



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.
Katherine A. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Vocational Nurse	§	AGREED
License Number 134902	§	
issued to TERRY LYNN CHEEK	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of TERRY LYNN CHEEK, Vocational Nurse License Number 134902, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated TEX. REV. CIV. STAT. ART. 4528c Sec. 10(a)(9)(effective 9-1-1995); Section 302.402(b)(10), Texas Occupations Code(effective 9-1-2001). Respondent waived informal proceedings, notice and hearing, and agreed to the entry of this Order offered on April 13, 2012, by Katherine A. Thomas, MN, RN, FAAN, 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(s).
2. Respondent waived informal proceedings, 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 Galveston Community College, Galveston, Texas, on August 30, 1991. Respondent was licensed to practice vocational nursing in the State of Texas on December 3, 1991.
5. Respondent's nursing employment history is unknown.

6. On or about April 27, 1996, Respondent was arrested by the Galveston Police Department, Galveston, Texas, for THEFT PROP>=\$50<\$500 (a Class B misdemeanor offense).

On or about July 23, 1996, Respondent pled No Contest and was convicted of DISORDERLY CONDUCT, a misdemeanor offense committed on April 27, 1996, in the County Court No. 2 of Galveston County, Texas, under Cause No. 031613120101. As a result of the conviction, Respondent was ordered to pay a fine and court costs.

7. In response to Finding of Fact Number Six (6), Respondent states: She pled Nolo Contendere without the advice and benefit of counsel and did so only out of sense of desperation. It was noteworthy the conviction in 1996 was relatively minor in that was for disorderly conduct, respectively.

8. On or about April 2, 1997, Respondent was arrested by the Galveston Police Department, Galveston, Texas, for RESIST ARREST SEARCH OR TRANSP, a Class A misdemeanor offense.

On or about April 10, 1997, Respondent pled Nolo Contendere and was convicted of RESIST ARREST SEARCH OR TRANSPORTATION, a Class A misdemeanor offense committed on April 3, 1997, in the County Court No. 2 of Galveston County, Texas, under Cause No. 031678920101. As a result of the conviction, Respondent was sentenced to confinement in the Galveston County Jail for a period of fifteen (15) days, and ordered to pay court costs.

9. In response to Finding of Fact Number Eight (8). Respondent states: She pled Nolo Contendere without the advice and benefit of counsel and did so only out of sense of desperation. It was noteworthy the conviction in 1997 was relatively minor in that was for resisting arrest, respectively.

10. On or about August 15, 2002, Respondent was arrested by the Houma Police Department, Houma, Louisiana, for DISTURBING THE PEACE COUNTS 2.

On or about September 17, 2002, Respondent pled No Contest to DISTURBING THE PEACE BY INTOXICATION, and DISTURBING THE PEACE BY REFUSING TO LEAVE, a misdemeanor offense committed on August 15, 2002, in the City Court of Houma County, under Cause No. 02-5626. As a result of the plea, Respondent was sentenced to serve jail time served.

11. In response to Finding of Fact Number Ten (10), Respondent states: Respondent did have an instance in Houma, LA, that involved some form of disturbing the peace. Her plea of Nolo Contendere was again made without the benefit and advise of counsel.

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 violation of TEX. REV. CIV. STAT. ART. 4528c Sec. 10(a)(9)(effective 9-1-1995); Section 302.402(b)(10), Texas Occupations Code(effective 9-1-2001); 22 TEX. ADMIN. CODE §239.11(29)(effective 9-1-1993); 22 TEX. ADMIN. CODE §239.11(29)(effective 9-1-1993); 22 TEX. ADMIN. CODE §239.11(29)(effective 9-1-1993)
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 134902, heretofore issued to TERRY LYNN CHEEK, including revocation of Respondent's license(s) to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL receive the sanction of REMEDIAL EDUCATION, and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, 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, while under the terms of this Order, this Order SHALL apply to any and all future licenses issued to Respondent to practice nursing in the State of Texas.

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

IT IS FURTHER AGREED and ORDERED that while Respondent's license(s) is/are encumbered by this Order, Respondent may not work outside the State of Texas pursuant to a nurse

licensure compact privilege without the written permission of the State of Texas 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 Texas nursing jurisprudence and ethics. RESPONDENT SHALL obtain Board approval of the course prior to enrollment only if the course is not being offered by a pre-approved provider. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include nurses. It shall be a minimum of six (6) hours in length. The course's content shall include the Nursing Practice Act, standards of practice, documentation of care, principles of nursing ethics, confidentiality, professional boundaries, and the Board's Disciplinary Sanction Policies regarding: Sexual Misconduct; Fraud, Theft and Deception; Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder; and Lying and Falsification. Courses focusing on malpractice issues will not be accepted. RESPONDENT SHALL CAUSE the sponsoring institution 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.texas.gov/disciplinaryaction/stipscourses.html>.

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

RESPONDENT'S CERTIFICATION

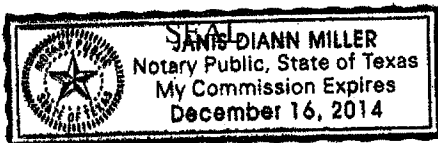
I understand that I have the right to legal counsel prior to signing this Agreed Order.

I have reviewed this Order. I neither admit nor deny the violation 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 when this Order becomes final and the terms of this Order become effective, 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(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 17th day of July, 2011.

Terry Lynn Cheek
TERRY LYNN CHEEK, Respondent

Sworn to and subscribed before me this 17th day of July, 2011.



Janis Diann Miller
Notary Public in and for the State of Texas

Approved as to form and substance.

Eric Masson TX BAR 240606699
ERIC MASSON, Attorney for Respondent

Signed this 19th day of July, 2012.

WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby ratify and adopt the Agreed Order that was signed on the 17th day of July, 20 12, by TERRY LYNN CHEEK, Vocational Nurse License Number 134902, and said Order is final.



Effective this 26th day of July, 20 12.

A handwritten signature in cursive script, appearing to read "Katherine A. Thomas".

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