



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 Thomas*  
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Registered Nurse           §     AGREED  
License Number 564451                       §  
issued to SHERI FAYE TARPLEY           §     ORDER

An investigation by the Texas Board of Nursing, hereinafter referred to as the Board, produced evidence indicating that SHERI FAYE TARPLEY, Registered Nurse License Number 564451, hereinafter referred to as Respondent, may have violated Section 301.452(b)(10)&(13), Texas Occupations Code.

An informal conference was held on January 26, 2010, at the office of the Texas Board of Nursing, in accordance with Section 301.464, Texas Occupations Code.

Respondent appeared in person. Respondent was represented by Nancy Roper Willson, Attorney at Law. In attendance were Katherine A. Thomas, MN, RN, Executive Director; John F. Legris, Assistant General Counsel; Anthony L. Diggs, MSCJ, Director, Enforcement Division; Kathy Duncan, RN, Investigator; Toni Frizell, RN, CNOR, Investigator; and Jennifer Ellis, RN, Investigator.

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 is currently licensed to practice professional nursing in the State of Texas.
3. Respondent received an Associate Degree in Nursing from Trinity Valley Community College, Kaufman, Texas, on May 1, 1990. Respondent was licensed to practice professional nursing in the State of Texas on August 31, 1990.

4. Respondent's nursing employment history includes:

08/1990 to 05/1993	Staff RN	ETMC (East Texas Medical Center) Athens, Texas
06/1993 to 01/1998	Clinical Supervisor	ETMC Home Care Athens, Texas
02/1998 to 04/1998	Unknown	
05/1998 to 06/2000	Charge Nurse	ETMC Athens, Texas
07/2000 to 02/2009	Charge Nurse	Arlington Memorial Hospital Arlington, Texas
03/2009 to Present		Unemployed

5. At the time of the initial incident, Respondent was employed as a Registered Nurse with Arlington Memorial Hospital, Arlington, Texas, and had been in this position for eight (8) years and three (3) months.
6. On or about October 2, 2008, while employed with Arlington Memorial Hospital, Arlington, Texas, Respondent failed to adequately assess, intervene, and notify the physician when Patient GH was experiencing severe pain, nausea and difficulty breathing after she administered ten (10) medications that can cause depression of the central nervous system, sedation, low blood pressure, and respiratory depression. Respondent's conduct was likely to injure the patient from not recognizing the cumulative effect of the medications, and progression of adverse medical conditions without appropriate treatment, including possible respiratory arrest and/or demise.
7. On or about October 2, 2008, while employed with Arlington Memorial Hospital, Arlington, Texas, Respondent failed to activate the Rapid Response Team when Patient GH's oxygen level dropped 10% over a one (1) hour period, along with worsening respiratory status. The patient went into respiratory arrest and required transfer to the Intensive Care Unit, where she was intubated and required ventilator support for five (5) days. Respondent's conducted may have contributed to the patient's respiratory arrest and subsequent intubation.
8. In response to the incidents in Findings of Fact Numbers Six (6) and Seven(7), Respondent states that the surgeon's Physician Assistant assessed the patient and gave orders to discharge the patient after the morning physical therapy. Respondent states during her morning assessment she noted that the patient "Had crackles and her color was somewhat dusky." This assessment was not a significant change from the previous shift. When Respondent spoke to the patient's primary physician, he stated that he was aware of the crackles, which is why he had ordered the morning chest x-ray. Additionally, he gave Respondent further orders. In addition to speaking with the patient's physician, Respondent states she was in communication with the Respiratory Therapist, and had requested assistance from the

Charge Nurse. Respondent states she medicated the patient for complaints of pain and nausea. When the patient's respirations became labored, Respondent states she activated the Rapid Response Team and then called a Code Blue within thirty (30) seconds to one (1) minute. Additionally, Respondent states that she never was notified of an 88% O2 sat by the Respiratory Therapist and that this information was added to the chart as a late note.

9. On or about August 20, 2009, Respondent submitted verification of her successful completion of the Board approved course "Nursing in Texas: Protecting Your Patients and Your Practice," which would have been a requirement of this Order.
10. On or about January 10, 2010, Respondent submitted verification of her successful completion of the Board approved course "Sharpening Critical Thinking Skills," which would have been a requirement of this Order.

#### CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, 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)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §§ 217.11(1)(A),(1)(B),(1)(C), (1)(D),(1)(M)&(3)(A) and 217.12(1)(A),(1)(B)&(4).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 564451, heretofore issued to SHERIFAYE TARPLEY, including revocation of Respondent's license to practice professional nursing in the State of Texas.

#### ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that RESPONDENT SHALL receive the sanction of a WARNING WITH STIPULATIONS, and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas as amended, Texas Occupations Code, §§301.001 *et seq.*, the Rules and Regulations Relating to Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.1 *et seq.* and this Order.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable

to Respondent's multistate licensure privilege, if any, to practice nursing in compact states.

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 that:

(1)RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in physical assessment. RESPONDENT SHALL obtain Board approval of the course prior to enrollment. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include Nurses. The didactic portion of this course shall be a minimum of six (6) hours in length. RESPONDENT SHALL perform physical assessments on live patients in a clinical setting for a minimum of twenty-four (24) hours. The clinical component SHALL focus on tasks of physical assessment only and shall be provided by the same Registered Nurse who provides the didactic portion of this course. To be approved, the course shall cover all systems of the body. Performing assessments on mock patients or mannequins WILL NOT be accepted. The course description shall indicate goals and objectives for the course, resources to be utilized, and the methods to be used to determine successful completion of the course. RESPONDENT SHALL successfully complete both the didactic and clinical portions of the course to satisfy this stipulation. RESPONDENT SHALL CAUSE the instructor to submit a Verification of Course Completion form, provided by the Board, to the office of the Board to verify RESPONDENT's successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure. *Board-approved courses may be found at the following*

Board website address: <http://www.bon.state.tx.us/disciplinaryaction/stipscourses.html>

**IT IS FURTHER AGREED, SHOULD RESPONDENT PRACTICE AS A NURSE IN THE STATE OF TEXAS, RESPONDENT WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING STIPULATIONS FOR ONE (1) YEAR OF EMPLOYMENT. THE LENGTH OF THE STIPULATION PERIOD WILL BE EXTENDED UNTIL SUCH TWELVE (12) MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE A REGISTERED NURSE (RN) LICENSE WILL NOT APPLY TO THIS STIPULATION PERIOD.**

(2) RESPONDENT SHALL notify each present employer in nursing of this Order of the Board and the stipulations on RESPONDENT's license. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each present employer within five (5) days of receipt of this Order. RESPONDENT SHALL notify all future employers in nursing of this Order of the Board and the stipulations on RESPONDENT's license. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each future employer prior to accepting an offer of employment.

(3) RESPONDENT SHALL CAUSE each present employer in nursing to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within five (5) days of employment as a nurse.

(4) RESPONDENT SHALL be supervised by a Registered Nurse who is on the

premises. The supervising nurse is not required to be on the same unit or ward as RESPONDENT, but should be on the facility grounds and readily available to provide assistance and intervention if necessary. The supervising nurse shall have a minimum of two (2) years experience in the same or similar practice setting to which the Respondent is currently working. RESPONDENT SHALL work only regularly assigned, identified and predetermined unit(s). RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(5) RESPONDENT SHALL CAUSE each employer to submit, on forms provided to the Respondent by the Board, periodic reports as to RESPONDENT's capability to practice nursing. These reports shall be completed by the Registered Nurse who supervises the RESPONDENT. These reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) month period for one (1) year of employment as a nurse.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT's license and RESPONDENT shall be eligible for multistate licensure privileges, if any, to practice nursing in the State of Texas.

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RESPONDENT'S CERTIFICATION

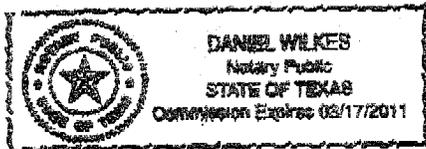
I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that this Order is subject to ratification by the Board. When this Order is ratified, the terms of this Order become effective, 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 professional nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 8 day of Dec, 2010.

[Signature]  
SHERI FAYE TAPLEY, Respondent

Sworn to and subscribed before me this 8 day of Dec, 2010.

SEAL



[Signature]

Notary Public in and for the State of Texas

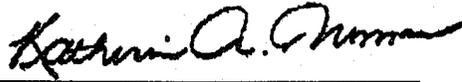
Approved as to form and substance.

[Signature]  
Nancy Rober Willson, Attorney for Respondent

Signed this 9th day of December, 2010

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 8th day of December, 2010, by SHERI FAYE TARPLEY, Registered Nurse License Number 564451, and said Order is final.

Effective this 27th day of January, 2011.



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