

In the Matter of,
Permanent Registered Nurse
License Number 537568
Issued to CHERYL L. MAUGHMER,
Respondent

§ BEFORE 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.
William C. Thomas
Executive Director of the Board

ORDER OF TEMPORARY SUSPENSION

TO: Cheryl L. Maughmer
2115 Dublin Drive
League City, TX 77573

A public meeting of the Texas Board of Nursing was held on March 19, 2013 at 333 Guadalupe, Room 3-460, Austin, Texas, in which the Temporary Suspension of Permanent Registered Nurse License Number 537568, issued to CHERYL L. MAUGHMER was considered pursuant to Section 301.4551, TEXAS OCCUPATIONS CODE. Staff of the Texas Board of Nursing appeared and presented evidence and information concerning the conduct of CHERYL L. MAUGHMER and whether her continued practice as a nurse would constitute a continuing and imminent threat to the public welfare.

After review and due consideration of the evidence and information presented, the Board finds that the following charges are substantiated:

CHARGE I.

On or about December 26, 2012, Respondent engaged in the intemperate use of Alcohol, in that she produced a specimen for a random drug screen requested by the Texas Peer Assistance Program for Nurses (TPAPN), which resulted positive for Ethyl Glucuronide (EtG)/Ethyl Sulfate (EtS). Additionally, she admitted to drinking. The use of Alcohol by a Registered Nurse, while subject to an Agreed Order and peer assistance program requiring abstinence from such use, could impair the nurse's ability to recognize subtle signs, symptoms or changes in patients'

conditions, and could impair the nurse's ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patients in potential danger.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(9)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(1)(A),(4),(5)&(10)(A).

CHARGE II.

On or about January 2, 2013, Respondent engaged in the intemperate use of Alcohol, in that she produced a specimen for a random drug screen requested by the Texas Peer Assistance Program for Nurses (TPAPN), which resulted positive for Ethyl Glucuronide (EtG)/Ethyl Sulfate (EtS). Additionally, she admitted to drinking. The use of Alcohol by a Registered Nurse, while subject to an Agreed Order and peer assistance program requiring abstinence from such use, could impair the nurse's ability to recognize subtle signs, symptoms or changes in patients' conditions, and could impair the nurse's ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patients in potential danger.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(9)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(1)(A),(4),(5)&(10)(A).

CHARGE III.

On or about December 26, 2012, and January 2, 2013, Respondent became non-compliant with

the Agreed Order issued to her by the Texas Board of Nursing on June 21, 2012. Non-compliance is the result of her failure to comply with all requirements of the Texas Peer Assistance Program for Nurses (TPAPN) contract, in that she submitted two specimens for drug screens that resulted positive for Alcohol. Stipulation number three (3) of the Order dated June 21, 2012, states:

"(3) RESPONDENT SHALL comply with all requirements of the TPAPN contract during its term...."

The Respondent was required to abstain from the use of Alcohol under her TPAPN participation agreement. The Respondent was dismissed from TPAPN on January 10, 2013.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(9)&(11)(B).

The Texas Board of Nursing further finds that, given the nature of the charges concerning her fitness to practice, the continued practice of nursing by CHERYL L. MAUGHMER constitutes a continuing and imminent threat to public welfare and that the temporary suspension of Permanent Registered Nurse License Number 537568, is justified pursuant to Section 301.4551, TEXAS OCCUPATIONS CODE.


NOW, THEREFORE, IT IS ORDERED that Permanent Registered Nurse License Number 537568, issued to CHERYL L. MAUGHMER, to practice nursing in the State of Texas be, and the same is, hereby SUSPENDED IMMEDIATELY in accordance with Section 301.4551, TEXAS OCCUPATIONS CODE.

IT IS FURTHER ORDERED that a probable cause hearing be conducted in accordance with Section 301.455(c) not later than seventeen (17) days following the date of the entry of this order, and a final hearing on the matter be conducted in accordance with 301.455(d) not later than the 61st

day following the date of the entry of this order.

Entered this 19th day of March, 2013.

TEXAS BOARD OF NURSING

BY: 
KATHERINE A. THOMAS, MN, RN, FAAN
EXECUTIVE DIRECTOR

D4551-12/06/2012