



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.  
*William J. Thomas*  
Executive Director of the Board

IN THE MATTER OF PERMANENT  
REGISTERED NURSE  
LICENSE NUMBER 911293  
ISSUED TO  
SHANE WILLIAM GOSS,  
RESPONDENT

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

### ORDER OF THE BOARD

TO: SHANE WILLIAM GOSS  
518 E. TOWN STREET, APT. 521  
COLUMBUS, OH 73215

During open meeting held in Austin, Texas, on September 12, 2017, 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 Registered Nurse License Number 911293, previously issued to SHANE WILLIAM GOSS, 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 12th day of September, 2017.

TEXAS BOARD OF NURSING

BY:



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

Attachment: Formal Charge filed August 18, 2017.

d17r(RN)(2016.05.11)

Re: Permanent Registered Nurse License Number 911293  
Issued to SHANE WILLIAM GOSS  
DEFAULT ORDER - REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 14<sup>th</sup> day of September, 2017, 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

SHANE WILLIAM GOSS  
518 E. TOWN STREET, APT. 521  
COLUMBUS, OH 73215

BY:



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



In the Matter of  
Permanent Registered Nurse  
License Number 911293  
Issued to SHANE WILLIAM GOSS,  
Respondent

§ BEFORE THE TEXAS  
§  
§  
§  
§ BOARD OF NURSING

### FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, SHANE WILLIAM GOSS, is a Registered Nurse holding License Number 911293, 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 September 1, 2016, Respondent submitted an endorsement application to the Texas Board of Nursing in which he provided false, deceptive, and/or misleading information, in that he answered "no" to the following question:

"Are you currently the target or subject of a grand jury or governmental agency investigation?"

Respondent failed to disclose that on or about March 17, 2016, he was sent a Notice of Opportunity for Hearing regarding a proposal for discipline against his Ohio registered nurse license by the Ohio Board of Nursing, Columbus, Ohio. Respondent's conduct was deceptive and could have affected the Board's decision to issue him a license to practice professional nursing in the State of Texas.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(2)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(6)(I).

#### CHARGE II.

On or about November 17, 2016, Respondent's Ohio registered nurse license was issued a Probated Suspension by the Ohio Board of Nursing, Columbus, Ohio. A copy of the Ohio Board of Nursing's Consent Agreement dated November 17, 2016, is attached and incorporated, by reference, as part of this pleading.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(8), Texas Occupations Code.

NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of up to, and including, revocation of Respondent's license/s to practice nursing in the State of Texas pursuant to the Nursing Practice Act, Chapter 301, Texas Occupations Code and the Board's rules, 22 Tex. Admin. Code §§ 213.27 - 213.33.

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).

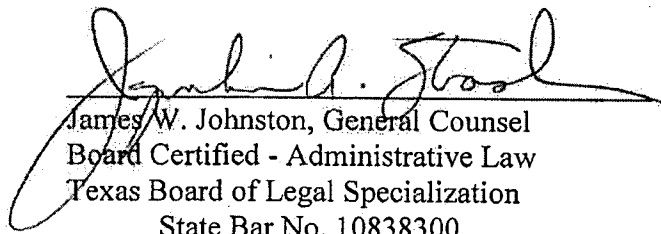
NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on adopted policies related to Substance Use Disorders and Other Alcohol and Drug Related Conduct; related to Behavior Involving Lying and Falsification; and related to Behavior Involving Fraud, Theft, and Deception, 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).

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: Ohio Board of Nursing's Consent Agreement dated November 17, 2016.

Filed this 18<sup>th</sup> day of August, 2017.

TEXAS BOARD OF NURSING

  
James W. Johnston, General Counsel  
Board Certified - Administrative Law  
Texas Board of Legal Specialization  
State Bar No. 10838300

Jena Abel, Deputy General Counsel  
Board Certified - Administrative Law  
Texas Board of Legal Specialization  
State Bar No. 24036103

John R. Griffith, Assistant General Counsel  
Board Certified - Administrative Law  
Texas Board of Legal Specialization  
State Bar No. 24079751

Robert Kyle Hensley, Assistant General Counsel  
State Bar No. 50511847

John F. Legris, Assistant General Counsel  
State Bar No. 00785533

Jacqueline A. Strashun, Assistant General Counsel  
State Bar No. 19358600  
John Vanderford, Assistant General Counsel  
State Bar No. 24086670

333 Guadalupe, Tower III, Suite 460  
Austin, Texas 78701  
P: (512) 305-8657  
F: (512) 305-8101 or (512)305-7401

Attachments: Ohio Board of Nursing's Consent Agreement dated November 17, 2016

D(2017.02.13)





# Ohio Board of Nursing

www.nursing.ohio.gov

17 South High Street, Suite 400 • Columbus, Ohio 43217 • 614.464.2222 • 614.464.2223

**CONSENT AGREEMENT  
BETWEEN  
SHANE WILLIAM GOSS, R.N.  
AND  
OHIO BOARD OF NURSING**

This Consent Agreement is entered into by and between **SHANE WILLIAM GOSS, R.N. (MR. GOSS)** and the Ohio Board of Nursing (Board), the state agency charged with enforcing Chapter 4723. of the Ohio Revised Code (ORC), and all administrative rules promulgated thereunder.

For purposes of this Agreement, "Consent Agreement" shall be defined as this Agreement, and the following record attached hereto and incorporated herein:

- Notice of Opportunity for Hearing, dated March 17, 2016 (March 2016 Notice).

This Consent Agreement contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Consent Agreement.

## **BASIS FOR ACTION**

This Consent Agreement is entered into on the basis of the following stipulations, admissions and understandings:

- A. The Board is empowered by Section 4723.28, ORC, to deny, permanently revoke, revoke, suspend, or place restrictions on any license issued by the Board; reprimand or otherwise discipline a licensee; or impose a fine of five hundred dollars (\$500.00) or less per violation. Section 4723.28 (B)(8), ORC, authorizes the Board to discipline a licensee for self-administering or otherwise taking into the body any dangerous drug, as defined in Section 4729.01, ORC, in any way not in accordance with a legal, valid prescription issued for that individual, or self-administering or otherwise taking into the body any drug that is a schedule I controlled substance.
- B. **MR. GOSS** has been licensed to practice nursing as a registered nurse in the State of Ohio, RN-397888, since November 2013. **MR. GOSS's** license to practice as a registered nurse is active.
- C. **MR. GOSS** knowingly and voluntarily admits to the factual and legal allegations set forth in the March 2016 Notice.

### AGREED CONDITIONS

Wherefore, in consideration of the foregoing and mutual promises hereinafter set forth, and in lieu of any formal proceedings at this time, **MR. GOSS** knowingly and voluntarily agrees with the Board to the following terms and restrictions: **MR. GOSS's** license to practice nursing as a registered nurse shall be suspended indefinitely. Such suspension shall be stayed, subject to the following PROBATIONARY terms and restrictions for a **minimum period of one (1) year**:

1. **MR. GOSS** shall not work in a position that requires a nursing license until he submits a written request to work as a nurse and obtains written approval from the Board or its designee. **MR. GOSS must be in full compliance with this Consent Agreement prior to requesting to work as a nurse.**
2. **MR. GOSS** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.
3. **MR. GOSS** shall appear in person for interviews before the full Board or its designated representative as requested by the Board or its designee.
4. **MR. GOSS** agrees that he will submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MR. GOSS**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MR. GOSS's** criminal records check reports to the Board. **MR. GOSS's** completed criminal records check, including the FBI check, **must be received by the Board prior to MR. GOSS requesting to work as a nurse.**

### **Educational Requirement**

5. **Prior to requesting to work as a nurse, MR. GOSS** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing education, or another comparable course approved in advance by the Board or its designee, all taken subsequent to the effective date of this Consent Agreement: five (5) hours of Substance Use Disorders; five (5) hours of Disciplinary Actions; and two (2) hours of Ohio Law and Rules.

### **Monitoring**

6. **MR. GOSS** shall abstain completely from the personal use or possession of drugs, except those prescribed, administered, or dispensed to him by another so authorized by law who has received a complete copy of this Consent Agreement prior to prescribing for **MR. GOSS**. **MR. GOSS** shall self-administer the prescribed drugs only in the manner prescribed.

7. **MR. GOSS** shall abstain completely from the use of alcohol or any products containing alcohol.
8. **For a minimum, continuous period of three (3) months immediately prior to requesting to work as a nurse and continuing throughout the probationary period, MR. GOSS** shall submit, at his expense and on the day selected, blood or urine specimens for drug and/or alcohol analysis at a collection site specified by the Board at such times as the Board may request. Refusal to submit such specimen, or failure to submit such specimen on the day he is selected, or in such a manner as the Board may request, shall constitute a violation of a restriction placed on a license for purposes of Section 4723.28(B), ORC. This screening shall require a daily call-in process. The specimens submitted by **MR. GOSS** shall be negative, except for substances prescribed, administered, or dispensed to him by another so authorized by law who has received a complete copy of this Consent Agreement prior to prescribing for **MR. GOSS**.
9. **Within three (3) months immediately prior to requesting to work as a nurse, MR. GOSS** shall, at his expense, obtain a chemical dependency evaluation by a Board approved chemical dependency professional and shall provide the Board with complete documentation of this evaluation. Prior to the evaluation, **MR. GOSS** shall provide the chemical dependency professional with a copy of this Consent Agreement. Further, **MR. GOSS** shall execute releases to permit the chemical dependency professional to obtain any information deemed appropriate and necessary for the evaluation. The professional shall submit a written opinion to the Board that includes diagnoses, recommendations for treatment and monitoring, any additional restrictions that should be placed on **MR. GOSS's** license to practice, and stating whether **MR. GOSS** is capable of practicing nursing according to acceptable and prevailing standards of safe nursing care.
10. **MR. GOSS** shall provide the Board with satisfactory documentation of compliance with all aspects of the treatment plan developed by the chemical dependency professional described above until released. Further, **MR. GOSS** agrees that the Board may utilize the professional's recommendations and conclusions from the evaluation as a basis for additional terms and restrictions on **MR. GOSS's** license and that the terms and restrictions may be incorporated in an addendum.

#### **Treating Practitioners and Reporting**

11. **Prior to initiating drug screening, MR. GOSS** shall provide a copy of this Consent Agreement to all treating practitioners and shall provide to the Board a list of all treating practitioners, including addresses and telephone numbers. Further, **MR. GOSS** shall be under a continuing duty to provide a copy of this



Consent Agreement, prior to initiating treatment, to additional treating practitioners, and to update the list of treating practitioners with the Board within forty-eight (48) hours of being treated by another practitioner.

12. After initiating drug screening, MR. GOSS shall cause all treating practitioners to complete a medication prescription report that is to be mailed by the practitioner directly to the Board. The medication report is to be completed for any and all substances prescribed, administered, or dispensed to MR. GOSS throughout the duration of this Consent Agreement.
13. Within twenty-four (24) hours of release from hospitalization or medical treatment, MR. GOSS shall notify the Board of any and all medication(s) or prescription(s) received.

#### **Employment Conditions**

14. Prior to accepting employment as a nurse, each time and with every employer, MR. GOSS shall notify the Board, in writing.
15. MR. GOSS is under a continuing duty to provide a copy of this Consent Agreement to any new employer prior to accepting nursing employment. MR. GOSS shall have his employer(s), if working in a position where a nursing license is required, submit written reports regarding job performance on a quarterly basis beginning within thirty (30) days of accepting nursing employment. MR. GOSS shall have his employer(s) send documentation to the Board, along with the first employer report, of receipt of a copy of this Consent Agreement, including the date the Consent Agreement was received.

#### **Reporting Requirements of Licensee**

16. MR. GOSS shall report to the Board, in writing, any violation of this Consent Agreement within thirty (30) days of the occurrence of the violation.
17. MR. GOSS shall sign release of information forms allowing health professionals and other organizations to submit the requested documentation directly to the Board.
18. MR. GOSS shall submit any and all information that the Board may request regarding his ability to practice according to acceptable and prevailing standards of safe nursing practice.
19. MR. GOSS shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.



20. **MR. GOSS** shall submit the reports and documentation required by this Consent Agreement on forms specified by the Board. All reporting and communications required by this Consent Agreement shall be made to the Compliance Unit of the Board.
21. **MR. GOSS** shall submit the reports and documentation required by this Consent Agreement or any other documents required by the Board to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
22. **MR. GOSS** shall verify that the reports and documentation required by this Consent Agreement are received in the Board office.
23. **MR. GOSS** shall inform the Board within five (5) business days, in writing, of any change in employment status or of any change in residential or home address or telephone number.

#### **Nursing Refresher Course**

Upon the request by the Board or its designee, **MR. GOSS** shall, prior to working in a position where a nursing license is required, complete and submit satisfactory documentation of completion of a refresher course or an extensive orientation to be approved in advance by the Board or its designee.

#### **Temporary Narcotic Restriction**

Unless otherwise approved in advance, in writing, by the Board or its designee, **MR. GOSS** shall not administer, have access to, or possess (except as prescribed for **MR. GOSS's** use by another so authorized by law who has received a complete copy of this Consent Agreement prior to prescribing for **MR. GOSS**) any narcotics, other controlled substances, or mood altering drugs. In addition, **MR. GOSS** shall not possess or carry any work keys for locked medication carts, cabinets, drawers, or containers. **MR. GOSS** shall not count narcotics.

#### **Temporary Practice Restrictions**

**MR. GOSS** further knowingly and voluntarily agrees with the Board to the following **TEMPORARY LICENSURE RESTRICTIONS**:

Unless otherwise approved in advance, in writing, by the Board or its designee **MR. GOSS** shall not practice nursing as a registered nurse (1) for agencies providing home care in the patient's residence; (2) for hospice care programs providing hospice care in the patient's residence; (3) for staffing agencies or pools; (4) as an independent provider where the nurse provides nursing care and is reimbursed for services by the State of Ohio through State agencies or agents of the State; or (5) for an individual or group of individuals who directly engage **MR. GOSS** to provide nursing services for fees, compensation, or other consideration or as a volunteer.





Unless otherwise approved in advance, in writing, by the Board or its designee MR. GOSS shall not function in a position or employment where the job duties or requirements involve management of nursing and nursing responsibilities, or supervising and evaluating nursing practice. Such positions include but are not limited to the following: Director of Nursing, Assistant Director of Nursing, Nurse Manager, Vice President of Nursing.

#### FAILURE TO COMPLY

MR. GOSS agrees that his license to practice nursing as a registered nurse will be automatically suspended if it appears to the Board that MR. GOSS has violated or breached any terms or restrictions of the Consent Agreement. Following the automatic suspension, the Board shall notify MR. GOSS via certified mail of the specific nature of the charges and automatic suspension of his license. MR. GOSS may request a hearing regarding the charges.

The above described terms and conditions shall constitute "restrictions placed on a license" for purposes of Section 4723.28(B), ORC. If, in the discretion of the Board, MR. GOSS appears to have violated or breached any terms or restrictions of this Consent Agreement, the Board reserves the right to institute formal disciplinary proceedings for any and all possible violations or breaches, including, but not limited to, alleged violations of the laws of Ohio occurring before the effective date of this Consent Agreement.

#### DURATION / MODIFICATION OF TERMS

The terms and restrictions of this Consent Agreement may be modified or terminated, in writing, at any time upon the agreement of both MR. GOSS and the Board.

The Board may only alter the probationary period imposed by this Consent Agreement if: (1) the Board determines that MR. GOSS has complied with all aspects of this Consent Agreement; and (2) the Board determines that MR. GOSS is able to practice according to acceptable and prevailing standards of safe nursing care without Board monitoring, based upon an interview with MR. GOSS and review of the reports as required herein. Any period during which MR. GOSS does not work in a position for which a nursing license is required shall not count toward fulfilling the probationary period imposed by this Consent Agreement.

#### ACKNOWLEDGMENTS / LIABILITY RELEASE

MR. GOSS acknowledges that he has had an opportunity to ask questions concerning the terms of this Consent Agreement and that all questions asked have been answered in a satisfactory manner.

MR. GOSS waives all of his rights under Chapter 119, ORC, as they relate to matters that are the subject of this Consent Agreement.

MR. GOSS acknowledges that his license status listed on the Board's web-based verification site will not be accessible to the general public, including potential employers, until MR. GOSS is notified that written approval has been given by the Board or its designee that MR. GOSS is

Shane William Goss, R.N.

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authorized to work in a position that requires a nursing license. Any inquiries regarding MR. GOSS's status prior to the time MR. GOSS is authorized to work as a nurse will be addressed by telephone or in person by Board staff.

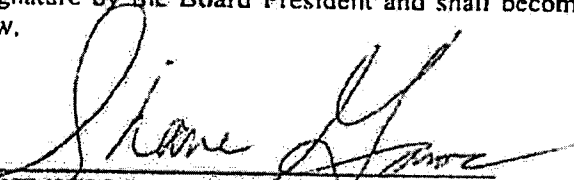
MR. GOSS waives any and all claims or causes of action he may have against the Board, and its members, officers, employees and/or agents arising out of matters which are the subject of this Consent Agreement.

This Consent Agreement shall be considered a public record as that term is used in Section 149.43, ORC. The information contained herein may be reported to appropriate organizations, data banks and governmental bodies.


This Consent Agreement is not an adjudication order as discussed in Chapter 119, ORC. Any action initiated by the Board based on alleged violations of this Consent Agreement shall comply with the Administrative Procedures Act, Chapter 119, ORC.

**EFFECTIVE DATE**

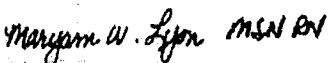
MR. GOSS understands that this Consent Agreement is subject to ratification by the Board prior to signature by the Board President and shall become effective upon the last date of signature below.

  
SHANE WILLIAM GOSS, R.N.

DATE 9/12/16

  
ELIZABETH COLLIS, ESQ.  
Attorney for Shane William Goss, R.N.

DATE 9/12/16

  
MARYAM W. LYON, M.S.N., R.N.  
President, Ohio Board of Nursing

DATE 11/17/16



## Ohio Board of Nursing

[www.nursing.ohio.gov](http://www.nursing.ohio.gov)

17 South High Street, Suite 400 • Columbus, Ohio 43215-7410 • (614) 466-3947

March 17, 2016

### NOTICE OF OPPORTUNITY FOR HEARING

Shane William Goss, R.N.  
518 E. Town Street, Apt. 521  
Columbus, Ohio 43215

Dear Mr. Goss:

In accordance with Chapter 119, Ohio Revised Code (ORC), you are hereby notified that the Ohio Board of Nursing (Board) proposes under authority of Section 4723.28, ORC, to deny, revoke, permanently revoke, suspend or place restrictions on your license to practice nursing as a registered nurse; reprimand or otherwise discipline you; or impose a fine of not more than five hundred dollars (\$500.00) per violation for the following reasons:

1. On or about May 15, 2015, you submitted a urine specimen for a pre-employment test for AMN Healthcare. Your urine tested positive for Cocaine.

Section 4723.28 (B)(8), ORC, authorizes the Board to discipline a licensee for self-administering or otherwise taking into the body any dangerous drug, as defined in Section 4729.01, ORC, in any way not in accordance with a legal, valid prescription issued for that individual, or self-administering or otherwise taking into the body any drug that is a schedule I controlled substance.

Accordingly, the Board is authorized to impose one or more of the sanctions cited in Section 4723.28, ORC.

In accordance with Chapter 119, ORC, you are hereby informed that you are entitled to a hearing in this matter. If you wish to request such hearing, the request must be made in writing and must be received in the Board office within thirty (30) days of the time of mailing of this notice.

You are hereby further informed that, if you timely request a hearing, you are entitled to appear at such hearing in person, by your attorney, or by such other representative as is permitted to practice before the Board, or you may present your position, arguments, or contentions in writing. At the hearing, you may also present evidence and examine witnesses appearing for and against you.

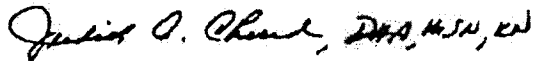
Should you choose to request a hearing, please mail or deliver the request, in addition to any other correspondence regarding this matter, to **Hearing Requests/Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, Ohio 43215-7410** or to the email address, [hearing@nursing.ohio.gov](mailto:hearing@nursing.ohio.gov).

Shane William Goss, R.N.

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If the Board fails to receive a request for a hearing within thirty (30) days of the time of mailing of this notice, the Board may, in your absence and upon consideration of the factual and legal allegations set forth in this Notice of Opportunity for Hearing, deny, revoke, permanently revoke, suspend or place restrictions on your license to practice nursing as a registered nurse; reprimand or otherwise discipline you; or impose a fine of not more than five hundred dollars (\$500.00) per violation.

Sincerely,



---

Judith A. Church, D.H.A., M.S.N., R.N.  
Supervising Board Member

Certified Mail Receipt No. 7015 3010 0001 6962 0117  
Attorney Certified Mail Receipt No. 7015 3010 0001 6962 0124

cc: Henry G. Appel, Principal Assistant Attorney General  
Elizabeth Y. Collis, Esq.