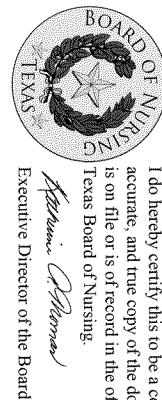


IN THE MATTER OF  
PERMANENT VOCATIONAL NURSE  
LICENSE NUMBER 205389  
ISSUED TO SHELLY J PETERSEN,  
RESPONDENT

§ BEFORE THE TEXAS  
§ BOARD OF NURSING  
§  
§ ELIGIBILITY AND  
§ DISCIPLINARY COMMITTEE



I do hereby certify this to be a complete, accurate, and true copy of the document which is on file or is of record in the offices of the Texas Board of Nursing.

**ORDER OF THE BOARD**

TO: SHELLY J PETERSEN  
107 W EAGLE ST  
ECTOR, TX 75439

During open meeting held in Austin, Texas, on Tuesday, March 8, 2016, 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 205389, previously issued to SHELLY J PETERSEN, 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 8th day of March, 2016.

TEXAS BOARD OF NURSING

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

Attachment: Formal Charge filed November 19, 2015.

d17r(2014.12.05)

Re: Permanent Vocational Nurse License Number 205389  
Issued to SHELLY J PETERSEN  
DEFAULT ORDER - REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 10 day of March, 2016, 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

SHELLY J PETERSEN  
107 W EAGLE ST  
ECTOR, TX 75439

BY:



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

**In the Matter of  
Permanent Vocational Nurse  
License Number 205389  
Issued to SHELLY J. PETERSEN,  
Respondent**

§ **BEFORE THE TEXAS**  
§  
§  
§  
§ **BOARD OF NURSING**

### **FORMAL CHARGES**

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, SHELLY J. PETERSEN, is a Vocational Nurse holding License Number 205389, 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 September 19, 2008, Respondent entered a plea of Guilty and was convicted of POSS MARIJ < 2OZ, a Class B misdemeanor offense committed on April 25, 2008, in the County Court at Law No 2 of Grayson County, Texas, under Cause No. 20082673. As a result of the conviction, Respondent was sentenced to confinement in the Grayson County Jail for a period of three (3) days and was ordered to pay a fine and court costs.

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(13).

#### **CHARGE II.**

On or about September 1, 2010, Respondent submitted a Texas Online Renewal Document to the Texas Board of Nursing in which Respondent provided false, deceptive, and/or misleading information, in that Respondent answered "No" to the question: "Have you, within the past 24 months or since your last renewal, for any criminal offense, including those pending appeal:

- A. been convicted of a misdemeanor?
- B. been convicted of a felony?
- C. pled nolo contendere, no contest, or guilty?
- D. received deferred adjudication?
- E. been placed on community supervision or court-ordered probation, whether or not adjudicated guilty?
- F. been sentenced to serve jail or prison time? court-ordered confinement?
- G. been granted pre-trial diversion?
- H. been arrested or have any pending criminal charges?
- I. been cited or charged with any violation of the law?
- J. been subject of a court-martial; Article 15 violation; or received any form of military judgement/punishment/action?"

Respondent failed to disclose that on or about September 19, 2008, Respondent entered a plea of Guilty and was convicted of POSS MARIJ < 2OZ, a Class B misdemeanor offense committed on April 25, 2008, in the County Court at Law No.2 of Grayson County, Sherman, Texas, under Cause No. 20082673.

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(6)(I).

### **CHARGE III.**

On or about November 25, 2012, Respondent was arrested by the Grayson County Sheriff's Office for POSS CS PG 1<1G, a State Jail Felony offense. On or about November 25, 2013, Respondent entered a plea of Not Guilty to POSSESSION OR DELIVERY OF DRUG PARAPHERNALIA, a Class C Misdemeanor offense, in the Justice of the Peace No 1 of Grayson County, Texas under Cause Number 220391-JP1. As a result of the plea, the proceedings against Respondent were deferred without an adjudication of guilt. Respondent was ordered to pay a fine.

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(13).

### **CHARGE IV.**

On or about August 21, 2013, Respondent entered a plea of Guilty to and was convicted of POSS MARIJ <2OZ, a Class B Misdemeanor offense committed on March 1, 2013, in the County Court at Law of Fannin County, Texas under Cause Number 46967. As a result of the conviction, Respondent was sentenced to confinement in Fannin County Detention Center for a period of six (6) months; however, imposition of the sentence of confinement was suspended, and Respondent was placed on probation for a period of twelve (12) months, and ordered to pay a fine and court costs.

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(13).

### **CHARGE V.**

On or about December 26, 2013, Respondent was cited by the Department of Public Safety of Fannin County for POSSESSION OR DELIVERY OF DRUG PARAPHERNALIA, a Class C Misdemeanor offense, Respondent was subsequently charged in the Justice of the Peace, Precinct 1 Court of Fannin County, Texas under Cause Number T13-1383JP1, and jail time credit was served, and Respondent was ordered to pay a fine.

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(13).

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).

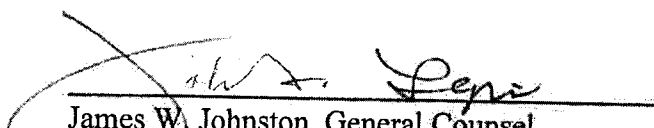
NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, [www.bon.texas.gov](http://www.bon.texas.gov).

NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on adopted Disciplinary Guidelines for Criminal Conduct; on adopted policies related to Substance Use Disorders and Other Alcohol and Drug Related Conduct; related to Behavior Involving Lying and Falsification, which can be found under the "Discipline & Complaints; Board Policies & Guidelines" section of the Board's website, [www.bon.texas.gov](http://www.bon.texas.gov).

NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, located at 22 TEX. ADMIN. CODE §213.33(b), which can be found under the "Discipline & Complaints; Board Policies & Guidelines" section of the Board's website, [www.bon.texas.gov](http://www.bon.texas.gov).

Filed this 19th day of November, 20 15.

TEXAS BOARD OF NURSING

  
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Board Certified - Administrative Law  
Texas Board of Legal Specialization  
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D(2015.10.15)