

Respondent's professional nursing employment history (continued):

09/95-06/97	Operating Room RN	Parkland Memorial Hospital Dallas, Texas
06/97-07/98	Operating Room RN	Presbyterian Hospital of Dallas Dallas, Texas
07/98-01/00	Operating Room RN	Perioperative Nurses, Inc. & Skilled Medical & Affiliates, Inc Dallas, Texas
01/00-08/00	Operating Room RN	Parker Road Surgery Center Plano, Texas
03/02-11/02	Case Manager	Vista Care Hospice Denton, Texas
08/03-09/06	Operating Room/ Preoperative/ Stepdown RN	Baylor Medical Center at Frisco Frisco, Texas
09/06-03/07	Preoperative/ Stepdown RN	Centennial Surgery Center Frisco, Texas
06/07-09/08	Preoperative RN	Legacy Surgery Center Frisco, Texas
10/08 - Present	Unknown	

7. At the time of the initial incident, Respondent was employed as a Preoperative Registered Nurse with Legacy Surgery Center of Frisco, L.P., Frisco, Texas, and had been in this position for approximately one (1) year and two (2) months .
8. On or about August 29, 2008, while employed as a Registered Nurse with Legacy Surgery Center of Frisco, Frisco, Texas, Respondent signed Patient Medical Record Number 499's signature and the Physician's signature on the patient's Anesthesia Consent Form without their knowledge, consent, and/or authorization. Additionally, on or about September 4, 2008, Respondent admitted she had signed the patient's signature and the physician's signature on the form. Respondent's conduct was deceptive, resulted in an inaccurate medical record, and was likely to injure the patient in that subsequent care givers did not have accurate information on which to base their decisions for further care.

9. In response of Finding of Fact Number Eight (8), Respondent states: She is an alcoholic and voluntarily went to treatment at Summer Sky Rehabilitation in Stephenville, Texas, from September 8, 2008, until October 5, 2008. She self-reported herself to the Texas Peer Assistance Program for Nurses (TPAPN), during her first week at Summer Sky. She has been unable to make clear decisions or manage her life for the past year and she is ready to take the consequences for any of her actions in the past. She pleads "no contest" (to the information contained in Finding of Fact Number Eight (8) above), and states that she was "reentering the data." Respondent states that she was panicked and that her irrational thinking at that time was that since everything had been inputted and complete, it was okay to redo it.
10. The Respondent's conduct described in the preceding Finding of Fact was reportable under the provisions of Sections 301.401-301.419, Texas Occupations Code.
11. The Board finds that there exists serious risks to public health and safety as a result of impaired nursing care due to chemical dependency.
12. Respondent's conduct described in Finding of Fact Number Eight (8) was significantly influenced by Respondent's impairment by dependency on chemicals.
13. Respondent's compliance with the terms of a Board approved peer assistance program should be sufficient to protect patients and the public.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.455, 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 Section 301.452(b)(10)&(13), Texas Occupations Code, 22 TEX. ADMIN. CODE §217.11(1)(B), and 22 TEX. ADMIN. CODE §217.12(1)(C)&(6)(A)&(H).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 613806, heretofore issued to SHERRILL LYNN DUNN, including revocation of Respondent's license to practice nursing in the State of Texas.
5. The Board may, in its discretion, order a nurse to participate in a peer assistance program approved by the Board if the nurse would otherwise have been eligible for referral to peer

assistance pursuant to Section 301.410, Texas Occupations Code.

ORDER

IT IS THEREFORE AGREED and ORDERED that RESPONDENT, in lieu of the sanction of Revocation under Section 301.453, Texas Occupations Code, SHALL comply with the following conditions for such a time as is required for RESPONDENT to successfully complete the Texas Peer Assistance Program for Nurses (TPAPN):

RESPONDENT SHALL deliver the wallet-sized license issued to SHERRILL LYNN DUNN, to the office of the Texas Board of Nursing within ten (10) days from the date of ratification of this Order.

(1) RESPONDENT SHALL, within forty-five (45) days following the date of entry of this final Order, apply to TPAPN and SHALL, within ninety (90) days following the date of entry of this final Order, sign and execute the TPAPN participation agreement, which SHALL include payment of a non-refundable participation fee in the amount of five hundred dollars (\$500) payable to TPAPN.

(2) Upon acceptance into TPAPN, RESPONDENT SHALL waive confidentiality and provide a copy of the executed TPAPN participation agreement to the Texas Board of Nursing.

(3) RESPONDENT SHALL comply with all requirements of the TPAPN participation agreement during its term and SHALL keep her license to practice nursing in the State of Texas current.

(4) RESPONDENT SHALL CAUSE the TPAPN to notify the Texas Board of Nursing of any violation of the TPAPN participation agreement.

(5) RESPONDENT SHALL pay a monetary fine in the amount of five hundred dollars (\$500). RESPONDENT SHALL pay this fine within forty-five (45) days of entry of this Order. Payment is to be made directly to the Texas Board of Nursing in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

IT IS FURTHER AGREED and ORDERED, RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Texas Occupations Code, Section §§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 this Order SHALL be applicable to Respondent's multistate licensure privileges, if any, to practice nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that while Respondent's license is encumbered by this Order, Respondent may not work outside the State of Texas pursuant to a multistate licensure privilege without the written permission of the Texas Board of Nursing and the Board of Nursing in the party state where Respondent wishes to work.

IT IS FURTHER AGREED, SHOULD RESPONDENT fail to comply with this Order or the terms of the participation agreement with the TPAPN, such noncompliance will result in further disciplinary action including revocation of Respondent's license and multistate licensure privileges, if any, to practice nursing in the State of Texas.

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RESPONDENT'S CERTIFICATION

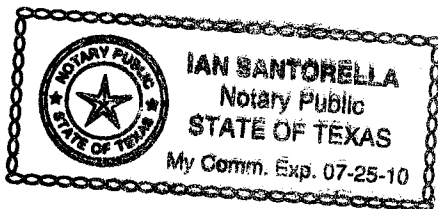
I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation alleged herein. I do acknowledge possessing a diagnosis that deems me eligible to participate in the Texas Peer Assistance Program for Nurses. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, and Conditions One (1) through Four (4) of this Order to obtain disposition of the allegations through peer assistance and to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that this Order becomes effective upon acceptance by the Executive Director on behalf of the Texas Board of Nursing, and 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 to practice professional nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 18 day of December, 2008

Sherrill Lynn Dunn
SHERRILL LYNN DUNN, Respondent

Sworn to and subscribed before me this 18th day of December, 2008.

SEAL



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

WHEREFORE PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby accept and enter the Agreed Order that was signed on the 29th day of December, 2008, by SHERRILL LYNN DUNN, Registered Nurse License Number 613806, and said Order is final.



Entered and effective this 29th day of December, 2008.

A handwritten signature in cursive script, appearing to read 'Katherine A. Thomas', is written over a horizontal line.

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