



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.
Executive Director of the Board

DOCKET NUMBER 507-15-0820

IN THE MATTER OF	§	BEFORE THE STATE OFFICE
PERMANENT CERTIFICATE	§	
NUMBERS AP112733 & 651668	§	OF
& PRESCRIPTIVE AUTHORIZATION	§	
NUMBER 5188, ISSUED TO	§	
SAMUEL JERIDEAU	§	ADMINISTRATIVE HEARINGS

OPINION AND ORDER OF THE BOARD

TO: SAMUEL JERIDEAU
1666 NORTH HAMPTON RD, #111
DESOTO, TX 75115

BETH BIERMAN
ADMINISTRATIVE LAW JUDGE
300 WEST 15TH STREET
AUSTIN, TEXAS 78701

At the regularly scheduled public meeting on April 16-17, 2015, the Texas Board of Nursing (Board) considered the following items: (1) Order No. 2, *Dismissing Case*, issued by the ALJ in the above cited matter; (2) Staff's recommendation that the Board revoke the Respondent's advanced practice registered nursing license, prescriptive authorization, and registered nursing license by default; and (3) Respondent's recommendation to the Board regarding the above cited matter, if any.

On December 8, 2014, the ALJ convened a hearing on the merits in this matter. Staff of the Board was present for the hearing. However, the Respondent was not present at the hearing, and no one appeared on his behalf. During the hearing on December 8, 2014, Staff introduced evidence into the record demonstrating that Respondent had been sent a Notice of Final Hearing by first class certified mail return receipt requested to his last known address of record maintained by the Board in accordance with 22 Tex. Admin. Code §213.10(a). The ALJ found that Staff's notice was adequate and issued Order No. 2, *Dismissing Case*, granting Staff's Motion for Default and dismissing the case from the docket of SOAH and remanding it to the Board for informal disposition on a default basis in accordance with the Government Code §2001.056.

The Board, after review and due consideration of the Order No. 2, issued by the ALJ in the above cited matter, finds that notice of the facts or conduct alleged to warrant disciplinary action has been provided to Respondent in accordance with the Government Code §2001.054(c) and Respondent has been given an opportunity to show compliance with all the requirements of the Occupations Code Chapter 301 (Nursing Practice Act) for retention of Respondent's licenses to practice advanced practice registered nursing with prescriptive authority and professional nursing in the State of Texas. The Board further finds that the Formal Charges were properly initiated and filed in accordance with the Occupations Code §301.458. The Board further finds that proper and timely notice regarding the violations alleged in the Formal Charges was given to Respondent in accordance with the requirements of the Government Code §2001.051 and §2001.052 and

1 Tex. Admin. Code §155.501. The Board further finds that the Respondent failed to appear in accordance with 22 Tex. Admin. Code Chapter 213 and 1 Tex. Admin. Code §155.501. As a result of the Respondent's failure to appear, the Board has determined that the factual allegations listed in the Formal Charges are to be deemed admitted by default and the Board is authorized to enter a default order against the Respondent pursuant to the Government Code §2001.056 and 22 Tex. Admin. Code §213.22. Further, the Board has determined that it is entitled to revoke the Respondent's advanced practice registered nursing license, prescriptive authorization, and registered nursing license pursuant to 22 Tex. Admin. Code §213.33(m).

Therefore, the Board hereby adopts the factual allegations, which have been deemed admitted, and the conclusions of law contained in the Formal Charges, which are attached hereto and incorporated herein by reference for all purposes, and 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 in accordance with the Government Code Chapter 2001 and 22 Tex. Admin. Code §213.23(l), as applicable. 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.

IT IS, THEREFORE, ORDERED THAT Permanent Certificate Numbers AP112733 and 651668 and prescriptive authorization number 5188, previously issued to SAMUEL JERIDEAU, to practice nursing in the State of Texas be, and the same are hereby, REVOKED.

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

FURTHER, pursuant to the Occupations Code §301.467, RESPONDENT is not eligible to petition for reinstatement of licensure until at least one (1) year has elapsed from the date of this Order. Further, upon petitioning for reinstatement, RESPONDENT must satisfy all then existing requirements for relicensure.

Entered this 16th day of April, 2015.

TEXAS BOARD OF NURSING


KATHERINE A. THOMAS, MN, RN, FAAN
EXECUTIVE DIRECTOR FOR THE BOARD

Attachment: Formal Charges

In the Matter of
Permanent Advanced Practice Registered
Nurse License Number AP112733,
Permanent Registered Nurse
License Number 651668
Issued to SAMUEL JERIDEAU,
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, SAMUEL JERIDEAU, is an Advanced Practice Registered Nurse holding License Number AP112733, which is in current status at the time of this pleading, is a Registered Nurse holding License Number 651668, which is in current 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 May 14, 2014, while operating, and practicing as a Family Nurse Practitioner with J & J Healthcare Clinic, DeSoto, Texas, Respondent became non-compliant with the agreed order issued to him by the Texas Board of Nursing on May 13, 2014. Non-compliance is the result of Respondent providing care for minor patient's. Stipulation Number Five (5) of the agreed order issued to him on May 13, 2014, states:

- (5) While under the terms of this Order, RESPONDENT SHALL NOT provide patient care to minors. For the purposes of this Order, patient care involves any relationship between RESPONDENT and the patient, and includes, but is not limited to: teaching; counseling; assessing the patients needs and strengths; and providing nursing care.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(1)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(3)&(11)(B).

CHARGE II.

On or about September 25, 2014, to present, while operating, and practicing as a Family Nurse Practitioner with J & J Healthcare Clinic, DeSoto, Texas, Respondent misrepresented himself as a Doctor, calling himself "Doctor Sam" on his website, Jandjhealthcareclinic.com/DoctorProfile. Respondent's conduct was likely to deceive the public regarding his credentials.

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(4)&(6)(H).

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 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, for Fraud, Theft and Deception, and for Sexual Misconduct, which can be found at the Board's website, www.bon.texas.gov.

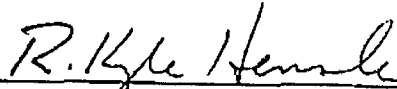
NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, which can be found at www.bon.texas.gov/disciplinaryaction/discp-matrix.html.

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: Order dated May 13, 2014.

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Filed this 17th day of October, 2014.

TEXAS BOARD OF NURSING



James W. Johnston, General Counsel
Board Certified - Administrative Law
Texas Board of Legal Specialization
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Attachments: Order of the Board dated May 13, 2014

D/2014.08.18

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Advanced Practice Registered	§	AGREED
Nurse License Number AP112733 &	§	
Registered Nurse License Number 651668	§	
issued to SAMUEL JERIDEAU	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board considered the matter of SAMUEL JERIDEAU, Advanced Practice Registered Nurse License Number AP112733 and Registered Nurse License Number 651668, 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)(10)&(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 March 3, 2014, subject to ratification by the Board.

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 a Baccalaureate Degree in Nursing from Texas Woman's University, Denton, Texas, on May 1, 1998, and received a Master's Degree in Nursing from the Family Nurse Practitioner (FNP) Program with Texas Woman's University, Denton, Texas, on August 25, 2003. Respondent was licensed to practice professional nursing in the State of

Texas on June 23, 1998, was Board recognized as a FNP on September 26, 2003, and was Board recognized FNP with Prescriptive Authority on October 8, 2003,

5. Respondent's nursing employment history is unknown.
6. At the time of the incident in Finding of Fact Number Seven (7), Respondent was employed as a Family Nurse Practitioner (FNP) and owner of J and J Healthcare Clinic, Duncanville, Texas.
7. On or about June 28, 2013, through July 26, 2013, while employed as a Family Nurse Practitioner and owner of J and J Healthcare Clinic, Duncanville, Texas, Respondent engaged in inappropriate activities with Pt. R.A., who was a minor at the time, which violated professional boundaries. According to Respondent, after seeing Patient R.A. at his clinic on June 28, 2013, and performing routine physical examination, there was an exchange of email and text messages of a romantic nature with "Veronica", an individual representing herself as a female in her 20's, via Facebook. Respondent states that he was unaware the "Veronica" was, in fact, Pt. R.A. Without any reasonable therapeutic basis, Respondent purchased a cell phone for this individual as well as providing his debit card information. Respondent arranged a personal meeting with "Veronica." However, after learning that "Veronica" was actually Pt. R.A., Respondent still gave Pt. R.A. one thousand (\$1,000) dollars for his silence after Pt. R.A. threatened to reveal the inappropriate behavior. Respondent's conduct was likely to injure the patient in that boundary violations can cause delayed stress for the patient which may not be recognized or felt by the patient until harmful consequence occur.
8. In response to the incident in FOF #7, Respondent denies any wrongdoing with R.A., and specifically denies any touching of any kind outside the initial contact which occurred during the medical examination. Respondent states that he would never have engaged in any if the behavior referenced above if he had known that: "Veronica" was, in fact, R.A.; "Veronica" was a patient; or if "Veronica" was a minor.
9. Formal Charges were filed on March 10, 2014.
10. Charges were mailed to Respondent on March 10, 2014.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, 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),(1)(J)&(4)(A) and 22 TEX. ADMIN. CODE §217.12(1)(A),(4),(6)(D)&(6)(E).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10)&(13), Texas Occupations Code, to take disciplinary action against Advanced Practice Registered Nurse License Number AP112733 and Registered Nurse License Number 651668, heretofore issued to SAMUEL JERIDEAU, including revocation of Respondent's license(s) to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that Advanced Practice Registered Nurse License Number AP112733 and Registered Nurse License Number 651668, previously issued to SAMUEL JERIDEAU, to practice nursing in Texas is/are hereby SUSPENDED for a period of two (2) years with the suspension STAYED and Respondent is hereby placed on PROBATION for two (2) years with the following agreed terms of probation:

IT IS FURTHER AGREED and ORDERED that, while under the terms of this Order, this Order SHALL apply to any and all future licenses issued to Respondent to practice nursing in the State of Texas.

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 nurse licensure compact 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.

(1) RESPONDENT SHALL comply in all respects with the Nursing Practice Act,

Texas Occupations Code, §§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.

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in Texas nursing jurisprudence and ethics. RESPONDENT SHALL obtain Board approval of the course prior to enrollment only if the course is not being offered by a pre-approved provider. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include nurses. It shall be a minimum of six (6) hours in length. The course's content shall include the Nursing Practice Act, standards of practice, documentation of care, principles of nursing ethics, confidentiality, professional boundaries, and the Board's Disciplinary Sanction Policies regarding: Sexual Misconduct; Fraud, Theft and Deception; Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder; and Lying and Falsification. Courses focusing on malpractice issues will not be accepted. RESPONDENT SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to the Office of the Board to verify RESPONDENT'S successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure. *Board-approved courses may be found at the following Board website address:* <http://www.bon.texas.gov/compliance>.

(3) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete the course "Sharpening Critical Thinking Skills," a 3.6 contact hour online program provided by the National Council of State Boards of Nursing (NCSBN) Learning Extension. In order to receive credit for completion of this program, RESPONDENT SHALL SUBMIT the continuing

education certificate of completion for this program to the Board's office, to the attention of Monitoring. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure. *Board-approved courses may be found at the following Board website address: <http://www.bon.texas.gov/compliance>.*

(4) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in "Respecting Professional Boundaries," a 3.9 contact hour online program provided by the National Council of State Boards of Nursing (NCSBN) Learning Extension. In order to receive credit for completion of this program, RESPONDENT SHALL SUBMIT the continuing education certificate of completion for this program to the Board's office, to the attention of Monitoring. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure. *Information regarding Board-approved courses may be found at the following Board website address: <http://www.bon.texas.gov/compliance>.*

IT IS FURTHER AGREED, SHOULD RESPONDENT PRACTICE AS A NURSE IN THE STATE OF TEXAS, RESPONDENT WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING AND RESPONDENT MUST WORK AS AN ADVANCED PRACTICE REGISTERED NURSE IN SUCH SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING PROBATIONARY CONDITIONS FOR TWO (2) YEAR(S) OF EMPLOYMENT. THE LENGTH OF THE STIPULATION PERIOD WILL BE EXTENDED UNTIL SUCH TWENTY-FOUR (24) MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE THE USE OF AN ADVANCED PRACTICE REGISTERED NURSE (APRN) LICENSE DO NOT APPLY TO THIS

STIPULATION PERIOD:

(5) While under the terms of this Order, RESPONDENT SHALL NOT provide patient care to minors. For the purposes of this Order, patient care involves any relationship between RESPONDENT and the patient, and includes, but is not limited to: teaching; counseling; assessing the patient's needs and strengths; and providing nursing care.

(6) RESPONDENT SHALL notify each present employer, practice site and/or credentialing agency in nursing of this Order of the Board and the probationary conditions on RESPONDENT'S license(s). RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each present employer, practice site and/or credentialing agency in nursing within five (5) days of receipt of this Order. RESPONDENT SHALL notify all future employers, practice sites and/or credentialing agencies in nursing of this Order of the Board and the probationary conditions on RESPONDENT'S license(s). RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each future employer, practice site and/or credentialing agency in nursing prior to accepting an offer of employment and/or assignment.

(7) RESPONDENT SHALL CAUSE each present employer, practice site and/or credentialing agency in nursing to submit the Board's "Notification of Employment" form, which is provided to the Respondent by the Board, to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer, practice site and/or credentialing agency in nursing to submit the Board's "Notification of Employment" form, which is provided to the Respondent by the Board, to the Board's office within five (5) days of employment as a nurse.

(8) For the first year of employment as an Advanced Practice Registered Nurse under

the terms of this Order, RESPONDENT SHALL be directly supervised by a Family Nurse Practitioner or Physician. Direct supervision requires another Family Nurse Practitioner or Physician to be working on the same unit as RESPONDENT and immediately available to provide assistance and intervention. RESPONDENT SHALL work only on regularly assigned, identified and predetermined unit(s). The RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT contract for services. Multiple employers are prohibited.

(9) For the remainder of the probationary period, RESPONDENT'S PRACTICE SHALL be supervised by a Family Nurse Practitioner or Physician who is on the premises. The supervising Family Nurse Practitioner or Physician is not required to be on the same unit or ward as RESPONDENT, but should be on the facility grounds and readily available to provide assistance and intervention if necessary. The supervising Family Nurse Practitioner or Physician shall have a minimum of two (2) years experience in the same or similar practice setting to which the Respondent is currently working. RESPONDENT SHALL work only regularly assigned, identified and predetermined unit(s). RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT contract for services. Multiple employers are prohibited.

(10) RESPONDENT SHALL CAUSE the supervising Family Nurse Practitioner or Physician to submit, on forms provided to the Respondent by the Board, periodic reports as to RESPONDENT'S capability to practice nursing. These reports shall be completed by the Family Nurse Practitioner or Physician who supervises the RESPONDENT. These reports shall be submitted by the supervising Family Nurse Practitioner or Physician to the office of the Board at the

end of each three (3) month period for two (2) of years of employment as a Family Nurse Practitioner.

IT IS FURTHER AGREED and ORDERED that if during the period of probation, an additional allegation, accusation, or petition is reported or filed against the Respondent's license(s), the probationary period shall not expire and shall automatically be extended until the allegation, accusation, or petition has been acted upon by the Board.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT'S license(s) to practice nursing in the State of Texas and RESPONDENT may be eligible for nurse licensure compact privileges, if any.

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RESPONDENT'S CERTIFICATION

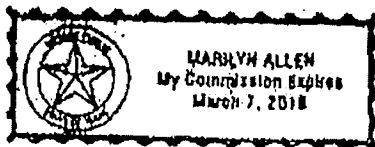
I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that this Order is subject to ratification by the Board. When this Order is ratified, the terms of this Order become effective, 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 action, including revocation of my license(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 17 day of April, 2014.

Samuel Jerdean
SAMUEL JERDEAN, Respondent

Sworn to and subscribed before me this 17 day of April, 2014.

SEAL



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

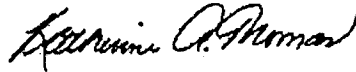
Approved as to form and substance.

Catherine Tabor
CATHERINE TABOR, Attorney for Respondent

Signed this 24 day of April, 2014.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 17th day of April, 2014, by SAMUEL JERIDEAU, Advanced Practice Registered Nurse License Number AP112733 and Registered Nurse License Number 651668, and said Order is final.

Effective this 13th day of May, 2014.



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