

IN THE MATTER OF PERMANENT §
REGISTERED NURSE LICENSE §
NUMBER 747769 ISSUED TO §
DAVID PAUL SHEW §

BEFORE THE TEXAS
BOARD OF NURSING
ELIGIBILITY AND
DISCIPLINARY COMMITTEE



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 A. Plummer
Executive Director of the Board

ORDER OF THE BOARD

TO: David Paul Shew
1769 N. Pointer LN
Fayetteville, AR 72701

During open meeting held in Austin, Texas, on **September 10, 2013**, the Texas Board of Nursing Eligibility and Disciplinary Committee (hereinafter "Committee") heard the above-styled case, based on the failure of the Respondent to appear as required by 22 TEX. ADMIN. CODE Ch. 213.

The Committee 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(s) to practice 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 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 § 213.16(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 Registered Nurse License Number 747769, previously issued to DAVID PAUL SHEW, to practice nursing in the State of Texas be, and the same is/are hereby, REVOKED.

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

Entered this 10th day of September, 2013.

TEXAS BOARD OF NURSING



BY:

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

Attachment: Formal Charge filed July 16, 2013.

CERTIFICATE OF SERVICE

I hereby certify that on the 11th day of September, 2013, a true and correct copy of the foregoing DEFAULT ORDER was served and addressed to the following person(s), as follows:

Via USPS Certified Mail, Return Receipt Requested

David Paul Shew
1769 N. Pointer LN
Fayetteville, AR 72701

Via USPS First Class Mail

David Paul Shew
720 N. Fox Hunter Road
Fayetteville, AR 72701



BY:

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

In the Matter of Permanent § **BEFORE THE TEXAS**
Registered Nurse License §
Number 747769 Issued to §
DAVID PAUL SHEW, Respondent § **BOARD OF NURSING**

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, DAVID PAUL SHEW, is a Registered Nurse holding License Number 747769 which is in MSR Invalid 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 5, 2012, Respondent was issued an Order for Voluntary Surrender by the Arkansas State Board of Nursing wherein Respondent's license to practice professional nursing in the State of Arkansas was accepted for Voluntary Surrender. A copy of the Order for Voluntary Surrender issued by the Arkansas State Board of Nursing, dated November 5, 2012, is attached and incorporated by reference as part of this pleading.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(8), Texas Occupations Code.

NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of up to, and including, revocation of Respondent's license/s to practice nursing in the State of Texas pursuant to the Nursing Practice Act, Chapter 301, Texas Occupations Code and 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 Section 301.461, Texas Occupations Code. 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).

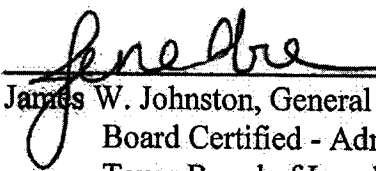
NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, www.bon.texas.gov.

NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, which can be found at www.bon.texas.gov/disciplinaryaction/discp-matrix.html.

NOTICE IS ALSO GIVEN that Respondent's past disciplinary history, as set out below and described in the Order(s) which is attached and incorporated by reference as part of these charges, will be offered in support of the disposition recommended by staff: Order for Voluntary Surrender issued by the Arkansas State Board of Nursing, dated November 5, 2012.

Filed this 16th day of July, 2013.

TEXAS BOARD OF NURSING


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

Jena Abel, Assistant General Counsel
State Bar No. 24036103

Lance Robert Brenton, Assistant General Counsel
State Bar No. 24066924

John R. Griffith, Assistant General Counsel
State Bar No. 24079751

Robert Kyle Hensley, Assistant General Counsel
State Bar No. 50511847

Nikki Hopkins, Assistant General Counsel
State Bar No. 24052269

John F. Legris, Assistant General Counsel
State Bar No. 00785533

TEXAS BOARD OF NURSING
333 Guadalupe, Tower III, Suite 460
Austin, Texas 78701
P: (512) 305-6811
F: (512) 305-8101 or (512)305-7401

Attachments: Order for Voluntary Surrender issued by the Arkansas State Board of Nursing, dated November 5, 2012.

D/2012.06.19



ARKANSAS STATE BOARD OF NURSING

1123 S. University Avenue, Suite 800, University Tower Building, Little Rock, AR 72204
Phone: (501) 686-2700 Fax: (501) 686-2714 www.arsbn.org

FORMAL DISCIPLINARY DOCUMENT

RE: DAVID PAUL SHEW

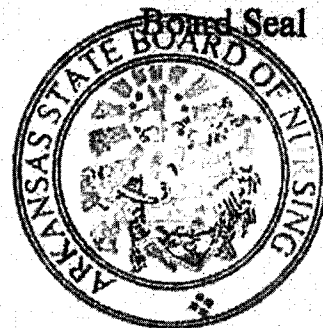
Regarding your request for information about the above-named practitioner; attached is a true and correct copy of the document on file with the Arkansas State Board of Nursing Discipline Department. These records are considered Certified by the Arkansas State Board of Nursing.

Certain information may have been withheld pursuant to Arkansas state laws. While those laws require that most records be disclosed on request, they may also state that certain information should not be disclosed.

The following information has been withheld: **NONE**

Phyllis DeClerk, RN

Phyllis DeClerk, RN
ASBN Assistant Director



**ORDER FOR
VOLUNTARY SURRENDER**

IT IS SO ORDERED that the Board hereby accept the voluntary surrender of RN License No. R80367 and Privilege to Practice in Arkansas, granted to David Paul Shew.

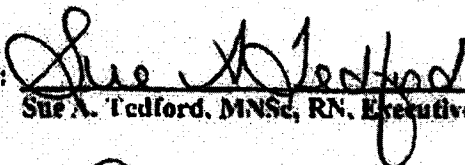
A written request and appropriate documentation must be submitted to the Board's General Counsel for consideration of reinstatement. Documentation requirements will vary dependent on each Respondent's circumstance. Appropriate documentation includes but is not limited to medical, employment and criminal records.

Nurses reinstating a nursing license to active status after the expiration date of the current license shall document completion of continuing education as required by the Board. On the backside of this form, please explain the reason for your voluntary surrender.

Respondent may apply for reinstatement of said license after one (1) year provided there are no other violations of the Nurse Practice Act.

 11-2-12
Respondent Signature Date

ARKANSAS STATE BOARD OF NURSING

By: 
Sue A. Tedford, MNSc, RN, Executive Director

Dated: Nov 5, 2012