



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

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of
Registered Nurse License Number 742374
& Vocational Nurse License Number 194908
issued to SHAY DENISE YOUNG

§
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ORDER OF THE BOARD

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Registered Nurse License Number 742374, and Vocational Nurse License Number 194908, issued to SHAY DENISE YOUNG, 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.

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

FINDINGS OF FACT

1. Respondent holds a license to practice vocational nursing in the State of Texas, which is in inactive status. Respondent is currently licensed to practice professional nursing in State of Texas.
2. Respondent waived representation by counsel, informal proceedings, notice and hearing.
3. Respondent received a Certificate in Vocational Nursing from Blinn College, Bryan, Texas, on August 11, 2004. Respondent received an Associate Degree in Nursing from Blinn College, Bryan, Texas, on May 10, 2007. Respondent was licensed to practice vocational nursing in the State of Texas on September 16, 2004. Respondent was licensed to practice professional nursing in the State of Texas on June 14, 2007.
4. Respondent's complete vocational and professional nursing employment history is unknown.

5. On or about July 16, 2013, Respondent was issued an Agreed Order by the Board, requiring her to participate in and complete the Texas Peer Assistance Program for Nurses (TPAPN). A copy of the Finding of Fact, Conclusions of Law and Order dated July 16, 2013, is attached and incorporated herein by reference as part of this Order.

6. On or about August 31, 2015, Respondent became non-compliant with the Agreed Order issued to her by the Texas Board of Nursing on July 16, 2013. Respondent's non-compliance is the result of her failure to comply with Stipulation Number Three (3) of the Order, dated July 16, 2013, which reads:

"(3) RESPONDENT SHALL comply with all requirements of the TPAPN participation agreement during its term..."

On or about August 31, 2015, Respondent produced a specimen for a random drug screen that resulted positive for Ethyl Glucuronide (ETG) and Ethyl Sulfate (ETS), both metabolites of alcohol.

7. On or about October 20, 2015, Respondent became non-compliant with the Agreed Order issued to her by the Texas Board of Nursing on July 16, 2013. Respondent's non-compliance is the result of her failure to comply with Stipulation Number Three (3) of the Order, dated July 16, 2013, which reads:

"(3) RESPONDENT SHALL comply with all requirements of the TPAPN participation agreement during its term..."

On or about October 20, 2015, Respondent produced a specimen for a random drug screen that resulted positive for Ethyl Glucuronide (ETG) and Ethyl Sulfate (ETS), both metabolites of alcohol. The use of Alcohol by a Registered Nurse, while subject to call or duty, could impair the nurse's ability to recognize subtle signs, symptoms or changes in the 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.

8. On March 14, 2016, the Board received a notarized statement from Respondent voluntarily surrendering the right to practice nursing in Texas. A copy of Respondent's notarized statement, dated March 8, 2016, is attached and incorporated herein by reference as part of this Order.

9. 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.

10. 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(1)(A),(4),(5),(10)(A)&(11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(1),(9)&(10), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 742374, and Vocational Nurse License Number 194908, heretofore issued to SHAY DENISE YOUNG, 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, 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 TAC §§213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

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ORDER

NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Registered Nurse License Number 742374, and Vocational Nurse License Number 194908, heretofore issued to SHAY DENISE YOUNG, to practice nursing in the State of Texas, is/are accepted by the Executive Director on behalf of the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL NOT practice vocational or professional nursing, use the title of vocational nurse or professional nurse or the abbreviation "LVN" or "RN" or wear any insignia identifying herself as a vocational or registered nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a/an vocational or registered nurse during the period in which the license/s is/are 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.

Effective this 14th day of March, 2016.

TEXAS BOARD OF NURSING



By:

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

March 8, 2016

Texas Board of Nurses
333 Guadalupe Street
Ste. 3-460
Austin, Texas 78701

To whom it may concern,

I have received the newly ratified proposed ordered agreement prepared on my behalf. My previously agreed order was signed July 16, 2013. I made all attempts to comply with the stipulations as ordered but was unable to meet all of the guidelines as set by the Board. After reviewing the proposed order, I have decided to **voluntarily surrender** my nursing license.

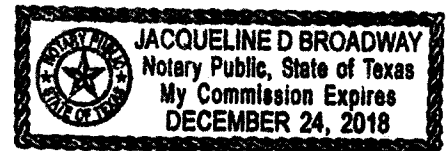
Registered Nurse License Number 742374

Vocational Nurse License Number 194908

My decision is based on past experiences. I wish to avoid lengthy efforts of compliance to stipulations that have multiple opportunities of failure of which could possibly lead to the revocation of my nursing license in the future. I have enjoyed my nursing career and look forward to my future endeavors helping people in other ways.

Shay Young

Shay Young



State of Texas County of Brazos

I certify this to be the original document
on this 9 day of March, 2016.

Jacqueline D Broadway
Notary Name Here, Notary Public
My Commission Expires 12-24-2018

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of	§	AGREED
Registered Nurse License Number 742374	§	
& Vocational Nurse License Number 194908	§	
issued to SHAY DENISE YOUNG	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of SHAY DENISE YOUNG, Registered Nurse License Number 742374, and Vocational Nurse License Number 194908, 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) and 301.453, Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on June 5, 2013.

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 representation by counsel, 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 Certificate in Vocational Nursing from Blinn College, Bryan, Texas, on August 11, 2004 and an Associate Degree in Professional Nursing from Blinn College, Bryan, Texas, on May 10, 2007. Respondent was licensed to practice vocational nursing in the State of Texas on September 16, 2004 and professional nursing in the State of Texas on June 14, 2007.

5. Respondent's complete nursing employment history is unknown.
6. On or about February 6, 2012, Respondent submitted a License Renewal Form to the Texas Board of Nursing in which she answered "Yes" 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 disclosed that, on or about April 22, 2011, Respondent was arrested by the College Station Police Department, College Station, Texas, and subsequently charged under Cause No. 11-03256-CRM-CCL2 for DRIVING WHILE INTOXICATED, a Class B misdemeanor offense. The charge is currently still pending.

Respondent also disclosed that, on or about October 24, 2011, Respondent was arrested by the Bryan Police Department, Bryan, Texas, and subsequently charged under Cause No. 11-05359-CRM-CCL2, for DRIVING WHILE INTOXICATED, a Class B misdemeanor offense committed on June 18, 2011. The charge is currently still pending.

7. In response to Finding of Fact Number Six (6), Respondent states she had attended a wine tasting party at a friend's home and felt comfortable to leave at the end of the evening. She was stopped for not using her turning signal. The officer requested a field sobriety test, along with a breath/alcohol specimen, and she refused and was arrested and charged with DWI.

Respondent states she was involved in a single car accident. The road was dark and winding and she lost control of her vehicle. She was assessed by the EMS and taken to a local hospital for evaluations. A warrant was obtained for a blood specimen while she was in the ER.

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8. On or about May 9, 2013, Respondent underwent a chemical dependency evaluation, with Jerome R. Schmidt, Ph.D. Dr. Schmidt's recommendation is for Ms. Young be supervised within a peer assistance program such as TPAPN until it is determined that she is able to continue to maintain sobriety and provide nursing services in a safe and appropriate manner.
9. The Respondent's conduct as described in the preceding Finding(s) of Fact was reportable under the provisions of Sections 301.401-301.419, Texas Occupations Code.
10. 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.
11. Respondent's conduct as described in the preceding Finding(s) of Fact resulted from or was significantly influenced by Respondent's substance use disorder.
12. Respondent's compliance with the terms of a Board approved peer assistance program should be sufficient to protect patients and the public.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.455, 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 and 22 TEX. ADMIN. CODE §217.12(13).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 742374, and Vocational Nurse License Number 194908, heretofore issued to SHAY DENISE YOUNG, up to, and including, revocation of Respondent's license(s) to practice nursing in the State of Texas.
5. The Board may, in its discretion, order a nurse to participate in a peer assistance program approved by the Board if the nurse would otherwise have been eligible for referral to peer assistance pursuant to Section 301.410, Texas Occupations Code.

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ORDER

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL comply with the following conditions for such a time as is required for RESPONDENT to successfully complete the Texas Peer Assistance Program for Nurses (TPAPN):

(1) RESPONDENT SHALL, within forty-five (45) days following the date of entry of this final Order, apply to TPAPN and SHALL, within ninety (90) days following the date of entry of this final Order, sign and execute the TPAPN participation agreement and complete the enrollment process, which SHALL include payment of a non-refundable participation fee in the amount of five hundred dollars (\$500.00) payable to TPAPN.

(2) Upon acceptance into the TPAPN, RESPONDENT SHALL waive confidentiality and provide a copy of the executed TPAPN participation agreement to the Texas Board of Nursing.

(3) RESPONDENT SHALL comply with all requirements of the TPAPN participation agreement during its term and SHALL keep all applicable license(s) to practice nursing in the State of Texas current.

(4) RESPONDENT SHALL CAUSE the TPAPN to notify the Texas Board of Nursing of any violation of the TPAPN participation agreement.

IT IS FURTHER AGREED and ORDERED, RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Texas Occupations Code, Section §§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.

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 multistate licensure 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.

IT IS FURTHER AGREED, SHOULD RESPONDENT fail to comply with this Order or the terms of the participation agreement with the TPAPN, such noncompliance will result in 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.

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RESPONDENT'S CERTIFICATION

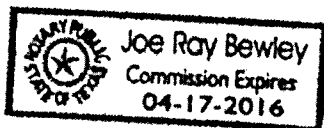
I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. I do acknowledge possessing a diagnosis that deems me eligible to participate in the Texas Peer Assistance Program for Nurses. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, and Conditions One (1) through Four (4) of this Order to obtain disposition of the allegations through peer assistance and to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that this Order becomes effective upon acceptance by the Executive Director on behalf of the Texas Board of Nursing, 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 July, 2013.

Shay Denise Young
SHAY DENISE YOUNG, RESPONDENT

Sworn to and subscribed before me this 10 day of July, 2013.

SEAL



Joe Ray Bewley
Notary Public in and for the State of Texas

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WHEREFORE PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby accept and enter the Agreed Order that was signed on the 10th day of July, 2013, by SHAY DENISE YOUNG, Registered Nurse License Number 742374, and Vocational Nurse License Number 194908, and said Order is final.

Entered and effective this 16th day of July, 2013.



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



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