

IN THE MATTER OF
PERMANENT CERTIFICATE
NUMBER 702444
ISSUED TO
SHERRIE MICHELLE REDDICK

§
§
§
§
§
§
§
§

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 P. Thomas
Executive Director of the Board

ORDER OF THE BOARD

TO: Sherrie Michelle Reddick
1929 Carteret Ave.
Pueblo, Colorado 81004

During open meeting held in Austin, Texas, on November 9, 2010, 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 professional 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 702444, previously issued to SHERRIE MICHELLE REDDICK, to practice professional 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 professional nursing in the State of Texas.

Entered this 9th day of November, 2010.

TEXAS BOARD OF NURSING



BY:

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

Re: Permanent Certificate Number 702444
Issued to Sherrie Michelle Reddick
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 10th day of November, 2010, 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):

Sherrie Michelle Reddick
1929 Carteret Ave.
Pueblo, Colorado 81004

BY:



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

In the Matter of Permanent License § **BEFORE THE TEXAS**
Number 702444, Issued to §
SHERRIE MICHELLE REDDICK, Respondent § **BOARD OF NURSING**

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, SHERRIE MICHELLE REDDICK, is a Registered Nurse holding license number 702444, 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.

On or about February 18, 2010, while holding a license as a Registered Nurse in the State of Texas, Respondent received a Final Agency Order, Case No. NB 2009-0061, from the Colorado State Board of Nursing wherein Respondent's license to practice professional nursing in the State of Colorado, 160262, was Revoked. A copy of the State Board of Nursing, State of Colorado, Final Agency Order, Case No. NB2009-0061 dated February 18, 2010, 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)(8), Texas Occupations Code.

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 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).

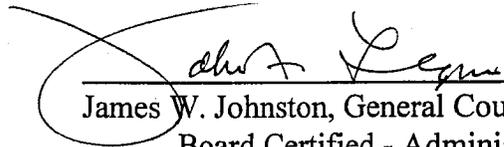
NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, www.bon.state.tx.us.

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.

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: State Board of Nursing, State of Colorado, Final Agency Order, Case No. NB2009-0061 dated February 18, 2010.

Filed this 22nd day of April, 2010.

TEXAS BOARD OF NURSING



James W. Johnston, General Counsel

Board Certified - Administrative Law

Texas Board of Legal Specialization

State Bar No. 10838300

Jena Renee Koslan 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: State Board of Nursing, State of Colorado, Final Agency Order, Case No. NB2009-0061 dated February 18, 2010.

0999/D



Dora

Department of Regulatory Agencies

Division of Registrations
Rosemary McCool
Director

State Board of Nursing
Mark Merrill
Program Director

Bill Ritter, Jr.
Governor

D. Rico Munn
Executive
Director

MEMORANDUM

To: Texas Board of Nursing
Carla Krampota, Ad-Tech Assistant Supervisor
NCSBN/HIPDB Coordinator
333 Guadalupe, Ste. 3-460
Austin, TX 78701

From: Charlene K. Douglas 
Complaint Specialist
303-894-2323
charlene.douglas@dora.state.co.us

Subject: SHERRIE MICHELLE REDDICK, RN

Date: March 1, 2010

RN License No: 160262 **Status:** Revoked **Date of Expiration:** 09/30/09

The Stipulation and Final Agency Order ("Stipulation") you requested on the above licensee is attached. The matter has gone to hearing and the Stipulation contains the Board's decisions relating to the Findings of Fact, Conclusions of Law, and Sanction. It became effective on February 19, 2010.

If you wish information in addition to what is contained in the Stipulation, you may request an appointment to review the licensing file or you may place specific questions in writing to the Board for its response.

For future requests, please note: Disciplinary documents with an effective date from January 1, 1999, forward can now be viewed online. Visit the Board of Nursing home page at www.dora.state.co.us/nursing and click on "View Registrations Online Disciplinary Documents ROD)" to search and view documents.



Dora

Department of Regulatory Agencies

Division of Registrations
Rosemary McCool
Director

State Board of Nursing
Mark Merrill
Program Director

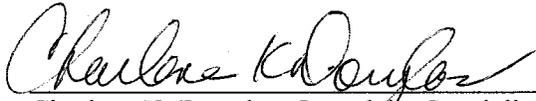
Bill Ritter, Jr.
Governor

D. Rico Munn
Executive
Director

CERTIFIED COPY

I hereby certify that the attached is a true and correct copy of the Stipulation and Final Agency Order regarding the license to practice as a professional nurse of Sherrie Michelle Reddick in the State of Colorado.

In testimony whereof, I sign my name and affix the seal of this Board at Denver, Colorado, on this 1st day of March, 2010.


Charlene K. Douglas, Complaint Specialist

BEFORE THE STATE BOARD OF NURSING

STATE OF COLORADO

Case No. NB 2009-0061

FINAL AGENCY ORDER

IN THE MATTER OF DISCIPLINARY PROCEEDINGS REGARDING THE LICENSE TO PRACTICE AS A PROFESSIONAL NURSE IN THE STATE OF COLORADO OF SHERRIE MICHELLE REDDICK, R.N., LICENSE NO. 160262,

Respondent.

This matter came before Hearings Panel A of the State Board of Nursing (the "Board") for review of the Initial Decision of Administrative Law Judge Matthew E. Norwood (the "ALJ") issued in the above-captioned case on October 22, 2009. Petitioner, Inquiry Panel B, timely filed Exceptions to the Initial Decision on November 18, 2009. The Respondent did not file a response to the Inquiry Panel's Exceptions.

On January 26, 2010, the Board considered the Initial Decision of the ALJ and the subsequent pleadings filed by the parties as noted above. Conflicts counsel from the Office of the Attorney General was not engaged to advise the Board during deliberations.

After due consideration of the record as defined in the Initial Decision and any pleadings filed by the parties, the Board unanimously entered its Final Agency Order pursuant to section 24-4-105, C.R.S., as follows with the following amendments:

1. The caption at the beginning of the Initial Decision lists the Respondent as "Sherrie Michelle Reddick, L.P.N., License No. 160262." Respondent is an R.N.

a. Therefore, the caption of the Initial Decision is hereby amended to read as follows:

SHERRIE MICHELLE REDDICK, R.N., License No. 160262,

2. The introductory paragraph of the Initial Decision refers to "Sherry Michelle Reddick, L.P.N." Respondent is an R.N.

a. Therefore, the first sentence in the introductory paragraph of the Initial Decision is hereby amended to read as follows:

The case is a disciplinary proceeding before the State Board of Nursing ("the Board") involving the nursing license of Sherry Michelle Reddick, R.N. ("Respondent").

3. The Findings of Fact of the ALJ are affirmed and adopted except as follows:

a. Paragraph 9 of the ALJ's Findings of Fact is hereby amended to read as follows:

Respondent was licensed to practice as a professional nurse in the State of Colorado on July 2, 2002, being issued license number 160262, and has been so licensed at all relevant times hereto.

4. The Conclusions of Law of the ALJ are affirmed and adopted except as follows:

a. Paragraph 2 of the ALJ's Conclusions of Law is hereby amended to read
as follows:

The Board has jurisdiction over Respondent and over her license to practice as a professional nurse.

b. Paragraph 6 of the ALJ's Conclusions of Law is hereby amended to read
as follows:

The Respondent is subject to discipline pursuant to Section 12-38-117(1)(l), C.R.S., in that Respondent has engaged in conduct which constitutes a crime as defined in title 18, C.R.S., and which conduct relates to her employment as a professional nurse.

5. The Initial Decision of the ALJ is affirmed and adopted except as follows:

a. The first paragraph of the section labeled "Initial Decision" on page 4 refers to Respondent as a practical nurse in three different sentences. Respondent is a professional nurse. The reference to "practical nurse" is replaced with "professional nurse." The sentences amended read as follows:

The Board seeks revocation of Respondent's license to practice as a professional nurse...

There is no information before the Administrative Law Judge indicating that some sanction other than revocation of Respondent's license to practice as a professional nurse is appropriate in this case...

It is therefore the Initial Decision of the Administrative Law Judge that Respondent's license to practice as a professional nurse is revoked.

6. The ALJ's recommended sanction of revocation of Respondent's professional nursing license is adopted.

THEREFORE, IT IS ORDERED that the professional nursing license of Sherrie Michelle Reddick, R.N., is revoked.

Dated this 18th day of February 2010.

BY THE STATE BOARD OF NURSING:

Mark Merrill
Mark Merrill
Program Director

This decision becomes final upon mailing. Any party adversely affected or aggrieved by any agency action may commence an action for judicial review before the Court of Appeals **within forty-five (45) days** after such action becomes final.

BEFORE THE STATE BOARD OF NURSING

STATE OF COLORADO

Case Nos. 2009-003454 and 2010-000396

PETITIONER'S EXCEPTIONS TO THE INITIAL DECISION

IN THE MATTER OF DISCIPLINARY PROCEEDINGS REGARDING THE LICENSE TO PRACTICE PROFESSIONAL NURSING IN THE STATE OF COLORADO OF SHERRIE MICHELLE REDDICK, RN, LICENSE NO. 160262,

Respondent.

The State Board of Nursing ("Petitioner" or "Board"), by the Colorado Attorney General, hereby files these Exceptions to the Initial Decision of the Administrative Law Judge ("ALJ") ("Initial Decision"), pursuant to C.R.S. §§ 24-4-105(14)(a)(II), as follows:

1. The Initial Decision erroneously refers to Respondent as a practical nurse or L.P.N. The evidence substantially indicates that Respondent is a professional nurse or R.N.
2. The caption at the beginning of the Initial Decision lists the Respondent as "Sherrie Michelle Reddick, L.P.N., License No. 160262." Respondent is a R.N. Therefore, Petitioner requests that the Panel correct Respondent's designation to read "R.N." in the caption.
3. The introductory paragraph of the Initial Decision also refers to "Sherry Michelle Reddick, L.P.N." Respondent is an R.N. Therefore, Petitioner requests that the Panel correct Respondent's designation to read "R.N." in the introductory paragraph.
4. Paragraph 9 of the Findings of Fact states that Respondent is a practical nurse. Respondent is a professional nurse. Therefore, Petitioner requests that the Panel strike the reference to "practical nurse" and replace it with "professional nurse."

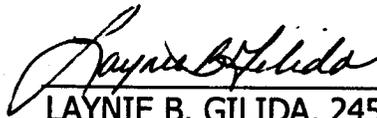
5. Paragraphs 2 and 6 of the Conclusions of Law also state that Respondent is a practical nurse. Respondent is a professional nurse. Therefore, Petitioner requests that the Panel strike the reference to "practical nurse" and replace it with "professional nurse."

6. The Initial Decision paragraph on page 4 refers to Respondent as a practical nurse in three different sentences. Respondent is a professional nurse. Therefore, Petitioner requests that the Panel strike the reference to "practical nurse" and replace it with "professional nurse."

WHEREFORE, Petitioner respectfully requests that the Panel adopt the Initial Decision in its entirety, with the above stated corrections, and sustain the ALJ's decision to revoke Respondent's license to practice as a professional nurse in the State of Colorado.

RESPECTFULLY SUBMITTED this 18th day of November, 2009

JOHN W. SUTHERS
Attorney General



LAYNIE B. GILIDA, 24568 *
Assistant Attorney General
Business and Licensing Section

Attorneys for the State Board of Nursing

1525 Sherman Street, 7th Floor
Denver, Colorado 80203
Telephone: (303) 866-3545
FAX: (303) 866-5395
*Counsel of Record

STATE OF COLORADO OFFICE OF ADMINISTRATIVE COURTS 633 17 th Street, Suite 1300, Denver, Colorado 80202	^ COURT USE ONLY ^ Case No. NB 2009-0061
STATE BOARD OF NURSING Petitioner, vs. SHERRIE MICHELLE REDDICK, L.P.N., License No. 160262, Respondent.	
INITIAL DECISION UPON DEFAULT	

This case is a disciplinary proceeding before the State Board of Nursing ("the Board") involving the nursing license of Sherry Michelle Reddick, L.P.N. ("Respondent"). The Board was represented by Laynie B. Gilida, Assistant Attorney General, Business and Licensing Section. Respondent did not appear in this proceeding. Based upon Respondent's failure to file a timely answer, an Entry of Default was issued on September 24, 2009. Respondent then had ten days to show good cause why the default should be set aside. Section 24-4-105(2)(b), C.R.S. No motion to set aside the default was filed, and this matter became ready for the issuance of an initial decision upon default on October 8, 2009.

FINDINGS OF FACT

1. The last address furnished by Respondent to the Board is as set forth in the Affidavit submitted as Exhibit 1 to the Board's Motion for Entry of Default.
2. Notice of the nature of this proceeding, the legal authority and jurisdiction under which it was held, and the matters of fact and law asserted were mailed to Respondent by first class mail to the address referenced above on August 4, 2009.
3. Respondent's answer to the Notice of Charges was due on or before September 3, 2009.
4. The Notice of Charges alerted Respondent that failure to respond to the Notice of Charges within 30 days could result in a default decision issued against Respondent's license to practice nursing in the State of Colorado.

5. To date, no written answer to the Notice of Charges has been filed by Respondent.
6. The Board's Motion for Entry of Default was mailed to Respondent by first class mail to the address referenced above on September 9, 2009.
7. The Administrative Law Judge's Entry of Default was mailed to Respondent by first class mail on September 24, 2009. Respondent did not file a motion to set aside the Entry of Default.
8. The Board possesses jurisdiction over Respondent and the subject matter of these proceedings as set forth in the Colorado Nurse Practice Act, Sections 12-38-101 to 202, C.R.S., and the Colorado Administrative Procedure Act, sections 24-4-101 to 108, C.R.S.
9. Respondent was licensed to practice as a practical nurse in the State of Colorado on July 2, 2002, being issued license number 160262, and has been so licensed at all relevant times hereto.
10. From approximately January 5, 2009 to March 6, 2009, Respondent was employed as a professional nurse in the Emergency Department of Denver Health Medical Center ("Denver Health") located in Denver, Colorado.
11. On February 27, 2009, at approximately 7:23 p.m. while working at Denver Health, Respondent removed one morphine 10 mg syringe for a patient for which no morphine was ordered or charted.
12. On February 27, 2009, at approximately 8:26 p.m. while working at Denver Health, Respondent removed one morphine 10 mg syringe for a second patient for which no morphine was ordered or charted.
13. Respondent diverted morphine from Denver Health for her own personal use.
14. Morphine is a Schedule II controlled substance as defined in Sections 12-22-303 and 18-18-204, C.R.S.
15. On February 27, 2009, Respondent submitted to a urine drug screen that tested positive for opiates.
16. On March 6, 2009, Respondent's employment with Denver Health was terminated.
17. On April 7, 2009, Respondent was charged in Denver County District Court, case number 09CR2575, with one count of Obtaining a Controlled Substance by Fraud/Deceit, a class 5 felony.

18. On May 29, 2009, Respondent voluntarily entered the Board's Nursing Peer Health Assistance Program/Nurse Alternative to Discipline Program, provided by and known as, Peer Assistance Services ("PAS").

19. Respondent signed a Rehabilitation Contract with PAS on May 29, 2009.

20. On June 25, 2009, Respondent entered, and the court accepted, a plea of guilty to one count of Possession of a Schedule V Controlled Substance, in violation of Sections 18-18-405(1) and (2)(a)(IV)(A), C.R.S., a class 1 misdemeanor. Respondent was sentenced to two years drug court probation.

21. On July 24, 2009, PAS referred Respondent back to the Board for non-compliance with the terms of her rehabilitation contract. Respondent failed to submit a monthly meeting list for June and July 2009, Respondent failed to submit therapist monthly reports for June and July 2009, and Respondent missed urine drug screen testing on July 1, 2009, July 6, 2009, and July 16, 2009.

22. PAS cannot assure Respondent's ability to practice nursing with reasonable skill and safety to her patients without monitoring.

23. On July 31, 2009, Respondent's license to practice as a professional nurse was summarily suspended by Board order.

CONCLUSIONS OF LAW

1. Respondent has received timely notice of the time, place, and nature of this hearing; of all matters of fact and law asserted; and of all matters required by Section 24-4-105(2)(a), C.R.S., in the manner required by that section.

2. The Board has jurisdiction over Respondent and over her license to practice as a practical nurse.

3. The Respondent is subject to discipline pursuant to Section 12-38-117(1)(f), C.R.S., in that Respondent has negligently or willfully practiced nursing in a manner which fails to meet generally accepted standards for such nursing practice.

4. The Respondent is subject to discipline pursuant to Section 12-38-117(1)(h), C.R.S., in that Respondent has falsified or in a negligent manner made incorrect entries or failed to make essential entries on patient records.

5. The Respondent is subject to discipline pursuant to Section 12-38-117(1)(i), C.R.S., in that Respondent is addicted to or dependent on alcohol or habit-forming drugs, is a habitual user of controlled substances, as defined in Section 12-22-303(7), or other drugs having similar effects, or is diverting

controlled substances, as defined in Section 12-22-303(7), or other drugs having similar effects from the licensee's place of employment.

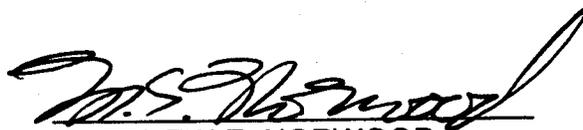
6. The Respondent is subject to discipline pursuant to Section 12-38-117(1)(I), C.R.S., in that Respondent has engaged in conduct which constitutes a crime as defined in title 18, C.R.S., and which conduct relates to her employment as a practical nurse.

INITIAL DECISION

When the Board has proven that a licensee has violated the Nurse Practice Act, Sections 12-38-101 to 201, C.R.S., it may impose discipline in the form of a suspension or revocation of the license, or it may issue a letter of admonition. Section 12-38-116.5, C.R.S. The Board seeks revocation of Respondent's license to practice as a practical nurse. Respondent did not appear in this matter to present any mitigating factors. There is no information before the Administrative Law Judge indicating that some sanction other than revocation of Respondent's license to practice as a practical nurse is appropriate in this case. Respondent's failure to appear demonstrates a lack of interest in maintaining her Colorado licensure. It is therefore the Initial Decision of the Administrative Law Judge that Respondent's license to practice as a practical nurse is revoked.

The hearing scheduled in this matter for November 24 and 25, 2009 is vacated.

DONE AND SIGNED this 2nd day of October, 2009.


MATTHEW E. NORWOOD
Administrative Law Judge