



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 Thomas*  
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of	§	REINSTATEMENT
Registered Nurse License Number 701894	§	
issued to SHAUNNA MAUREEN GRAMM	§	AGREED ORDER
aka SHAUNNA MAUREEN BRATTEN	§	

On this day came to be considered by the Texas Board of Nursing, hereinafter referred to as the Board, the Petition for Reinstatement of Registered Nurse License Number 701894, held by SHAUNNA MAUREEN GRAMM, aka, SHAUNNA MAUREEN BRATTEN, hereinafter referred to as Petitioner.

An informal conference was held on April 28, 2015, at the office of the Texas Board of Nursing, in accordance with Section 301.464, Texas Occupations Code.

Petitioner appeared in person. Petitioner was notified of her right to be represented by legal counsel and elected to waive representation by counsel. In attendance were Kristin Benton, MSN, RN, Director of Nursing, Executive Director's Designee; Jena Abel, Assistant General Counsel; Anthony L. Diggs, MSCJ, Director, Enforcement Division; and Diane E. Burell, Compliance Supervisor.

FINDINGS OF FACT

1. Prior to institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was served on Petitioner and Petitioner was given an opportunity to show compliance with all requirements of the law for retention of the license(s).
2. Petitioner waived representation by counsel, notice and hearing, and consented to the entry of this Order.
3. Petitioner received an Associate Degree in Nursing from William Rainey Harper College, Palatine, Illinois, on May 1, 2002. Petitioner was originally licensed to practice professional nursing in the State of Texas on January 8, 2004.

4. Petitioner's nursing employment history includes:

6/02 - 10/03	Staff Nurse	St. Alexis Medical Center Barrington, Illinois
1/04 - 12/05	Staff Nurse	Methodist Specialty and Transplant Hospital San Antonio, Texas
12/05 - 1/8	Agency Nurse	MedSource Agency San Antonio, Texas
12/05 - 12/08	Staff Nurse	Heart and Vascular Institute of Texas San Antonio, Texas
2/06 - 1/08	Staff Nurse	Methodist Heart Hospital San Antonio, Texas
5/08 - 6/08	Agency Nurse	Favorite Healthcare San Antonio, Texas
6/08 - 11/08	Staff Nurse	University Hospital San Antonio, Texas
7/09 - 8/10	Agency Nurse	Advanced Temporaries Corpus Christi, Texas
8/10 - 9/12	Staff Nurse	Texas A&M University Corpus Christi, Texas
4/13 - 6/13	Staff Nurse	Care Regional Medical Center Corpus Christi, Texas
7/13 - present	Not employed in nursing	

5. On September 11, 2012, Petitioner's license to practice professional nursing in the State of Texas was Suspended, with the suspension stayed, and Petitioner was placed on Probation for two (2) years. A copy of the September 11, 2012, Agreed Order, Findings of Fact, and Conclusions of Law is attached and incorporated, by reference, as part of this Order.
6. On August 8, 2013, the Board accepted the voluntary surrender of Petitioner's license(s) to practice professional nursing in the State of Texas. A copy of the August 8, 2013, Agreed Order, Findings of Fact, and Conclusions of Law, is attached and incorporated, by reference, as a part of this Order.
7. On or about November 20, 2014, Petitioner submitted a Petition for Reinstatement of License to practice professional nursing in the State of Texas.

8. Petitioner presented the following in support of her petition:
- 8.1. Letter, dated August 7, 2014, from Benjamin Supnet, M.D., Corpus Christi Women's Clinic, Corpus Christi, Texas, stating Petitioner is a gynecological patient at Corpus Christi Women's Clinic. To the best of his knowledge, for over one year, Petitioner has not had narcotics.
  - 8.2. Letter of support, dated November 9, 2014, from Jacqueline Ashley Thaxton, Corpus Christi, Texas, stating she is a friend of Petitioner and has had the pleasure to know her for the past three to four (3-4) years. She states they are very close and she knows Petitioner very well and describes her as honest, caring, thoughtful and dependable. Ms. Thaxton believes Petitioner to be a very devoted mother to her son.
  - 8.3. Letter of support, dated November 13, 2014, from Scott Alsedek, stating he is writing as a testament to the good character of Petitioner. He has known Petitioner for three (3) years and knows her to be intelligent, honest, kind, compassionate and caring towards others. It is Mr. Alsedek's sincere belief that Petitioner would be a welcome addition to any endeavor she would attempt.
  - 8.4. Letter of support, dated September 30, 2014, from Dr. Kaz Baczinskas, D.C., stating he has known Petitioner very well for about three (3) years. He considers her a close friend, as he has seen the good and the bad times. The vast majority of the time he has known Petitioner she has been extremely diligent in living the principles and working the steps outlined in the program of Alcoholics Anonymous. Dr. Baczinskas continues to state her diligence has been particularly evident since July 2013. He knows her to have a sponsor and regularly attends a home group, which are crucial aspects for her accountability and sobriety.
  - 8.5. Letter of support, dated April 27, 2015, from Carol Hill, Corpus Christi, Texas, stating she has known Petitioner for about three (3) years and has been her sponsor for one (1) year. Petitioner has been a wonderful example of recovery and is also a great mother and business owner. Ms. Hill states Petitioner has been clean and sober and is a wonderful example of what recovery can do to change someone's life.
  - 8.6. Letter of support, dated April 19, 2015, from Glenn Blalock, PhD, Corpus Christi, Texas, stating he first met Petitioner in June 2013. Dr. Blalock can attest to Petitioner's commitment to recovery and to her suitability to return to the nursing profession. Dr. Blalock has sixteen (16) years of sobriety and was immediately impressed with the ways Petitioner was engaging with the AA program, even though she was a relative newcomer. She didn't miss meetings, she worked with her sponsor, and she was already reaching out to others in recovery. Dr. Blalock was present when Petitioner shared with the group about her relapse and how that caused her to lose her license. Dr. Blalock was humbled by her candor, her acceptance, and her willingness to pick up that first chip again, with a determination that has grown every day.

- 8.7. Letter of support, dated April 22, 2015, from Ward McCampbell, Corpus Christi, Texas, stating he has known Petitioner for almost five (5) years. She is a great mother, entrepreneur, and reliable friend. In the past, Mr. McCampbell has hired Petitioner to help with both clerical and bookkeeping tasks. Her work is diligent, accurate and organized.
  - 8.8. Letter of support from Heather Nesbitt, stating she has known Petitioner for about four (4) years. In the time that Ms. Nesbitt has known Petitioner, she has seen her go through ups and downs of sober life. Ms. Nesbitt saw Petitioner struggle in the beginning only to relapse. She has also been able to witness her put back the pieces of her life after her relapse. She does everything the program asks of her. Petitioner has a sponsor, she reads the literature, is working the steps and putting them into action in her life. Petitioner is also sponsoring other individuals. Ms. Nesbitt believes Petitioner, given the opportunity, will live up to the Board's expectations if reinstated.
  - 8.9. Letter of support from Joe Tillman, Corpus Christi, Texas, stating he has known Petitioner for over a year. He has seen Petitioner in AA meetings two (2) or three (3) times a week. Mr. Tillman believes Petitioner will be a capable nurse who care about her patients.
  - 8.10. Documentation of support group attendance dating from July 19, 2013, through August 3, 2014, and December 2014, through April 2015.
  - 8.11. Documentation of four (4) monthly negative drug screens dating from January 8, 2015, through April 16, 2015.
  - 8.12. Documentation of the required continuing education contact hours.
9. Petitioner gives June 20, 2013, as her date of sobriety.

#### CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.
2. 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.
3. Pursuant to Section 301.467, Texas Occupations Code, the Board may refuse to issue or renew a license, and may set a reasonable period that must lapse before reapplication. Pursuant to 22 TEX. ADMIN. CODE §213.26, the Board may impose reasonable conditions that a Petitioner must satisfy before reissuance of an unrestricted license.

ORDER

IT IS THEREFORE AGREED, subject to ratification by the Texas Board of Nursing, that the petition of SHAUNNA MAUREEN GRAMM, aka SHAUNNA MAUREEN BRATTEN, Registered Nurse License Number 701894, to practice nursing in the state of Texas, be and the same is hereby GRANTED, AND SUBJECT TO THE FOLLOWING STIPULATIONS SO LONG AS THE PETITIONER complies 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 the stipulations contained in this Order:

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 Petitioner to practice nursing in the State of Texas.

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

IT IS FURTHER AGREED and ORDERED that while Petitioner's license(s) is/are encumbered by this Order, Petitioner may not work outside the State of Texas pursuant to a nurse licensure compact privilege without the written permission of the State of Texas and the Board of Nursing in the party state where Petitioner wishes to work.

(1) PETITIONER SHALL pay all re-registration fees and be issued a license to practice nursing in the State of Texas, which shall bear the appropriate notation. Said licenses issued to SHAUNNA MAUREEN GRAMM, aka SHAUNNA MAUREEN BRATTEN, shall be subject to the following agreed post-licensure stipulations:

(2) PETITIONER SHALL pay a monetary fine in the amount of five hundred (\$500.00) dollars. PETITIONER SHALL pay this fine within forty-five (45) days of relicensure. Payment is to be

made directly to the Texas Board of Nursing in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

(3) PETITIONER SHALL, within one (1) year of relicensure, successfully complete a course in Texas nursing jurisprudence and ethics. PETITIONER 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. PETITIONER 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 PETITIONER'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/disciplinaryaction/stipscourses.html>*

(4) PETITIONER SHALL, within one (1) year of relicensure, 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, PETITIONER 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>*

**IT IS FURTHER AGREED, SHOULD PETITIONER CHOOSE TO WORK AS A NURSE IN TEXAS, PETITIONER WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING PROBATION CONDITIONS FOR THREE (3) YEARS OF EMPLOYMENT. THE LENGTH OF THE PROBATION PERIOD WILL BE EXTENDED UNTIL SUCH THIRTY-SIX (36) MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE THE USE OF A REGISTERED NURSE (RN) OR A VOCATIONAL NURSE (LVN) LICENSE, AS APPROPRIATE, WILL NOT APPLY TO THIS STIPULATION PERIOD:**

(5) PETITIONER SHALL notify all future employers in nursing of this Order of the Board and the stipulations on PETITIONER'S license(s). PETITIONER 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 prior to accepting an offer of employment.

(6) PETITIONER SHALL CAUSE each future employer to submit the Notification of Employment form, which is provided to the PETITIONER by the Board, to the Board's office within five (5) days of employment as a nurse.

(7) For the first year of employment as a Nurse under this Order, PETITIONER SHALL be directly supervised by a Registered Nurse, if licensed as a Registered Nurse, or by a Licensed Vocational Nurse or a Registered Nurse, if licensed as a Licensed Vocational Nurse. Direct supervision requires another nurse, as applicable, to be working on the same unit as PETITIONER and immediately available to provide assistance and intervention. PETITIONER SHALL work only on regularly assigned, identified and predetermined unit(s). The PETITIONER SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. PETITIONER SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

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

(8) PETITIONER SHALL NOT practice as a nurse on the night shift, rotate shifts, work overtime, accept on-call assignments, or be used for coverage on any unit other than the identified, predetermined unit(s) to which PETITIONER is regularly assigned for one (1) year of employment as a nurse.

(10) PETITIONER SHALL NOT practice as a nurse in any critical care area for one (1) year of employment as a nurse. Critical care areas include, but are not limited to, intensive care units, emergency rooms, operating rooms, telemetry units, recovery rooms, and labor and delivery units.

(11) PETITIONER SHALL NOT administer or have any contact with controlled substances, Nubain, Stadol, Dalgan, Ultram, Propofol, or other synthetic opiates for one (1) year of employment as a nurse.



(12) PETITIONER SHALL CAUSE each employer to submit, on forms provided to the PETITIONER by the Board, periodic reports as to PETITIONER'S capability to practice nursing. These reports shall be completed by the nurse who supervises the PETITIONER. These reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) month period for three (3) year(s) of employment as a nurse.

(13) PETITIONER SHALL abstain from the consumption of alcohol, Nubain, Stadol, Dalgan, Ultram, or other synthetic opiates, and/or the use of controlled substances, except as prescribed by a licensed practitioner for a legitimate purpose. If prescribed, PETITIONER SHALL CAUSE the licensed practitioner to submit a written report identifying the medication, dosage and the date the medication was prescribed. The report shall be submitted directly to the office of the Board by the prescribing practitioner, within ten (10) days of the date of the prescription. **In the event that prescriptions for controlled substances are required for periods of two (2) weeks or longer, the Board may require and PETITIONER SHALL submit to a pain management and/or chemical dependency evaluation by a Board approved evaluator. The performing evaluator must submit a written report meeting the Board's requirements to the Board's office within thirty (30) days from the Board's request.**

(14) PETITIONER SHALL submit to random periodic screens for controlled substances, tramadol hydrochloride (Ultram), and alcohol. For the first three (3) month period, random screens shall be performed at least once per week. For the next three (3) month period, random screens shall be performed at least twice per month. For the next six (6) month period, random screens shall be performed at least once per month. For the remainder of the stipulation period, random screens shall be performed at least once every three (3) months. All random screens SHALL BE conducted through urinalysis. Screens obtained through urinalysis are the sole method accepted by the Board.

Specimens shall be screened for at least the following substances:

Amphetamines	Meperidine
Barbiturates	Methadone
Benzodiazepines	Methaqualone
Cannabinoids	Opiates
Cocaine	Phencyclidine
Ethanol	Propoxyphene
tramadol hydrochloride (Ultram)	

A Board representative may appear at the PETITIONER'S place of employment at any time during the stipulation period and require PETITIONER to produce a specimen for screening.

All screens shall be properly monitored and produced in accordance with the Board's policy on Random Drug Testing. A complete chain of custody shall be maintained for each specimen obtained and analyzed. PETITIONER SHALL be responsible for the costs of all random drug screening during the stipulation period.

Any positive result for which the nurse does not have a valid prescription or refusal to submit to a drug or alcohol screen may subject the nurse to further disciplinary action, including EMERGENCY SUSPENSION pursuant to Section 301.4551, Texas Occupations Code, or REVOCATION of PETITIONER's license(s) and nurse licensure compact privileges, if any, to practice nursing in the State of Texas. Further, failure to report for a drug screen, excessive dilute specimens, or failure to call in for a drug screen may be considered the same as a positive result or refusal to submit to a drug or alcohol screen.

(15) PETITIONER SHALL attend at least two (2) support group meetings each week, one of which must be for substance abuse and provided by Alcoholics Anonymous, Narcotics Anonymous, or another comparable recovery program that has been pre-approved by the Board. PETITIONER SHALL provide acceptable evidence of attendance. Acceptable evidence shall consist of a written record of at least: the date of each meeting; the name of each group attended; and the signature and printed name of the

chairperson of each group attended by PETITIONER. PETITIONER SHALL submit the required evidence on the forms provided by the Board at the end of every three (3) month period. No duplications, copies, third party signatures, or any other substitutions will be accepted as evidence.

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

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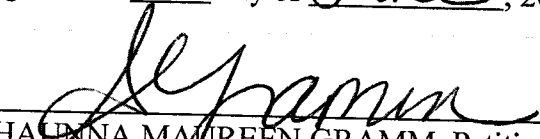
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PETITIONER'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Reinstatement Agreed Order. I waive representation by counsel. I certify that my past behavior, except as disclosed in my Petition for Reinstatement of Licensure, has been in conformity with the Board's professional character rule. I have provided the Board with complete and accurate documentation of my past behavior in violation of the penal law of any jurisdiction which was disposed of through any procedure short of convictions, such as: conditional discharge, deferred adjudication or dismissal. I have no criminal prosecution pending in any jurisdiction.

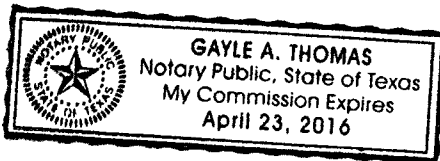
I have reviewed this Order. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order. I waive judicial review of this Order. I understand that this Order is subject to ratification by the Board. When this Order is ratified, the terms of this Order become effective, and a copy will be mailed to me. I agree to inform the Board of any other fact or event that could constitute a ground for denial of licensure prior to reinstating my license to practice professional nursing in the state of Texas. I understand that if I fail to comply with all terms and conditions of this Order, my license(s) to practice nursing in the State of Texas will be revoked, as a consequence of my noncompliance.

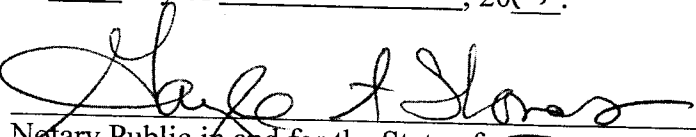
Signed this 15 day of June, 2015

  
\_\_\_\_\_  
SHAUNNA MAUREEN GRAMM, Petitioner  
aka SHAUNNA MAUREEN BRATTEN

Sworn to and subscribed before me this 15 day of June, 2015.

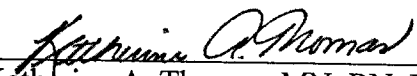
SEAL



  
\_\_\_\_\_  
Notary Public in and for the State of Texas

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Reinstatement Agreed Order that was signed on the 15th day of June, 2015, by SHAUNNA MAUREEN GRAMM, aka SHAUNNA MAUREEN BRATTEN, Registered Nurse License Number 701894, and said Order is final.

Effective this 23rd day of July, 2015.

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



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 C. Thomas*  
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of  
Registered Nurse License Number 701894  
issued to SHAUNNA MAUREEN GRAMM

§     AGREED  
§  
§     ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of SHAUNNA MAUREEN GRAMM, Registered Nurse License Number 701894, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order.

The Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was provided to 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 representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order.
3. Respondent is license to practice professional nursing in the State of Texas is currently in suspended status.
4. Respondent received an Associate Degree in Nursing from William Rainey Harper College, Palatine, Illinois on May 1, 2002. Respondent was licensed to practice professional nursing in the State of Texas on January 8, 2004.
5. Respondent's professional nursing employment history includes:  
01/04 - 03/13           Unknown

Respondent's professional nursing employment history continued:

04/13 - Present          RN                  Care Regional Medical Center  
Aransas Pass, Texas

6. On or about September 11, 2012, Respondent was issued a probated suspension through an Agreed Order by the Board. A copy of the Findings of Fact, Conclusions of Law, and Agreed Order dated September 11, 2012, is attached and incorporated, by reference, as part of this Order.
7. On or about June 14, 2013, Respondent was noncompliant with the Agreed Order issued to her by the Texas Board of Nursing on September 11, 2012. Noncompliance is the result of Respondent's failure to abstain from the consumption of synthetic opiates and/or controlled substances in that she submitted a specimen for a drug screen that resulted positive for Meperidine (Demerol). Stipulation Number Nine (9) of the Agreed Order dated September 11, 2012, states, in pertinent part:  
  
"RESPONDENT SHALL abstain from the consumption of alcohol, Nubain, Stadol, Dalgan, Ultram, or other synthetic opiates, and/or the use of controlled substances, except as prescribed by a licensed practitioner for a legitimate purpose."  
  
8. On or about June 20, 2013, Respondent was noncompliant with the Agreed Order issued to her by the Texas Board of Nursing on September 11, 2012. Noncompliance is the result of Respondent's failure to abstain from the consumption of synthetic opiates and/or controlled substances in that she submitted a specimen for a drug screen that resulted positive for Meperidine (Demerol). Stipulation Number Nine (9) of the Agreed Order dated September 11, 2012, states, in pertinent part:  
  
"RESPONDENT SHALL abstain from the consumption of alcohol, Nubain, Stadol, Dalgan, Ultram, or other synthetic opiates, and/or the use of controlled substances, except as prescribed by a licensed practitioner for a legitimate purpose."  
  
9. On or about July 15, 2013, the Board issued an Order of Temporary Suspension of Respondent's license to practice nursing in the State of Texas. A copy of the Order of Temporary Suspension, dated July 15, 2013, is attached and incorporated, by reference, as part of this Order.
10. Formal Charges were filed on July 15, 2013.
11. Formal Charges were mailed to Respondent on July 15, 2013.
12. Respondent, by her signature to this Order, expresses her desire to voluntarily surrender her license(s) to practice nursing in the State of Texas.

13. The Board policy implementing Rule 213.29 in effect on the date of this Agreed Order provides discretion by the Executive Director for consideration of conditional reinstatement after proof of twelve (12) consecutive months of abstinence from alcohol and drugs followed by licensure limitations/stipulations and/or peer assistance program participation.
14. 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.

### 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 §217.12(10)(D) & (11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(1) & (10), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 701894, heretofore issued to SHAUNNA MAUREEN GRAMM, including revocation of Respondent's license(s) to practice nursing in the State of Texas.
5. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
6. Under Section 301.453(d), Texas Occupations Code, as amended, the Board may impose conditions for reinstatement of licensure.
7. Any subsequent reinstatement of this license will be controlled by Section 301.453(d), Texas Occupations Code, and 22 TEX. ADMIN. CODE §213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

### ORDER

NOW, THEREFORE, IT IS AGREED and ORDERED that the VOLUNTARY SURRENDER of Registered Nurse License Number 701894, heretofore issued to SHAUNNA MAUREEN GRAMM, to practice nursing in the State of Texas, is accepted by the Texas Board of



Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL NOT practice professional nursing, use the title "registered nurse" or the abbreviation "RN" or wear any insignia identifying herself as a registered nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a registered nurse during the period in which the license is surrendered.
2. RESPONDENT SHALL NOT petition for reinstatement of licensure until: one (1) year has elapsed from the date of this Order; and, RESPONDENT has obtained objective, verifiable proof of twelve (12) consecutive months of sobriety immediately preceding the petition.
3. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

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.

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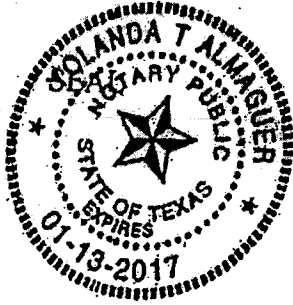
RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. 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 becomes final when accepted by the Executive Director at which time the terms of this Order become effective and a copy will be mailed to me.

Signed this 3 day of August, 2013.

Shayna Maureen Gramm  
SHAUNNA MAUREEN GRAMM, Respondent


Sworn to and subscribed before me this 3 day of August, 2013.



Yolanda T. Almaguer  
Notary Public in and for the State of Texas

WHEREFORE, PREMISES CONSIDERED, the Executive Director on behalf of the Texas Board of Nursing does hereby accept the voluntary surrender of Registered Nurse License Number 701894, previously issued to SHAUNNA MAUREEN GRAMM.

Effective this 8th day of August, 20 13.

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



I do hereby certify this to be a complete, accurate, and true copy of the document which is on file or is recorded in the offices of the Texas Board of Nursing.  
*Katherine A. Thomas*  
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Registered Nurse § AGREED  
License Number 701894 §  
issued to SHAUNNA MAUREEN BRATTEN § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of SHAUNNA MAUREEN BRATTEN, Registered Nurse License Number 701894, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(3),(9),(10),(12)&(13), Texas Occupations Code. Respondent waived informal proceedings, notice and hearing, and agreed to the entry of this Order offered on July 14, 2010, by Katherine A. Thomas, MN, RN, Executive Director, 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 an Associate Degree in Nursing from William Rainey Harper College, Palatine, Illinois on May 1, 2002. Respondent was licensed to practice professional nursing in the State of Texas on January 8, 2004.
5. Respondent's complete professional nursing employment history is unknown.
6. At the time of the initial incident in Finding of Fact Number Seven (7), Respondent was employed as a Registered Nurse with Favorite Healthcare Staffing, Inc., Overland Park, Kansas, and assigned to the Physician's Ambulatory Surgery Center, San Antonio, Texas, and had been in this position for two (2) years and five (5) months.

7. On or about June 17, 2008, while employed as a Registered Nurse with Favorite Healthcare Staffing, Inc., Overland Park, Kansas, and assigned to the Physician's Ambulatory Surgery Center, San Antonio, Texas, Respondent misappropriated Demerol from the facility and the patients thereof, or failed to take precautions to prevent such misappropriation. Respondent's conduct was likely to defraud the facility and the patients of the cost of the narcotics.
8. At the time of the incident in Finding of Fact Number Ten (10), Respondent was employed as a Registered Nurse with University Health System, San Antonio, Texas, and had been in that position for five (5) months.
9. At the time of the incident in Finding of Fact Number Ten (10), Respondent was employed as a Registered Nurse with Maxim Healthcare Services, Corpus Christi, Texas, and assigned to Dubuis Hospital of Corpus Christi, Corpus Christi, Texas, and had been in that position for one (1) day.
10. On or about November 18, 2008, while employed as a Registered Nurse with University Health System, San Antonio, Texas, and on or about April 8, 2009, while employed as a Registered Nurse with Maxim Healthcare Services, Corpus Christi, Texas, and assigned to Dubuis Hospital of Corpus Christi, Corpus Christi, Texas, Respondent lacked fitness to practice professional nursing in that she admitted to the intemperate use of Demerol and admitted to the diversion of narcotics. The use of narcotics by a Registered Nurse, while subject to call or duty, could impair the nurse's ability to recognize subtle signs, symptoms or changes in a patient's 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 March 3, 2009, Respondent entered a plea of Nolo Contendere to the charge THEFT PROP >=\$1500 <\$20,000, (a State Jail Felony offense committed on November 23, 2008), in the 290<sup>th</sup> District Court, San Antonio, Texas, under cause number 2009CR0098W. Subsequently, Respondent received deferred adjudication, and placed on probation for two (2) years, received a court fine of \$1500, and court costs of \$310.
12. Respondent's last known date of sobriety is April 9, 2009, as indicated in Finding of Fact Number Sixteen (16).
13. Respondent entered and completed a six month sentence in the Substance Abuse Felony Punishment (SAF-P) program in Burnett, Texas, which is an intensive therapeutic rehabilitation program, which meets the requirement for a treatment program under this Order. Respondent attended intensive aftercare and has remained in compliance with her recovery program.
14. 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.

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 a violations of Section 301.452(b)(3),(9),(10),(12)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.11(1)(B)&(D), and 22 TEX. ADMIN. CODE §217.12(1)(B),(4),(5),(6)(G), (10)(A)(C),(11)(B)&(13).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 701894, heretofore issued to SHAUNNA MAUREEN BRATTEN, 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 Registered Nurse License Number 701894, previously issued to SHAUNNA MAUREEN BRATTEN, to practice nursing in Texas is 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 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 the 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 the suspension being stayed, 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.state.tx.us/disciplinaryaction/stipscourses.html>

(3) RESPONDENT SHALL, within one (1) year of the suspension being stayed, 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. *Information regarding this workshop may be found at the following web address: <http://ncsbn.hivelive.com/hives/a0f6f3e8a0/summary>.*

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 IN SUCH SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING PROBATION CONDITIONS FOR TWO (2) YEAR(S) OF EMPLOYMENT. THE LENGTH OF THE PROBATIONARY 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 A REGISTERED NURSE (RN) LICENSE WILL NOT APPLY TO THIS PROBATIONARY PERIOD:

(4) RESPONDENT SHALL notify all future employers in nursing of this Order of the Board and the probation 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 prior to accepting an offer of employment.

(5) RESPONDENT SHALL CAUSE each present employer in nursing to submit the 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 to submit the 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.

(6) For the first year of employment as a nurse under this Order, RESPONDENT SHALL be directly supervised by a Registered Nurse. Direct supervision requires another nurse 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 be self-employed or contract for services. Multiple employers are prohibited.

(7) For the remainder of the probation period, RESPONDENT SHALL be supervised by a Registered Nurse who is on the premises. The supervising nurse 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 nurse 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 be self-employed or contract for services. Multiple employers are prohibited.

(8) RESPONDENT SHALL CAUSE each employer 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 nurse who supervises the RESPONDENT. These reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) months for two (2) years of employment as a nurse.

(9) RESPONDENT SHALL abstain from the consumption of alcohol, Nubain, Stadol, Dalgan, Ultram, or other synthetic opiates, and/or the use of controlled substances, except as prescribed by a licensed practitioner for a legitimate purpose. If prescribed, RESPONDENT SHALL CAUSE the licensed practitioner to submit a written report identifying the medication, dosage and the date the medication was prescribed. The report shall be submitted directly to the office of the Board by the prescribing practitioner, within ten (10) days of the date of the prescription. In the event that prescriptions for controlled substances are required for periods of two (2) weeks or longer, the Board may require and RESPONDENT SHALL submit to an evaluation by a Board approved physician specializing in Pain Management or Psychiatry. The performing evaluator will submit a written report to the Board's office, including results of the evaluation, clinical indications for the prescriptions, and recommendations for on-going treatment within thirty (30) days from the Board's request.

(10) RESPONDENT SHALL submit to random periodic screens for controlled substances, tramadol hydrochloride (Ultram), and alcohol. For the first three (3) month period, random screens shall be performed at least twice per month. For the next six (6) month period, random screens shall be performed at least once per month. For the remainder of the probation period, random screens shall be performed at least once every three (3) months. All random screens SHALL BE conducted through urinalysis. Screens obtained through urinalysis are the sole method accepted by the Board,

Specimens shall be screened for at least the following substances:

Amphetamines	Meperidine
Barbiturates	Methadone
Benzodiazepines	Methaqualone
Cannabinoids	Opiates

Cocaine  
Ethanol  
tramadol hydrochloride (Ultram)

Phencyclidine  
Propoxyphene

A Board representative may appear at the RESPONDENT'S place of employment at any time during the probation period and require RESPONDENT to produce a specimen for screening.

All screens shall be properly monitored and produced in accordance with the Board's policy on Random Drug Testing. A complete chain of custody shall be maintained for each specimen obtained and analyzed. RESPONDENT SHALL be responsible for the costs of all random drug screening during the probation period.

Any positive result for which the nurse does not have a valid prescription or failure to report for a drug screen, which may be considered the same as a positive result, will be regarded as non-compliance with the terms of this Order and may subject the nurse to 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.

(11) RESPONDENT SHALL attend at least two (2) support group meetings each week, one of which must be for substance abuse and provided by Alcoholics Anonymous, Narcotics Anonymous, or another comparable recovery program that has been pre-approved by the Board. RESPONDENT SHALL provide acceptable evidence of attendance. Acceptable evidence shall consist of a written record of at least: the date of each meeting; the name of each group attended; and the signature and printed name of the chairperson of each group attended by RESPONDENT. RESPONDENT SHALL submit the required evidence on the forms provided by the Board at the end of every three (3) months. No duplications, copies, third party signatures, or any other substitutions will be accepted as evidence.

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 shall be eligible for nurse licensure compact privileges, if any.

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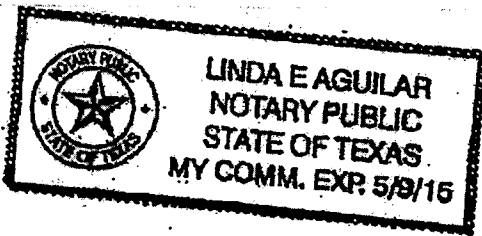
RESPONDENT'S CERTIFICATION

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 violations 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 sanction, including revocation of my license(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 10 day of August 2012  
[Signature]  
SHAUNNA MAUREEN BRATTEN, Respondent

Sworn to and subscribed before me this 10<sup>th</sup> day of August, 2012.

SEAL



Linda E Aguilar  
Notary Public in and for the State of TEXAS


Approved as to form and substance.

Taralynn R. Mackay  
TARALYNN MACKAY, Attorney for Respondent

Signed this 10<sup>th</sup> day of August, 2012

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 10<sup>th</sup> day of August, 2012, by SHAUNNA MAUREEN BRATTEN, Registered Nurse License Number 701894, and said Order is final.

Effective this 11th day of September, 2012.

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