



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. Plummer
Executive Director of the Board

IN THE MATTER OF
PERMANENT VOCATIONAL NURSE
LICENSE NUMBER 146956
ISSUED TO
SABRINA GAIL SHUTTLESWORTH

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BEFORE THE TEXAS
BOARD OF NURSING
ELIGIBILITY AND
DISCIPLINARY COMMITTEE

ORDER OF THE BOARD

TO: SABRINA GAIL SHUTTLESWORTH
4502 N. UNIVERSITY, #401
NACOGDOCHES, TX 75961

During open meeting held in Austin, Texas, on **December 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 Vocational Nurse License Number 146956, previously issued to SABRINA GAIL SHUTTLESWORTH, 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 December, 2013.

TEXAS BOARD OF NURSING

BY:



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

Attachment: Formal Charges filed October 18, 2013.

Re: Permanent Vocational Nurse License Number 146956
Issued to SABRINA GAIL SHUTTLESWORTH
DEFAULT ORDER - REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 11 day of Dec, 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


SABRINA GAIL SHUTTLESWORTH
4502 N. UNIVERSITY, #401
NACOGDOCHES, TX 75961

Via USPS First Class Mail

SABRINA GAIL SHUTTLESWORTH
4840 CYPRESS WOODS DR., #147
ORLANDO, FL 32811

SABRINA GAIL SHUTTLESWORTH
1033 ARBOURS DR
PANAMA CITY, FL 32401

BY:



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

In the Matter of
Permanent Vocational Nurse
License Number 146956
Issued to SABRINA GAIL SHUTTLESWORTH,
Respondent

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§
BEFORE THE TEXAS
BOARD OF NURSING

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, SABRINA GAIL SHUTTLESWORTH, is a Vocational Nurse holding License Number 146956, which is in delinquent 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 April 30, 2010, Respondent's license to practice nursing was Permanently Revoked by the State of Florida Board of Nursing, Tallahassee, Florida. A copy of the State of Florida Board of Nursing Final Order dated April 30, 2010, 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.

CHARGE II.

On or about August 12, 2013, Respondent's application for licensure by endorsement was Denied by the State of Florida Board of Nursing, Tallahassee, Florida. A copy of the State of Florida Board of Nursing Notice of Intent to Deny dated August 12, 2013, 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 and TEX. OCC. CODE Ch. 53. 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.

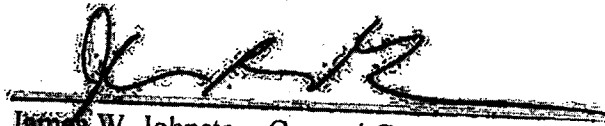
NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Guidelines for Criminal Conduct and on Adopted Disciplinary Sanction Policies for Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder, for Lying and Falsification, and for Fraud, Theft and Deception, which 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/are attached and incorporated by reference as part of these charges, will be offered in support of the disposition recommended by staff: State of Florida Board of Nursing Final Order dated April 30, 2010, and State of Florida Board of Nursing Notice of Intent to Deny dated August 12, 2013.

Filed this 18 day of October, 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

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: State of Florida Board of Nursing Final Order dated April 30, 2010, and State of Florida Board of Nursing Notice of Intent to Deny dated August 12, 2013.

D/2012.06.19

STATE OF FLORIDA
BOARD OF NURSING

Final Order No. DOH-10-1036-Fol-MQA
FILED DATE: 4-30-2010
Department of Health
By: *[Signature]*
Deputy Agency Clerk

DEPARTMENT OF HEALTH,

Petitioner,

vs.

Case No.: 2009-19381
License No.: LPN 1312491

SABRINA GAIL SHUTTLESWORTH,

Respondent.

FINAL ORDER

This matter appeared before the Board of Nursing at a duly-noticed public meeting on April 9, 2010 in Ft. Lauderdale, Florida, for a hearing not involving disputed issues of material fact pursuant to Sections 120.569 and 120.57(2), Florida Statutes. Petitioner has filed an Administrative Complaint seeking disciplinary action against the license. A copy of the Administrative Complaint is attached to and made a part of this Final Order. Service of the Administrative Complaint was made upon Respondent by certified mail, return receipt requested. Respondent has not filed an Election of Rights. Petitioner has filed a Motion for Determination of Waiver and Entry of Final Order. Petitioner was represented by William Miller, Assistant General Counsel, Florida Department of Health.

FINDINGS OF FACT

Since the licensee has not replied to the Administrative Complaint nor contested the factual allegations, the prosecuting

attorney offered the investigative file to prove the facts as alleged. The investigative file was received into evidence and the Board finds the uncontested facts adequately support the allegations. Therefore, the Board adopts as its finding of facts the facts stated in the Administrative Complaint. In aggravation of penalty to be imposed, the Board finds that Respondent committed fraud against and abused an elderly person. The penalty will serve as a deterrent effect.

CONCLUSIONS OF LAW

Based upon the Findings of Fact, the Board concludes the licensee has violated Section 464.018(1)(i), Florida Statutes.

The Board is empowered by Sections 464.018(2) and 456.072(2), Florida Statutes, to impose a penalty against the licensee. Therefore it is ORDERED that:

The licensee must pay investigative costs of \$928.85. Payment shall be made to the Board of Nursing and mailed to, DOH-Client Services, P.O. Box 6320, Tallahassee, Florida 32314-6320, Attention: Nursing Compliance Officer.

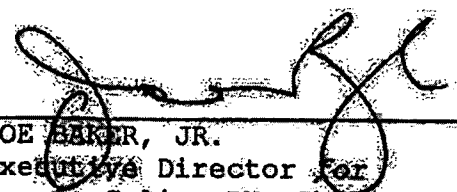
The license of SABRINA GAIL SHUTTLESWORTH is permanently revoked. Within 30 days the licensee shall return her license to the Board office, 4052 Bald Cypress Way, Tallahassee, Florida 32399 or shall surrender the license to an investigator of the Department of Health. The licensee's employer shall immediately be informed of the

revocation in writing from the licensee with a copy to the Board office.

This Final Order shall become effective upon filing with the Clerk of the Department of Health.

DONE AND ORDERED this 30th day of April, 2010.

BOARD OF NURSING


JOE BAKER, JR.
Executive Director for
Jessie Colin, RN, PhD
CHAIR

NOTICE OF APPEAL RIGHTS

Pursuant to Section 120.569, Florida Statutes, the parties are hereby notified that they may appeal this Final Order by filing one copy of a notice of appeal with the clerk of the department and by filing a filing fee and one copy of a notice of appeal with the District Court of Appeal within thirty days of the date this Final Order is filed.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail to **SABRINA GAIL SHUTTLESWORTH**, 4872 Cypress Woods Drive, Apt. 121, Orlando, FL 32811; by interoffice mail to **Lee Ann Gustafson**, Assistant Attorney General, PL-01, The Capitol, Tallahassee, Florida 32399-1050; and **William Miller**, Assistant General Counsel, Department

of Health, 4052 Bald Cypress Way, Bin # C-65, Tallahassee,
Florida 32399-3265 on this 30th day of April,
2010.

Sandra Soto

Deputy Agency Clerk

7009 3410 0002 1924 3513
EISE 4261 2000 0148 6007

U.S. Postal Service	
CERTIFIED MAIL RECEIPT	
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<small>For delivery information visit our website at www.usps.com</small>	
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Postage	
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Postage Paid	
Postage Refund	
Postage Due	
Postage Paid	
Postage Refund	

STATE OF FLORIDA
DEPARTMENT OF HEALTH

DEPARTMENT OF HEALTH,

PETITIONER,

v.

CASE NO. 2009-19381

SABRINA GAIL SHUTTLESWORTH, L.P.N.,

RESPONDENT.

ADMINISTRATIVE COMPLAINT

COMES NOW, Petitioner, Department of Health, by and through its undersigned counsel, and files this Administrative Complaint before the Board of Nursing against Respondent, Sabrina Gail Shuttlesworth, L.P.N., and in support thereof alleges:

1. Petitioner is the state department charged with regulating the practice of nursing pursuant to Section 20.43, Florida Statutes; Chapter 456, Florida Statutes; and Chapter 464, Florida Statutes.
2. At all times material to this Administrative Complaint, Respondent was a licensed practical nurse (L.P.N.) within the state of Florida, having been issued license number LPN 1312491.

3. Respondent's address of record is 4872 Cypress Woods Drive, Apt. 121, Orlando, Florida 32811.

4. At all times material to this Administrative Complaint, Respondent was a home health care nurse for Patient E.P., an eighty-seven year old female.

5. On or about September 4, 2009, Respondent filled Patient E.P.'s prescription for oxycodone.

6. Oxycodone is commonly prescribed to treat pain. According to Section 893.03(2), Florida Statutes, oxycodone is a Schedule II controlled substance that has a high potential for abuse and has a currently accepted but severely restricted medical use in treatment in the United States, and abuse of oxycodone may lead to severe psychological or physical dependence.

7. On or about September 5, 2009, Respondent gave Patient E.P. a brown bag containing what the patient believed to be her prescription for oxycodone.

8. Patient E.P. noticed the lid to the medication bottle was held in place with tape and also recognized the pills did not resemble her previous prescriptions for oxycodone.

9. On or about September 5, 2009, Respondent took the remaining pills in the medication bottle to her pharmacist who confirmed the pills were actually acetaminophen tablets.

10. Acetaminophen is the drug commonly found in Tylenol. Acetaminophen belongs to a class of drugs called analgesics (pain relievers) and antipyretics (fever reducers).

11. On or about September 10, 2009, Respondent was arrested by the Lake County Sheriff's Office for theft and delivery of a counterfeit controlled substance.

12. Respondent is licensed pursuant to Chapter 464, Florida Statutes, and is a health care practitioner as defined in Section 456.001(4), Florida Statutes (2009).

13. Section 464.018(1)(i), Florida Statutes (2009), provides that engaging or attempting to engage in the possession, sale, or distribution of controlled substances as set forth in Chapter 893, for any other than legitimate purposes constitutes grounds for disciplinary action.

14. As set forth above, Respondent engaged or attempted to engage in the possession, sale, or distribution of narcotics when she

replaced the medication in Patient E.P.'s prescription for oxycodone with acetaminophen tablets.

15. Based on the foregoing, Respondent violated Section 464.018(1)(i), Florida Statutes (2009), by engaging or attempting to engage in the possession of controlled substances as set forth in Chapter 893, for any other than legitimate purposes.

WHEREFORE, the Petitioner respectfully requests that the Board of Nursing enter an order imposing one or more of the following penalties: permanent revocation or suspension of Respondent's license, restriction of practice, imposition of an administrative fine, issuance of a reprimand, placement of the Respondent on probation, corrective action, refund of fees billed or collected, remedial education and/or any other relief that the Board deems appropriate.

SIGNED this 21st day of December, 2009.

Ana M. Viamonte Rose, M.D., M.P.H.
State Surgeon General

Casey L. Hagen
Casey L. Hagen
Assistant General Counsel
DOH Prosecution Services Unit
4052 Bald Cypress Way, Bin C-65
Tallahassee, Florida 32399-3265
Florida Bar Number 0035536
(850) 245 - 4640 Telephone
(850) 245 - 4683 Facsimile

FILED
DEPARTMENT OF HEALTH
DEPUTY CLERK
CLERK: Casey L. Hagen
DATE: 12-21-09

/CLH

PCP:
PCP Members:

12/18/09
C. HORN & S. BOWEN

NOTICE OF RIGHTS

Respondent has the right to request a hearing to be conducted in accordance with Section 120.569 and 120.57, Florida Statutes, to be represented by counsel or other qualified representative, to present evidence and argument, to call and cross-examine witnesses and to have subpoena and subpoena duces tecum issued on his or her behalf if a hearing is requested.

NOTICE REGARDING ASSESSMENT OF COSTS

Respondent is placed on notice that Petitioner has incurred costs related to the investigation and prosecution of this matter. Pursuant to Section 456.072(4), Florida Statutes, the Board shall assess costs related to the investigation and prosecution of a disciplinary matter, which may include attorney hours and costs, on the Respondent in addition to any other discipline imposed.

STATE OF FLORIDA
BOARD OF NURSING

FILED
DEPARTMENT OF HEALTH
DEPUTY CLERK
CLERK *Angel Sanders*
DATE AUG 14 2013

IN RE THE APPLICATION FOR
LICENSURE OF:

SABRINA SHUTTLESWORTH
File No. 1702/162371

NOTICE OF INTENT TO DENY

SABRINA SHUTTLESWORTH has applied for licensure by endorsement as a practical nurse nurse. The application came before the Board of Nursing at a duly-noticed public meeting on August 2, 2013, in Orlando, Florida.

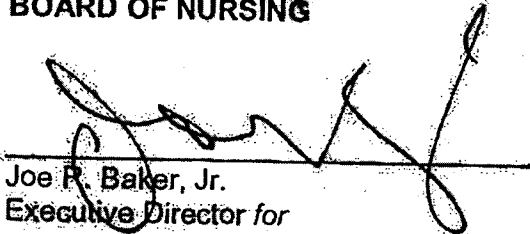
On April 30, 2010, the Board of Nursing revoked the applicant's practical nurse license for a charge of engaging or attempting to engage in the possession of controlled substances for any other than legitimate purposes. The applicant obtained the controlled substances by replacing a patients' medications with acetaminophen.

It is therefore ORDERED that the application for certification to be licensed of SABRINA SHUTTLESWORTH is hereby DENIED.

This Order shall become effective upon filing with the Clerk of the Department of Health.

DONE AND ORDERED this 12th day of Aug, 2013.

BOARD OF NURSING



Joe R. Baker, Jr.
Executive Director for

Lavigne Ann Kirkpatric, BS, RN, Chair

NOTICE OF HEARING RIGHTS

You may seek review of this Order, pursuant to Sections 120.569 and 120.57, Florida Statutes, by filing a petition with the Executive Director of the Board, 4052 Bald Cypress Way, Bin C02, Tallahassee, Florida 32399-3252, within 21 days of receipt of this Order. If you dispute any material fact upon which the Board's decision is based, you may request a hearing before an administrative law judge pursuant to Section 120.57(1), Florida Statutes; your petition must contain the information required by Rule 28-106.201, Florida Administrative Code, *including a statement of the material facts which are in dispute*. If you do not dispute any material fact, you may request a hearing before the Board pursuant to Section 120.57(2), Florida Statutes; your petition must include the information required by Rule 28-106.301, Florida Administrative Code.

Pursuant to Section 120.573, Florida Statutes, you are hereby notified that mediation pursuant to that section is not available.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by certified mail, return receipt requested, to SABRINA SHUTTLESWORTH, 4840 Cypress Woods Drive #147, Orlando FL 32811, and by interoffice mail to Board of Nursing, 4052 Bald Cypress Way, Bin C02, Tallahassee, Florida 32399-3252 and Lee Ann Gustafson, Senior Assistant Attorney General, Department of Legal Affairs, PL01 The Capitol, Tallahassee FL 32399-1050 this 14th day of August, 2013.

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7012 3050 0002 3881 4653

Bryel Sanders
Deputy Agency Clerk