



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

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of § AGREED
Registered Nurse License Number 764946 §
issued to SHERRY NICHOLE HOUSE § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board considered the matter of SHERRY NICHOLE HOUSE, Registered Nurse License Number 764946, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may be subject to discipline pursuant to Section 301.452(b)(9),(10),(12)&(13) and 301.453, Texas Occupations Code. Respondent waived informal proceedings, notice and hearing, and agreed to the entry of this Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on February 4, 2013.

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 professional nursing in the State of Texas.
4. Respondent received an Associate Degree in Nursing from Collin County Community College, McKinney, Texas, on December 12, 2008. Respondent was licensed to practice professional nursing in the State of Texas on February 3, 2009.
5. Respondent's complete professional nursing employment history includes:

02/09-03/11	RN	Medical City Dallas Hospital Dallas, Texas
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04/11-10/11	Unknown
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Respondent's complete professional nursing employment history continued:

11/11-Present

RN

Golden Pond Home Healthcare
Allen, Texas

6. On or about March 17, 2011, while employed as a Registered Nurse with Medical City Dallas Hospital, Dallas, Texas, Respondent withdrew Demerol from the medication dispensing system for a patients in excess frequency/dosage of the physician's order. Respondent's conduct was likely to injure the patients in that the administration of Demerol in excess frequency and/or dosage of the physicians' order could result in the patients suffering from adverse reactions.
7. On or about March 17, 2011, while employed as a Registered Nurse with Medical City Dallas Hospital, Dallas, Texas, Respondent withdrew Demerol from the medication dispensing system for a patients but failed to follow the facility's policy and procedures for wastage of any of the unused portions of the medications. Respondent's conduct was likely to deceive the hospital pharmacy and placed them in violation of Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).
8. On or about March 17, 2011, while employed as a Registered Nurse with Medical City Dallas Hospital, Dallas, Texas, Respondent misappropriated Demerol from the facility or patients thereof or failed to take precautions to prevent such misappropriation. Additionally, once confronted, Respondent admitted to diversion of narcotics for personal use. Respondent's conduct was likely to defraud the facility and patients of the cost of the medications.
9. On or about March 31, 2011, while employed as a Registered Nurse with Medical City Dallas Hospital, Dallas, Texas, Respondent lacked fitness to practice nursing in that she was admitted to Green Oaks Hospital for in-patient substance abuse treatment and then transitioned to the day hospital program for stabilization and medication management before she was admitted to the Intensive Outpatient Program. Respondent's condition could have affected her ability to recognize subtle signs, symptoms or changes in patients' conditions, and could have affected her ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patients in potential danger.
10. On or about July 14, 2011, while participating in the Texas Peer Assistance Program for Nurses (TPAPN), Respondent engaged in the use of Hydromorphone and Hydrocodone in that she submitted a specimen for a drug screen that produced a positive result for Hydromorphone (842 ng/mL) and Hydrocodone (1673 ng/mL). Additionally, Respondent stated to her case worker she was taking it for non-prescribed reasons. Unlawful possession of Hydromorphone and Hydrocodone is prohibited by Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act). The use of Hydromorphone and Hydrocodone by a Registered Nurse, while subject to call or duty, could impair the nurse's ability to recognize

subtle signs, symptoms or changes in the patients condition, and could impair the nurse's ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patient in potential danger.

11. On or about August 21, 2011, while participating in the Texas Peer Assistance Program for Nurses (TPAPN), Respondent lacked fitness to practice nursing in that she presented to the Green Oaks Hospital Emergency Department stating she had been taking anything she could find the last few days, which included Norco, Klonopin, and Suboxone. Subsequently, Respondent was diagnosed with Opioid dependence, Depressive Disorder, and Anxiety Disorder. Respondent's condition could have affected her ability to recognize subtle signs, symptoms or changes in patients' conditions, and could have affected her ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patients in potential danger.
12. On or about September 23, 2011, while participating in the Texas Peer Assistance Program for Nurses (TPAPN), Respondent lacked fitness to practice nursing in that she was diagnosed with Major Depressive Disorder (MDD). Respondent's condition could have affected her ability to recognize subtle signs, symptoms or changes in patients' conditions, and could have affected her ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patients in potential danger.
13. On or about September 7, 2012, while employed as a Registered Nurse with Golden Pond Home Healthcare, Allen, Texas, Respondent lacked fitness to practice nursing in that she showed signs of impaired behavior including: slurred speech, constricted pupils, and leaving the facility during her shift. Subsequently, Respondent admitted she went home to "take a nap". Respondent's condition could have affected her ability to recognize subtle signs, symptoms or changes in patients' conditions, and could have affected her ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patients in potential danger.
14. On or about September 28, 2012, while employed as a Registered Nurse with Golden Pond Home Healthcare, Allen, Texas, Respondent engaged in the intemperate use of Tramadol in that she submitted a specimen for a drug screen that produced a positive result for Tramadol (182 ng/mL). Unlawful possession of Tramadol is prohibited by Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act). The use of Tramadol by a Registered Nurse, while subject to call or duty, could impair the nurse's ability to recognize subtle signs, symptoms or changes in the patients condition, and could impair the nurse's ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patient in potential danger.
15. Respondent states October 3, 2012, as her sobriety date.
16. The Respondent's conduct as described in the preceding Finding(s) of Fact was reportable under the provisions of Sections 301.401-301.419, Texas Occupations Code.

17. The Board finds that there exists serious risks to public health and safety as a result of impaired nursing care due to intemperate use of controlled substances or chemical dependency.
18. Respondent's conduct as described in the preceding Finding(s) of Fact resulted from or was significantly influenced by Respondent's substance use disorder.
19. 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(s) of 22 TEX. ADMIN. CODE § 217.11(1)(A),(B),(C),(D)&(T) and 22 TEX. ADMIN. CODE § 217.12(1)(A),(B),(C)&(E),(4),(5),(6)(A),(G)&(H),(8),(10)(A),(B),(C)&(D),(11)(B)&(12).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(9),(10),(12)&(13), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 764946, heretofore issued to SHERRY NICHOLE HOUSE, up to, and including, revocation of Respondent's license(s) 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 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):

(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 (\$500.00) payable to TPAPN.

(2) Upon acceptance into the 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 all applicable license(s) 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.

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 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 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 EMERGENCY SUSPENSION pursuant to Section 301.4551, Texas Occupations Code, or REVOCATION of Respondent's license(s) and nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

From: Golden Pond

214 844 0787

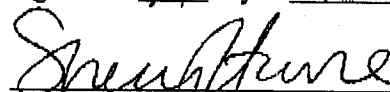
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RESPONDENT'S CERTIFICATION

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

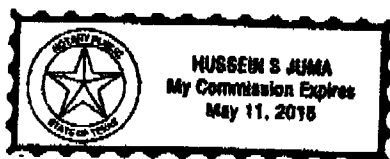
I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. I do acknowledge possessing a diagnosis that deems me eligible to participate in the Texas Peer Assistance Program for Nurses. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, and 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(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 19 day of March, 2013.

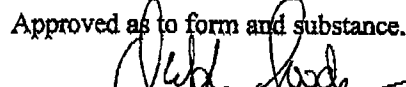
SHERRY NICHOLE HOUSE, RESPONDENT

Sworn to and subscribed before me this 19 day of MARCH, 2013

SEAL

Notary Public in and for the State of TEXAS

Approved as to form and substance.


DEBORAH GOODALL, Attorney for RespondentSigned this 19 day of March, 2013.

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 19th day of March, 2013, by SHERRY NICHOLE HOUSE, Registered Nurse License Number 764946, and said Order is final.

Entered and effective this 20th day of March, 2013.

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