any fees that may be required for the reinstatement and renewal of her license prior to issuance of her license to resume practice.

Pursuant to Sections 2.2-4023 and 54.1-2400.2 of the Code, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record and shall be made available for public inspection and copying upon request.



\_\_\_\_\_  
Dianne L. Reynolds-Cane, M.D., Director  
Department of Health Professions

ENTERED: \_\_\_\_\_

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**EXHIBIT C**

**Order, Arizona Board of Nursing**



BEFORE THE ARIZONA STATE BOARD OF NURSING

IN THE MATTER OF APPLICATION  
FOR REGISTERED NURSE  
LICENSURE BY:

TAMEKA D. MITCHELL,  
APPLICANT

DECREE OF CENSURE  
CONSENT AGREEMENT  
AND  
ORDER NO. 1109086

During the course of reviewing Applicant's qualifications for licensure in Arizona, the Arizona State Board of Nursing received a complaint against her alleging that she violated the Nurse Practice Act. In the interest of a prompt and speedy settlement of the above-captioned matter, consistent with the public interest, statutory requirements and the responsibilities of the Board, and pursuant to A.R.S. § 41-1092.07 (F) (5), the undersigned parties enter into this Consent Agreement as a final disposition of this matter:

Based on the evidence before it, the Board makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. On or about August 17, 2011, Applicant submitted a registered nurse application for licensure by endorsement to the Board. Based on information obtained during the application process, the Board conducted an investigation.
2. On or about August 25, 2010, according to Albany Police Department report #10311032, Applicant intentionally punched the victim on the left side of the forehead with a blunt object. Victim sustained a laceration that required medical treatment. Applicant was arrested, and charged with assault with intent to cause physical injury using a weapon, a class D felony. On April 3, 2013, during an interview with Board Staff, Applicant admitted to the act.

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3. On or about February 21, 2013, according to the court clerk of Albany City Court, Albany NY (File #S1006102), Applicant agreed to plead guilty, and was convicted of the lower charge of assault, a misdemeanor.

#### CONCLUSIONS OF LAW

Pursuant to A.R.S. §§ 32-1606, 32-1663 and 32-1664, the Board has subject matter and personal jurisdiction in this matter.

The conduct and circumstances described in the paragraphs above constitute sufficient cause pursuant to A.R.S. § 32-1663 (A) as defined in A.R.S. § 32-1601 (18) (d) (Any conduct or practice that is or might be harmful or dangerous to the health of a patient or the public.), (h) (Committing an act that deceives, defrauds or harms the public), and (j) (Violating a rule that is adopted by the Board pursuant to this chapter) (effective September 30, 2009), specifically

- A.A.C. R-4-19-403(2) (Intentionally or negligently causing physical or emotional injury) (effective 01/31/09),

to deny Applicant licensure as a professional nurse. However, in lieu of a formal hearing on these issues, Applicant agrees to issuance of the attached Order and waives all rights to a hearing, rehearing, appeal or judicial review relating to this matter. Applicant further waives any and all claims or causes of action, whether known or unknown, that Applicant may have against the State of Arizona, the Board, its members, officers, employees and/or agents arising out of this matter.

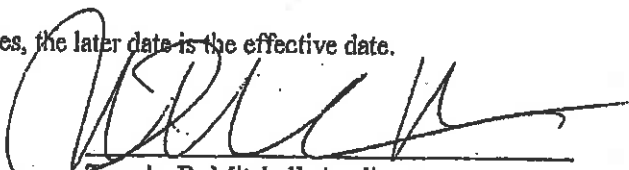
Applicant admits the Board's Findings of Fact and Conclusions of Law.

Applicant understands that all investigative materials prepared or received by the Board concerning these violations and all notices and pleadings relating thereto may be retained in the Board's file concerning this matter.

Applicant understands that those admissions are conclusive evidence of a prior violation of the Nurse Practice Act and may be used for purposes of determining sanctions in any future disciplinary matter.

Applicant understands the right to consult legal counsel prior to entering into this Consent Agreement and such consultation has been either obtained or is waived.

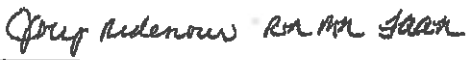
Applicant understands that this Consent Agreement is effective upon its acceptance by the Board and by Applicant as evidenced by the respective signatures thereto. Applicant's signature obtained via facsimile shall have the same effect as an original signature. Once signed by the Applicant, the agreement cannot be withdrawn without the Board's approval or by stipulation between the Applicant and the Board's designee. The effective date of this Order is the date the Consent Agreement is signed by the Board and by Applicant. If the Consent Agreement is signed on different dates, the later date is the effective date.

  
Tameka D. Mitchell, Applicant

Dated: 6/5/13

ARIZONA STATE BOARD OF NURSING

SEAL

  
Joey Ridenour, R.N., M.N., F.A.A.N.  
Executive Director

Dated: May 21, 2013

ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, the parties agree to the provision and penalties imposed as follows:

1. Applicant's consent to the terms and conditions of this Order and waiver of public hearing are accepted.
2. Upon acceptance by the Board and the Applicant of this Consent Agreement as evidenced their respective signatures on this Consent Agreement, Applicant will be granted a registered nursing license.
3. It is ordered that a DECREE OF CENSURE be entered against the license to be issued to Applicant.

ARIZONA STATE BOARD OF NURSING

*Joey Ridenour R.N. M.N. F.A.A.N.*

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Joey Ridenour, R.N., M.N., F.A.A.N.  
Executive Director

Dated: May 21, 2013

JR/MB:dc

COPY mailed this 30<sup>th</sup> day of May, 2013, by First Class Mail to:

TAMEKA D. MITCHELL  
3 SILVERBERRY PLACE  
ALBANY, NY 12211

By D. Lindsey  
*Legal Secretary*

2013