

IN THE MATTER OF  
PERMANENT CERTIFICATE  
NUMBER 180646  
ISSUED TO  
SHELIA RENEE GORDON

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BEFORE THE ELIGIBILITY  
AND DISCIPLINARY  
COMMITTEE  
OF THE TEXAS  
BOARD OF NURSING



I do hereby certify this to be a complete, accurate, and true copy of the document which is on file or is of record in the offices of the Texas Board of Nursing.  
*Patricia A. Thomas*  
Executive Director of the Board

**ORDER OF THE BOARD**

TO: Sheila Renee Gordon  
1505 Live Oak Drive  
Temple, Texas 76504

During open meeting held in Austin, Texas, on May 10, 2011, the Eligibility and Disciplinary Committee (hereinafter "Committee") heard the above-styled case, based on the failure of the Respondent to appear as required by 22 TEX. ADMIN. CODE Ch. 213.

The Committee of the Texas Board of Nursing finds that notice of the facts or conduct alleged to warrant disciplinary action has been provided to Respondent in accordance with Texas Government Code § 2001.054(c) and Respondent has been given an opportunity to show compliance with all the requirements of the Nursing Practice Act, Chapter 301 of the Texas Occupations Code, for retention of Respondent's license to practice vocational nursing in the State of Texas.

The Committee finds that the Formal Charges were properly initiated and filed in accordance with section 301.458, Texas Occupations Code.

The Committee finds that after proper and timely Notice regarding the violations alleged in the Formal Charges was given to Respondent in this matter, Respondent has failed to appear in accordance with 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that the Board is authorized to enter a default order pursuant to Texas Government Code § 2001.056.

The Eligibility and Disciplinary Committee, after review and due consideration, adopts the

proposed findings of fact and conclusions of law as stated in the Formal Charges which are attached hereto and incorporated by reference for all purposes and the Staff's recommended sanction of revocation by default. This Order will be properly served on all parties and all parties will be given an opportunity to file a motion for rehearing [22 TEX. ADMIN.CODE § 213.16(j)]. All parties have a right to judicial review of this Order.

All proposed findings of fact and conclusions of law filed by any party not specifically adopted herein are hereby denied.

NOW, THEREFORE, IT IS ORDERED that Permanent Certificate Number 180646, previously issued to SHELIA RENEE GORDON, to practice vocational nursing in the State of Texas be, and the same is hereby, REVOKED.

IT IS FURTHER ORDERED that this Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice vocational nursing in the State of Texas.

Entered this 10th day of May, 2011.

TEXAS BOARD OF NURSING

BY:



KATHERINE A. THOMAS, MN, RN  
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

Attachment: Formal Charge filed .

CERTIFICATE OF SERVICE

I hereby certify that on the 10th day of May, 2011 a true and correct copy of the foregoing DEFAULT ORDER was served by placement in the U.S. Mail via certified mail, and addressed to the following person(s):

Shelia Renee Gordon  
1505 Live Oak Drive  
Temple, Texas 76504

Sheila Renee Gordon  
1202 E. Adams  
Temple, Texas 76501

Sheila Renee Gordon  
1409 Live Oak Drive  
Temple, Texas 76504

BY:



KATHERINE A. THOMAS, MN, RN  
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

**In the Matter of Permanent License  
Number 180646, Issued to  
SHELIA RENEE GORDON, Respondent**

§  
§

**BEFORE THE TEXAS  
BOARD OF NURSING**

### **FORMAL CHARGES**

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, SHELIA RENEE GORDON, is a Vocational Nurse holding license number 180646, which is in Delinquent status at the time of this pleading.

Written notice of the facts and conduct alleged to warrant adverse licensure action was sent to Respondent at Respondent's address of record and Respondent was given opportunity to show compliance with all requirements of the law for retention of the license prior to commencement of this proceeding.

#### **CHARGE I.**

In May 2009, Respondent was non-compliant with the Agreed Order issued to Respondent on February 22, 2008, by the Texas Board of Nursing, requiring Respondent to participate in the Texas Peer Assistance Program for Nurses (TPAPN). Non-compliance is the result of Respondent's failure to comply with the TPAPN agreement by failing to secure employment as a nurse. Stipulation Number Three (3) provides, in pertinent part:

(3) RESPONDENT SHALL comply with all requirements TPAPN contract during its term.

A copy of the February 22, 2008, Agreed Order, Findings of Fact and Conclusions of Law, is attached and incorporated, by reference, as part of this pleading.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(1) & (10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(11)(B).

#### **CHARGE II.**

On or about September 1, 2007 through December 20, 2007, Respondent admitted to the Temple Police Department that she telephonically passed unauthorized and fraudulent prescriptions for Soma and Lortab at Walgreens, Temple, Texas, using the name and Drug Enforcement Agency Number assigned to Dr. Ronald Crossno. Respondent's conduct was likely to deceive the pharmacy and possession of Soma and Lortab through use of a forged, falsified, unauthorized, fraudulent telephonically communicated prescription is prohibited by Chapter 481 and Chapter 483 of the Texas Health and Safety Code (Controlled Substances Act).

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(10)(E), (11)(B) & (13).

NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of up to revocation of Respondent's license to practice nursing in the State of Texas pursuant to the Nursing Practice Act, Chapter 301, Texas Occupations Code and the Board's rules, 22 Tex. Admin. Code §§ 213.27 - 213.33. Additionally, staff will seek to impose on Respondent the administrative costs of the proceeding pursuant to Section 301.461, Texas Occupations Code. The cost of proceedings shall include, but is not limited to, the cost paid by the Board to the State Office of Administrative Hearings and the Office of the Attorney General or other Board counsel for legal and investigative services, the cost of a court reporter and witnesses, reproduction of records, Board staff time, travel, and expenses. These shall be in an amount of at least one thousand two hundred dollars (\$1200.00).

NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, [www.bon.state.tx.us](http://www.bon.state.tx.us).

NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Guidelines for Criminal Conduct and on Adopted Disciplinary Sanction Policies for Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder, for Lying and Falsification, for Fraud, Theft & Deception, which can be found at the Board's website, [www.bon.state.tx.us](http://www.bon.state.tx.us).

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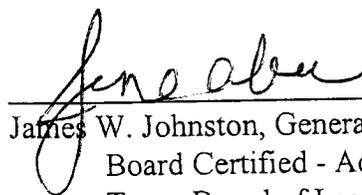
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NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, which can be found at [www.bon.state.tx.us/disciplinaryaction/discp-matrix.html](http://www.bon.state.tx.us/disciplinaryaction/discp-matrix.html).

NOTICE IS ALSO GIVEN that Respondent's past disciplinary history, as set out below and described in the Order which is attached and incorporated by reference as part of these charges, will be offered in support of the disposition recommended by staff: Agreed Order dated February 22, 2008.

Filed this 2nd day of March, 20 11.

TEXAS BOARD OF NURSING



James W. Johnston, General Counsel  
Board Certified - Administrative Law  
Texas Board of Legal Specialization  
State Bar No. 10838300

Jena Abel, Assistant General Counsel  
State Bar No. 24036103

Lance Robert Brenton, Assistant General Counsel  
State Bar No. 24066924

Robert Kyle Hensley, Assistant General Counsel  
State Bar No. 50511847

Nikki Hopkins, Assistant General Counsel  
State Bar No. 24052269

John F. Legris, Assistant General Counsel  
State Bar No. 00785533

TEXAS BOARD OF NURSING

333 Guadalupe, Tower III, Suite 460  
Austin, Texas 78701  
P: (512) 305-6824  
F: (512) 305-8101 or (512)305-7401

Attachments: Order of the Board dated February 22, 2008

D/2010.12.28

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Vocational Nurse §  
License Number 180646 § AGREED  
issued to SHELIA RENEE GORDON § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of SHELIA RENEE GORDON, Vocational Nurse License Number 180646, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(10), (12) & (13), Texas Occupations Code. Respondent waived representation by counsel, informal conference, notice and hearing, and agreed to the entry of this Order offered on December 31, 2007, by Katherine A. Thomas, MN, RN, Executive Director.

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 vocational nursing in the State of Texas.
4. Respondent received a Certificate in Vocational Nursing from Temple Junior College, Temple, Texas, on May 11, 2001. Respondent was licensed to practice vocational nursing in the State of Texas on June 28, 2001.
5. Respondent's vocational nursing employment history includes:

6/01 - 12/05	Staff LVN	Regency Manor Temple, Texas
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Respondent's vocational nursing employment history continued:

7/02 - 5/05	Charge LVN	Southland Villa Nursing Home Temple, Texas
4/05 - 9/05	Staff LVN	Texas State Veteran's Home Temple, Texas
7/05 - 5/06	Staff LVN	Indian Oaks Living Center Harker Heights, Texas
6/06 - present	Unknown	

6. At the time of the initial incidents in Findings of Fact Numbers Seven (7) through Ten (10), Respondent was employed as a Licensed Vocational Nurse with Texas State Veteran's Home, Temple, Texas, and had been in this position for one (1) month.
7. On or about May 1, 2005 through May 15, 2005, while employed as a Licensed Vocational Nurse with Texas State Veteran's Home, Temple, Texas, Respondent withdrew Hydrocodone for Residents TV, HD, and HK, but failed to document, or accurately document the administration of the Hydrocodone in the medical records for the residents. Respondent's conduct was likely to injure patients in that subsequent caregivers would rely on her documentation to further medicate patients which could result in overdose.
8. On or about May 1, 2005 through May 15, 2005, while employed as a Licensed Vocational Nurse with Texas State Veteran's Home, Temple, Texas, Respondent withdrew Hydrocodone for Residents TV, HD, and HK, but failed to follow the facility's policy and procedure for wastage of unused portions of the Hydrocodone. Respondent's conduct was deceiving and in violation of Chapter 481 of the Health and Safety Code (Texas Controlled Substances Act).
9. On or about May 1, 2005 through May 15, 2005, while employed as a Licensed Vocational Nurse with Texas State Veteran's Home, Temple, Texas, Respondent misappropriated Hydrocodone from the facility and residents thereof. Respondent's conduct defrauded the facility and its residents of the cost of the medication.
10. During about September 2005, while employed as a Licensed Vocational Nurse with the Texas State Veteran's Home, Temple, Texas, Respondent lacked fitness to practice vocational nursing, in that her gait was unsteady, she was staggering, her speech was slurred, and she could not keep her eyes open. Respondent's condition may have prevented her from delivering safe nursing care.

11. At the time of the initial incidents in Findings of Fact Numbers Twelve (12) and Thirteen (13), Respondent was employed as a Licensed Vocational Nurse with Indian Oaks Living Center, Harker Heights, Texas, and had been in this position for one (1) month.
12. On or about September 2005 through May 2006, while employed as a Licensed Vocational Nurse with Indian Oaks Living Center, Harker Heights, Texas, Respondent signed out narcotics on narcotic count sheets for residents, but failed to document, or accurately document the administration of the narcotics in the medication administration records and nurses' notes for the residents. Respondent's conduct was likely to injure patients in that subsequent caregivers would rely on her documentation to further medicate patients which could result in overdose.
13. On or about September 2005 through May 2006, while employed as a Licensed Vocational Nurse with Indian Oaks Living Centers, Harker Heights, Texas, Respondent misappropriated narcotics from the facility and residents thereof. Respondent's conduct defrauded the facility and its residents of the cost of the medication.
14. Respondent states that she has been suffering from Major Clinical Depression since she was six (6)- years-old.
15. The Respondent's conduct described in the preceding Findings of Fact was reportable under the provisions of Sections 301.401-301.419, Texas Occupations Code.
16. The Board finds that there exists serious risks to public health and safety as a result of impaired nursing care due to intemperate use of controlled substances or chemical dependency.
17. Respondent's conduct described in Findings of Fact Numbers Seven (7) through Thirteen (13) was significantly influenced by Respondent's impairment by dependency on chemicals and mental illness.
18. Respondent's compliance with the terms of a Board approved peer assistance program should be sufficient to protect patients and the public.

#### CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.455, 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), (12) & (13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.11(1)(A)&(D) and 22 TEX. ADMIN. CODE §217.12(1)(A), (B) & (E), (4), (5), (6)(G), (8) and (10)(C) & (E).

4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 180646, heretofore issued to SHELIA RENEE GORDON, including revocation of Respondent's license to practice vocational nursing in the State of Texas.
5. The Board may, in its discretion, order a nurse to participate in a peer assistance program approved by the Board if the nurse would otherwise have been eligible for referral to peer assistance pursuant to Section 301.410, Texas Occupations Code.

ORDER

IT IS THEREFORE AGREED and ORDERED that RESPONDENT, in lieu of the sanction of Revocation under Section 301.453, Texas Occupations Code, SHALL comply with the following conditions for such a time as is required for RESPONDENT to successfully complete the Texas Peer Assistance Program for Nurses (TPAPN):

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

(1) RESPONDENT SHALL, within forty-five (45) days following the date of entry of this final Order, apply to and be accepted into the TPAPN, which SHALL include payment of a non-refundable participation fee in the amount of three hundred fifty dollars (\$350) payable to TPAPN.

(2) Upon acceptance into the TPAPN, RESPONDENT SHALL waive confidentiality and provide a copy of the executed TPAPN contract to the Texas Board of Nursing.

(3) RESPONDENT SHALL comply with all requirements of the TPAPN contract during its term.

(4) RESPONDENT SHALL CAUSE the TPAPN to notify the Texas Board of Nursing

of any violation of the TPAPN contract.

IT IS FURTHER AGREED and ORDERED, RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas as amended, Texas Occupations Code, Section §§301.001 *et seq.*, the Rules and Regulations Relating to Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.01 *et seq.* and this Order.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's multistate licensure privileges, if any, to practice nursing in the State of Texas.

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, SHOULD RESPONDENT fail to comply with this Order or the terms of the participation agreement with the TPAPN, such noncompliance will result in further disciplinary action including revocation of Respondent's license and multistate licensure privileges, if any, to practice nursing in the State of Texas.

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RESPONDENT'S CERTIFICATION

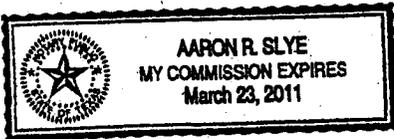
I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violations alleged herein. I do acknowledge possessing a diagnosis that deems me eligible to participate in the Texas Peer Assistance Program for Nurses. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, and Conditions One (1) through Four (4) of this Order to obtain disposition of the allegations through peer assistance and to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that this Order becomes effective upon acceptance by the Executive Director on behalf of the Texas Board of Nursing, 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 vocational nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 12 day of Feb, 2008.

Shelia R. Gordon RN  
SHELIA RENEE GORDON, Respondent

Sworn to and subscribed before me this 12<sup>th</sup> day of Feb, 2008.

SEAL



[Signature]

Notary Public in and for the State of TX

WHEREFORE PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby accept and enter the Agreed Order that was signed on the 12th day of February, 2008, by SHELIA RENEE GORDON, Vocational Nurse License Number 180646, and said Order is final.

Entered and effective this 22nd day of February, 2008.



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