



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

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Vocational Nurse           §     AGREED  
License Number 167314                       §  
issued to SHANNON KAY TRUSTY           §     ORDER

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Vocational Nurse License Number 167314, issued to SHANNON KAY TRUSTY, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c) of the Texas Occupations Code.

Respondent waived informal proceedings, notice and hearing, and agreed to the entry of this Order.

The Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was provided to Respondent and Respondent was given an opportunity to show compliance with all requirements of the law for retention of the license.
2. Respondent waived informal proceedings, notice and hearing, and agreed to the entry of this Order.
3. Respondent holds a license to practice vocational nursing in the State of Texas which is in delinquent status since October 2008, based on Respondent's failure to renew her Texas License to practice vocational nursing at that time. Respondent did not renew her Texas license to practice vocational nursing at that time because previously she had moved out-of-state and was no longer practicing nursing in Texas or any other state.
4. Respondent received a Certificate in Vocational Nursing from The University of J. Everett Light, School of Nursing, Indianapolis, Indiana, on May 23, 1997. Respondent was licensed to practice vocational nursing in the State of Texas on April 22, 1998.
5. Respondent's vocational nursing employment history includes:

1997 - 1999	Sales/Marketing	Park Manor Nursing & Rehabilitation DeSoto, Texas
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Respondent's vocational nursing employment history continued:

05/99 - 06/00	Director of Marketing and Admissions	The Lennwood Nursing & Rehabilitation, Dallas, Texas
06/00 - 03/05	Marketing/Community Education	Texas Senior Care Dallas, Texas
03/05 - 09/06	Marketing/Hospice Sales Representative	Family First Hospice Ennis, Texas
10/06 - unknown	Director of Community Education/Marketing	Hospice Plus Dallas, Texas
2007 - Present	Unknown	

6. At the time of the initial incident, Respondent was employed as a Hospice Sales Representative with Family First Hospice, Ennis, Texas, and had been in this position for approximately seven (7) months.
7. On or about September 21, 2006, through September 25, 2006, while employed with Family First Hospice, Ennis, Texas, Respondent misappropriated marketing materials by accessing and copying them from the company's co-marketing laptop for her personal use without the company's authorization and/or consent. Respondent's conduct was likely to defraud Family First Hospice of the cost of creating the materials.
8. On or about November 1, 2006, through February 21, 2007, while employed with Hospice Plus, Dallas, Texas, Respondent presented in-service seminars to various facilities utilizing marketing materials obtained from Family First Hospice, Inc., Ennis, Texas, Respondent's previous employer, without the company and author(s)' permission and/or knowledge, and without giving appropriate credit to the author(s). Respondent's conduct was likely to defraud Family First Hospice and the public regarding the ownership and authorship of the intellectual materials used by Respondent without authorization during the seminars.
9. On or about November 1, 2006, through February 21, 2007, while employed with Hospice Plus, Dallas, Texas, Respondent issued Continuing Education Units (CEUs) to nurses and Licensed Social Workers utilizing the name and expired provider number of Family First Hospice, Ennis, Texas, when she was not authorized to do so. Respondent's conduct was likely to deceive and defraud the public into believing that they were being provided valid CEUs.
10. In response to Findings of Fact Number Seven (7) through Nine (9), Respondent states that she made three presentations for Type II CE entitled the "The Hospice Walk". The presentations were held at Medical Center of Lancaster on November 15, 2006, December 20, 2006 and February 21, 2007. She also made a number of fifteen minute oral

presentations to nursing home facilities on various matters, but no materials were used. She created the power point presentations which she made with her knowledge that she acquired over the years from in-services she had attended. Regarding allegation number three (3), Respondent states that "the only time that I have given a provider number to any entity for any presentations that I have made since my departure from FFH was in connection with a presentation that I made to Methodist Medical Center of Dallas in March 2007. . . MCC requested that I give it a provider number in the event that I provided any Type I CE . . In response to that request, I gave MMC our Hospice Plus provider number. . ." In addition, Respondent states that because she had previously decided to no longer practice nursing, she advised the Texas Board of Nursing the most economical and feasible solution for all involved would be for her to voluntarily surrender her license to practice nursing in the State of Texas.

11. Respondent, by her signature to this Order, expresses her desire to voluntarily surrender her license to practice nursing in the State of Texas.

#### 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), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(6)(G)&(6)(H).
4. The evidence received is sufficient cause pursuant to Section 301.453(a), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 167314, heretofore issued to SHANNON KAY TRUSTY, including revocation of Respondent's license to practice nursing in the State of Texas.
5. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
6. Under Section 301.453(d), Texas Occupations Code, as amended, the Board may impose conditions for reinstatement of licensure.
7. Any subsequent reinstatement of this license will be controlled by Section 301.453(d), Texas Occupations Code, and 22 TEX. ADMIN. CODE §213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

ORDER

NOW, THEREFORE, IT IS AGREED and ORDERED that the VOLUNTARY SURRENDER of Vocational Nurse License Number 167314, heretofore issued to SHANNON KAY TRUSTY, to practice nursing in the State of Texas, is accepted by the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL NOT practice vocational nursing, use the title "vocational nurse" or the abbreviation "LVN" or wear any insignia identifying herself as a vocational nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a vocational nurse during the period in which the license is surrendered.
2. RESPONDENT SHALL NOT petition for reinstatement of licensure in the State of Texas until: one (1) year has elapsed from the date of this Order.
3. Upon petitioning for reinstatement in the State of Texas, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's multistate privilege, if any, to practice nursing in compact states.

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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 becomes final when accepted by the Executive Director at which time the terms of this Order become effective and a copy will be mailed to me.

Signed this 7 day of June, 20 10.

Shannon Kay Trusty  
SHANNON KAY TRUSTY, Respondent

Sworn to and subscribed before me this 7<sup>th</sup> day of June, 20 10.

SEAL



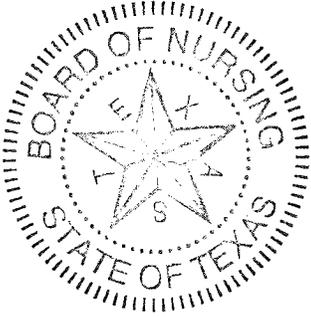
[Signature]  
Notary Public in and for the State of Arkansas

Approved as to form and substance.

\_\_\_\_\_  
Russell G. Thornton, Attorney for Respondent

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

WHEREFORE, PREMISES CONSIDERED, the Executive Director on behalf of the Texas Board of Nursing does hereby accept the voluntary surrender of Vocational Nurse License Number 167314, previously issued to SHANNON KAY TRUSTY.



Effective this 16<sup>th</sup> day of June, 2010.

*Katherine A. Thomas*

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