

IN THE MATTER OF
PERMANENT CERTIFICATE
NUMBER 709208
ISSUED TO
SHERRY RENAE PEOPLES

§
§
§
§
§
§
§
§

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 R. Thomas
Executive Director of the Board

ORDER OF THE BOARD

TO: Sherry Renae Peoples
21919 Gosling Cedar Pl.
Spring, Texas 77388

During open meeting held in Austin, Texas, on May 13, 2008, the Eligibility and Disciplinary Committee (hereinafter "Committee") heard the above-styled case. This case was heard, and 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 § 213.2(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.

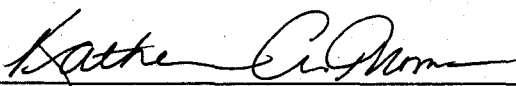
NOW, THEREFORE, IT IS ORDERED that Permanent Certificate Number 709208, previously issued to SHERRY RENAE PEOPLES, to practice professional nursing in the State of Texas be, and the same is hereby, REVOKED.

IT IS FURTHER ORDERED that Permanent Certificate Number 709208, previously issued to SHERRY RENAE PEOPLES, upon receipt of this Order, be immediately delivered to the office of the Texas Board of Nursing.

IT IS FURTHER ORDERED that this Order SHALL be applicable to Respondent's multi-state privilege, if any, to practice professional nursing in the State of Texas.

Entered this 13th day of May, 2008.

TEXAS BOARD OF NURSING


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

Re: Permanent Certificate Number 709208
Issued to Sherry Renae Peoples
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 16th day of May, 2008, 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):

Sherry Renae Peoples
21919 Gosling Cedar Pl.
Spring, Texas 77388

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

In the Matter of Permanent License § BEFORE THE TEXAS
Number 709208, Issued to §
SHERRY RENAE PEOPLES, Respondent § BOARD OF NURSING

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, SHERRY RENAE PEOPLES, is a Registered Nurse holding license number 709208, which is in Current 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 November 6, 2006, Respondent entered a plea of "Guilty" to "Forging/Altering a Prescription,"(a Class B Misdemeanor offense committed on September 3, 2006), in the County Criminal Court at Law #6 of Harris County, Texas, under Cause Number 1400720. As a result, the proceedings against Respondent were deferred without entering an adjudication of guilt, and Respondent was placed on community supervision for a period of one (1) year. Additionally, Respondent was ordered to pay a fine and court costs, and required to perform twenty-four (24) hours of community service.

On or about September 7, 2007, 1st Amended Conditions of Community Supervision were entered in the County Criminal Court at Law #6 of Harris County, Texas, under Cause Number 1400720. As a result, the Court ordered Respondent's community supervision extended until September 5, 2008.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(3)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(10)(E),(11)(B)&(13).

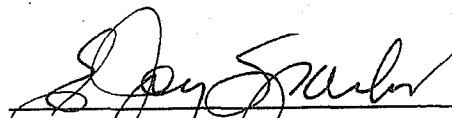
NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of revocation of Respondent's license to practice nursing in the State of Texas pursuant to the Board's rules, 22 TEX. ADMIN. CODE §§ 213.27 - 213.33. Additionally, staff will seek to impose on Respondent the administrative costs of the proceeding pursuant to § 301.461, TEX. OCC. CODE ANN. 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 to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Sanction Policies for Nurses with Chemical Dependency, Lying and Falsification and Fraud, Theft & Deception which can be found at the Board's website, www.bon.state.tx.us.

Filed this 27th day of February, 2008.

TEXAS BOARD OF NURSING



James W. Johnston, General Counsel
Board Certified - Administrative Law
Texas Board of Legal Specialization
State Bar No. 10838300

Victoria Cox, Assistant General Counsel
State Bar No. 00789585

E. Joy Sparks, Assistant General Counsel
State Bar No. 18874600

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

DISPOSITION FORM

Date Assigned: 06/30/2009

Log #: 0906R048

Investigator Assigned: 007

Name of RN: SHERRY RENAE PEOPLES

License #: 709208

Date Referred to TPAPN: _____

Date Referred to Other Agency: _____

CHECK IF APPLICABLE AND INCLUDE DATES FOR ALL MARKED RESPONSES

Informal date: 10/13/2009

Recommendations: Deny

Charges Filed date: _____ Charges Dismissed: _____ Legal initials _____

ALJ Hearing date: _____

Voluntary Surrender effective date: _____ (date received in office)

DATE INVESTIGATION WAS COMPLETED 10/13/2009

DATE OF RATIFICATION BY KT/BOARD _____

FINAL DISPOSITION: Denied Reinstatement

DURATION _____

(Please complete only if applicable)

FINAL CLOSE DATE

Impostor - date referred to DA: _____

No Violation - date closed: _____

Admonishment Letter - date closed: _____

Insufficient Evidence - date closed: _____

No Action - date closed: _____

Other - date closed: _____ Reason for closure: _____

PRIOR DISCIPLINARY ACTION Revoked Date: 05/13/2008

FINAL VIOLATIONS:

Sec. 302.402
§239.11

Sec. 301.452(b)
§ 217.11
§ 217.12

Complaint Narrative: Denied Reinstatement due to lack of supportive documentation.

Date submitted to Supervisor: _____

Date Approved by Supervisor: _____

Posted on RN FILE: MB

Caselog: MB

NURSYS 10/23/09 CK

10/15/09

INFORMAL CONFERENCE - REINSTATEMENT

Diane E. Burell, Investigator
October 13, 2009 @ 8:30 am

Denial

needs eval. doctor letters support thro treatment drug screens

NAME OF RN: SHERRY RENAE PEOPLES

ATTORNEY:

LICENSE #: 709208

LOG #: 0906R048

Staff Present: KT, ~~MBT~~, ~~DJ~~, ~~KE~~, ~~SL~~, ~~JA~~, ~~RE~~, DB

Kyle
Kimberly Botello
Muni

EDUCATION: Petitioner received an Associate Degree in Nursing from Butler County Community Junior College, El Dorado, Kansas, on May 1, 2001. Petitioner was originally licensed to practice professional nursing in the State of Texas on August 23, 2004.

PRIOR DISCIPLINE: Revoked (Default) issued May 13, 2008. *Formal Charges* reflect Petitioner:

- ▶ On or about November 6, 2006, Respondent entered a plea of "Guilty" to "Forging/Altering a Prescription," (a Class B Misdemeanor offense committed on September 3, 2006), in the County Criminal Court at Law #6 of Harris County, Texas, under Cause Number 1400720. As a result, the proceedings against Respondent were deferred without entering an adjudication of guilt, and Respondent was placed on community supervision for a period of one (1) year. Additionally, Respondent was ordered to pay a fine and court costs, and required to perform twenty-four (24) hours of community service.

On or about September 7, 2007, 1st Amended Conditions of Community Supervision were entered in the County Criminal Court at Law #6 of Harris County, Texas, under Cause Number 1400720. As a result, the Court ordered Respondent's community supervision extended until September 5, 2008.

DATE OF SOBRIETY: September 3, 2006

PETITION FOR REINSTATEMENT:

On June 29, 2009, Petitioner submitted a *Petition for Reinstatement of License* which included the following documents:

1. Documentation of twenty (20) Type 1 contact hours.

Employment History:

1988 - 2004	RN/ADON	Westview Healthcare Derby, Kansas
2002 - 2004	RN	Nursefinders Wichita, Kansas
2004 - 2005	RN	MD Anderson Hospital Houston, Texas

Employment History continued:

2005 - 2007

RN

Credentia
Houston, Texas

2007 - 2008

RN

Regency Care
The Woodlands, Texas

Notes:

has not been employed since she
lost license.

1st prob. - had missed appts because
she had been ill. Was
given 10 more months

2nd prob. - because of seizures she
couldn't do community
service, but probation
officer didn't remember

spent time in jail (3 days)
+ ~~was~~ was told that if
she did 7-10 days, it would
be over, but she was
convicted.



Texas Board of Nursing

333 Guadalupe Street, Ste. 3-460, Austin, Texas 78701
Phone: (512) 305-7400 Fax: (512) 305-7401 www.bon.state.tx.us

Katherine A. Thomas, MN, RN
Executive Director

October 14, 2009

Sherry Renae Peoples
21919 Gosling
Cedar Spring, Texas 77388

Dear Ms. Peoples:

Upon review of the information introduced at the Informal Conference held on October 13, 2009, the decision was to deny your petition for reinstatement of your license to practice professional nursing in the State of Texas due to your lack of supportive documentation. You will not be allowed to petition for reinstatement until one (1) year from the date of your hearing. Should you decide to repetition at a later date, you should include the following information; evaluation, letters from physicians, letters of support, treatment and random drug screens.

The Texas Nursing Practice Act provides in pertinent part that the Board may refuse to issue a license, pursuant to Texas Occupations Code, Sections 301.452(b) and 301.467, and 22 TEX. ADMIN. CODE §§213.26 - 213.29.

If you do not agree with this decision, you have a right to request that this matter be set for a public hearing at the State Office of Administrative Hearings. If you want to have this matter heard at a public hearing, please send a written request for a hearing to our office. We will inform you of the date and time set for your hearing.

If you have any questions, please contact the Department of Enforcement at (512) 305-6838.

Sincerely,

Katherine A. Thomas, MSN, RN
Executive Director

KAT:deb

09/99-J5

Members of the Board

Linda Rounds, PhD, FNP, RN
Galveston, *President*

Deborah Bell, CLU, ChFC Ablene	Kristin Benton, MSN, RN Austin	Patricia Clapp, BA Dallas	Tamara Cowen, MN, RN Harlingen	Sheri Crosby, JD, SPHR Dallas	Marilyn Davis, BSN, RN, MPA Sugar Land
Blanca Rosa Garcia, PhD, RN Corpus Christi	Richard Gibbs, LVN Mesquite	Kathy Leader-Horn, LVN Granbury	Josefina Lujan, PhD, RN El Paso	Beverley Jean Nutall, LVN Bryan	Mary Jane Salgado, MEd Eagle Pass