BOARD OF NURSING TEXAS
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.
Executive Director of the Board

BOARD OF VOCATIONAL NURSE EXAMINERS	*	STATE OF TEXAS
	*	
VS.	*	
	*	
SHEILA YVETTE ROBINSON, AKA SHEILA YVETTE CARMICHAEL	*	COUNTY OF TRAVIS

AGREED BOARD ORDER

On this day came to be considered by the Board of Vocational Nurse Exami for the State of Texas, hereinafter referred to as the Board, the matter of vocational nurse license number 113773, held by SHEILA YVETTE ROBINSON, AKA SHEILA YVETTE CARMICHAEL, hereinafter called Respondent.

A sworn Complaint dated September 20, 1993 has been filed and served on the Respondent, which alleges violations of the Vocational Nurse Act, Texas Revised Civil Statutes Annotated, Article 4528c, and grounds to take disciplinary action against Respondent.

A prehearing conference was held on October 18, 1993, at the office of the Board of Vocational Nurse Examiners. The conference was conducted by Marjorie A. Bronk, R.N., Executive Director of the Board, assisted by Rojelio Cuevas, member of the Board of Vocational Nurse Examiners. Respondent was present and was not represented by counsel.

The conference was attended by Kathleen S. Davies, Investigator for the Board, and Debbie Leach, Assistant Attorney General. By her notarized signature on this Order, Respondent does hereby waive the right to Notice of Formal Hearing and a Formal Hearing of the Complaint before the Board, and to judicial review of this disciplinary action after this Order is endorsed by the Board.

After reviewing the Complaint and information provided at the prehearing conference, Respondent agrees to the entry of an Order dispensing with the need for further proceedings on the Complaint. By Respondent's signature on this Order, Respondent neither admits nor denies the truth of the allegations stated in the Complaint. By Respondent's signature on this Order, Respondent acknowledges that she has read and understood this Order and has approved it for consideration by the Board. Notice of this disciplinary action will appear in the Board's newsletter sent to Texas employers.

ORDER OF THE BOARD

THEREFORE, PREMISES CONSIDERED, The Board of Vocational Nurse Examiners does hereby order that license number 113773, heretofore issued to SHEILA YVETTE ROBINSON, AKA SHEILA YVETTE CARMICHAEL be suspended, with said suspension stayed and placed on probation for a period of one (1) year.

The probation of said license is subject to the following stipulations, to wit:

1. That by copy of this Board Order, Respondent shall provide notice of Board disciplinary action to her nursing employer(s) throughout the term of probation.

2. That Respondent shall cause her nursing employer(s) to submit satisfactory reports to the Board office on a quarterly basis throughout the term of probation.

3. That Respondent shall not be employed by a nurse registry/temporary nurse agency or as a private duty nurse throughout the term of probation.

4. That Respondent shall not work in an autonomous nursing position throughout the term of probation.

5. That Respondent shall not work in the position of charge nurse throughout the term of probation.

6. That Respondent shall not be the only licensed person in the facility.

7. That Respondent shall obtain counseling and cause her counselor, (Dr. Du Bois) to submit satisfactory reports to the Board office on a monthly basis for the first six (6) months, and thereafter, quarterly throughout the term of probation. The expense of said counseling shall be borne by Respondent.

8. That Respondent shall enroll in or audit and successfully complete nursing program course(s) encompassing the following areas of study: Legal Aspects of Nursing; to include: Charting, & Patient Confidentiality, and submit documentation of successful course completion to the Board office within the first six (6) months of probation. Respondent shall be responsible for locating said course(s) and obtaining approval of Board staff prior to enrollment or audit. Said course(s) shall be in-house at a community college, university or nursing program, or tutored by a state approved, licensed nursing program faculty member. The expense said course(s) shall be borne by Respondent.

9. That any period(s) of unemployment must be documented in writing by Respondent and submitted to the Board office on a quarterly basis, throughout the term of probation.

10. That if Respondent's place of employment, name, address, or telephone number changes, Respondent is to notify the Board office immediately, or no later than ten (10) days after said change has occurred. Said notification shall be in the form of a written letter or report.

11. It is also ordered that SHEILA YVETTE ROBINSON, AKA SHEILA YVETTE CARMICHAEL shall comply with all the provisions of Article 4528c, Revised Civil Statutes of Texas.

This Agreed Order shall not be effective or take effect and become enforceable in accordance with its terms until endorsed by a majority of the Board present and voting, at its next regularly called session.

Dated this the 18 day of October, 1993

Sheila Robinson
Signature of Respondent

1704 Peabody
Current Address

Corpus Christi Texas 78407
City, State and Zip

512, 852-1877
Area Code and Telephone Number

113773

The State of Texas
County of Travis

Before me, the undersigned authority, on this day personally appeared SHEILA YVETTE ROBINSON, AKA SHEILA YVETTE CARMICHAEL who being duly sworn by me stated that he or she executed the above for the purpose therein contained, and that he or she understood same.

SWORN TO AND SUBSCRIBED before me this the 18th day of October, 1993.

Kathleen S. Davies
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS
My Commission Expires 5-22-93

Marjorie A. Bronk
Marjorie A. Bronk, R.N.
Agent for the Board of
Vocational Nurse Examiners

LINDA RAE KENT
NOTARY PUBLIC
STATE OF TEXAS
EXPIRES
10-24-97

SWORN TO AND SUBSCRIBED before me, the undersigned authority, on this the 21st day of October, 1993.

Linda Rae Kent
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

ENDORSEMENT OF THE BOARD
To The Agreed Board Order
in the matter of Vocational Nurse
License No. 113773
Issued to Shelia Yvette Robinson, aka Shelia Yvette CarMichael

At its regularly called session, 7th day of December, 1993, came on to be considered the indicated Agreed Board Order pertaining to SHELIA YVETTE ROBINSON, AKA SHELIA YVETTE CARMICHAEL. The Board having reviewed the contents of said Order, the Order should be, and is hereby, endorsed as an Order of the Board and made an official act of the Board of Vocational Nurse Examiners for the State of Texas.

Said Order is rendered this the 7th day of December, 1993.

Carrie M. Dunkin
Doris A. Parker
Opal M. Robinson LVN
Charlotte J. Seyfarden
Melba Lee Hasly Lvn
Dick T. Lenhard
Sandra U. Knight LVN
Virginia M. Bauman
Phyllis Evans

CERTIFICATE OF SERVICE

I hereby certify that on the 10th day of December, 1993, a true and correct copy of the foregoing Order was served by placement in the U.S. Mail, first class, and addressed to the following person(s):

SHELIA YVETTE ROBINSON
1704 PEABODY
CORPUS CHRISTI, TX 78407

Marjorie A Bronk, RN

Marjorie Bronk, R.N.
Executive Director
Agent for the Board of Vocational Nurse Examiners

BOARD OF VOCATIONAL NURSE EXAMINERS	*	STATE OF TEXAS
	*	
VS.	*	
	*	
SHELIA YVETTE ROBINSON, AKA SHELIA YVETTE CARMICHAEL	*	COUNTY OF TRAVIS

COMPLAINT

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Kathleen S. Davies, who after being by me duly sworn, did depose and say:

As an Investigator for the Board of Vocational Nurse Examiners, I, Kathleen S. Davies, do hereby present to the Executive Director of the Board of Vocational Nurse Examiners, the following complaint against SHELIA YVETTE ROBINSON, AKA SHELIA YVETTE CARMICHAEL, a practitioner of vocational nursing in Texas licensed by the Board of Vocational Nurse Examiners with license number 113773, hereinafter called Respondent.

I.

a. On or about January 21, 1993, the Board of Vocational Nurse Examiners received a written referral from the Texas Peer Assistance Program for Nurses (TPAPN) alleging that Respondent had a relapse on or about January 17, 1993. the Texas Peer Assistance Program for Nurses requested that they be allowed to continue to monitor Respondent.

b. On or about February 3, 1993, the Board of Vocational Nurse Examiners granted the Texas Peer Assistance Program for Nurses (TPAPN) permission to continue to monitor Respondent.

113773

c. On or about April 22, 1993, the Board of Vocational Nurse Examiners received a written referral from the Texas Peer Assistance Program for Nurses (TPAPN) alleging that Respondent had become non-compliant with her TPAPN Agreement.

d. Respondent was employed as a Licensed Vocational Nurse at Spohn Hospital, in Corpus Christi, Texas, from about September 16, 1985 through about January 21, 1993.

e. That while so employed at said facility on or about January 18, 1993, Respondent was found to have in her possession, in her assigned hospital locker, unauthorized controlled substances, to wit: (5) Vials of Nubain, (1) Syringe of Ativan, (1) Vial of Promethazine, and (1) Vial Hydroxyzine. Respondent's conduct violated said Hospital's policy, which prohibits the storage of unauthorized controlled substances in an assigned hospital locker.

f. Respondent on or about said date acknowledged to her nursing supervisors that she had taken said medications for her personal use. Said personal use, was for the purpose of committing suicide.

II.

The foregoing acts constitute unprofessional or dishonorable conduct that, in the opinion of the Board, is likely to deceive, defraud, or injure the public, in violation of Article 4528c, Section Section 10 (a) (9), Revised Civil Statutes of Texas and Rule 239.11 of the Rules and Regulations of the Board of Vocational Nurse Examiners, Title 22, Texas Administrative Code. Rule 239.11 (a), provides in pertinent part: that "Unprofessional Conduct" shall include, but not be limited to:

> (1) misappropriating supplies, equipment, or medications or personal items of the patient/client, employer, or any other person or entity.
>
> (6) obtaining or attempting to obtain or deliver medication(s) through means of misrepresentation, fraud, forgery, deception, and/or subterfuge.
>
> (27) failing to conform to the minimal standards of acceptable prevailing practice.

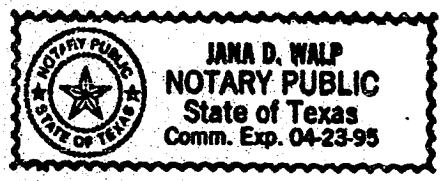
III.

The foregoing acts constitute grounds for the Board of Vocational Nurse Examiners to take disciplinary action as provided under Article 4528c, Revised Civil Statutes of Texas, 1951, as amended.

WHEREFORE, PREMISES CONSIDERED, I, Kathleen S. Davies, do hereby suggest and request the Board of Vocational Nurse Examiners take disciplinary action against SHELIA YVETTE ROBINSON, AKA SHELIA YVETTE CARMICHAEL, LVN #113773, in accordance with the provisions of the laws of the State of Texas.

Kathleen S. Davies
AFFIANT

SUBSCRIBED AND SWORN TO BEFORE ME by the said Kathleen S. Davies, on this the 20th day of September, 1993.



Jana D. Walp
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

Filed with the Board of Vocational Nurse Examiners on the 20th day of September, 1993.

Marjorie A. Bronk
Marjorie A. Bronk, R.N.
Executive Director
Board of Vocational Nurse Examiners

PREHEARING CONFERENCE

At any time after the filing of a sworn Complaint, the Executive Director, unilaterally or at the request of the staff or Respondent/Applicant, may request that the parties, their attorneys or representatives appear before the Executive Director at a specified time and place for a conference to be conducted prior to the contested case hearing for the purpose of:

(A) simplifying the issues;
(B) considering proposed admissions or stipulations of fact;
(C) reviewing the procedure to govern the contested case hearing;
(D) exchanging witness lists and agreeing to limit the number of witnesses, and/or;
(E) doing any act that may simplify the proceedings, and dispose of matters in controversy, including settlement of issues in dispute and preparation of an Agreed Order for presentation to the Board, provided herein.

A member of the Board may be present to participate in the prehearing conference and preparation of any Agreed Order. Any member of the Board who so participates in a prehearing conference shall thereafter be excused from proceedings on the Complaint whether disposed of by Agreed Order, or in a contested case proceeding.

Participation in a prehearing conference shall not be mandatory for either party, and statements made by a Respondent/Applicant at any prehearing conference shall not be offered as evidence at any subsequent contested case hearing on the Complaint.