



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. Harman*  
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of  
SHELBY JOYCE PRICE,  
Vocational Nurse License Number 157149

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ORDER OF THE BOARD

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of SHELBY JOYCE PRICE, Vocational Nurse License Number 157149, hereinafter referred to as Respondent.

This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived 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. Respondent's license to practice as a vocational nurse in the State of Texas is in current status.
2. Respondent waived notice and hearing, and agreed to the entry of this Order.
3. Respondent received a Certificate in Vocational Nursing from Texas State Technical College West Texas, Sweetwater, Texas, on February 23, 1996. Respondent was licensed to practice vocational nursing in the State of Texas on April 2, 1996.

4. Respondent's nursing employment history includes:

4/1996 – 8/2017	Unknown	
9/2017 – 2/2018	LVN	Snyder Health Care Center Snyder, Texas
3/2018 – Present	Unknown	

5. Formal Charges were filed on October 15, 2019. A copy of the Formal Charges, dated October 15, 2019, is attached and incorporated herein by reference as part of this Order.
6. On January 10, 2020, the Board received a notarized statement from Respondent voluntarily surrendering the right to practice nursing in Texas. A copy of Respondent's statement, dated January 10, 2020, is attached and incorporated herein by reference as part of this Order.

### **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),(1)(B),(4),(5),(6)(G),(8),(9),(10)(A),(10)(D),(10)(E)&(11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(9),(10)&(12), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 157149, heretofore issued to SHELBY JOYCE PRICE, 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.

### **TERMS OF ORDER**

NOW, THEREFORE, IT IS ORDERED that the VOLUNTARY SURRENDER of Vocational Nurse License Number 157149 is accepted by the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL NOT practice vocational nursing, use the title "vocational nurse" or the abbreviation "LVN" or wear any insignia identifying herself/himself as a vocational nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a vocational nurse during the period in which the license is surrendered.
2. RESPONDENT SHALL NOT petition for reinstatement of licensure until:
  - A. At least one (1) year has elapsed from the date of this Order; and
  - B. RESPONDENT has 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 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 10<sup>th</sup> day of January, 2020



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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 157149  
Issued to SHELBY JOYCE PRICE,  
Respondent**

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**BEFORE THE TEXAS  
BOARD OF NURSING**

### **FORMAL CHARGES**

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, SHELBY JOYCE PRICE, is a Vocational Nurse holding license number 157149 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 January 26, 2018, while employed as a Licensed Vocational Nurse with Snyder Health Care Center, Snyder, Texas, Respondent misappropriated two (2) OxyContin 15mg tablets belonging to Patient SL, or failed to take precautions to prevent such misappropriation. Furthermore, Respondent counted and signed for the medications at the beginning of her shift and she was the only person who had access to the medications during her shift. Respondent's conduct was likely to defraud the facility and patients thereof of the cost of the medications.

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(1)(A),(1)(B),(4),(6)(G),(8),(10)(E)&(11)(B).

#### **CHARGE II.**

On or about January 26, 2018, while employed as a Licensed Vocational Nurse with Snyder Health Care Center, Snyder, Texas, Respondent engaged in the intemperate use of methamphetamines in that she produced a specimen for a drug screen which resulted positive for methamphetamine. Additionally, Respondent admitted to not having a prescription for methamphetamines and said she got methamphetamines from a friend. Unlawful possession of methamphetamines is prohibited by Chapter 481 (Controlled Substances Act) of the Texas Health & Safety Code. The use of methamphetamines by a 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 a patient in potential danger.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(9)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(4),(5),(10)(A),(10)(D)&(11)(B).

### CHARGE III.

On or about May 23, 2018, Respondent was referred to the Texas Peer Assistance Program for Nurses (TPAPN) for drug use, and subsequently signed a Participation Agreement. On or about January 16, 2019, Respondent submitted a urine specimen for testing. On or about January 22, 2019, Respondent withdrew her participation from TPAPN, stating her inability to meet TPAPN's employment requirements. On or about January 25, 2019, Respondent's urine specimen test results returned positive for alcohol on an ETG test. Consequently, due to Respondent withdrawing from TPAPN and a subsequent positive drug screen test for alcohol, TPAPN closed Respondent's case and referred her to the Texas Board of Nursing.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(12), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(4),(5),(9)&(10)(A).

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) and/or privilege(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, based on the Formal Charges, the Board will rely on adopted policies related to Substance Use Disorders and Other Alcohol and Drug Related Conduct, and on adopted policies 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).

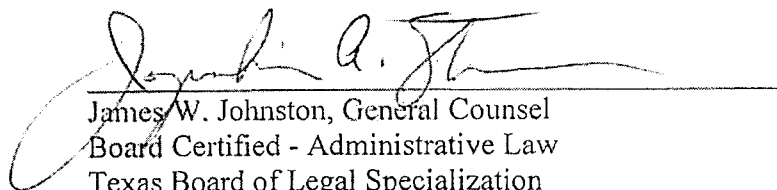
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NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, located at 22 TEX. ADMIN. CODE §213.33(b), which can be found under the "Discipline & Complaints; Board Policies & Guidelines" section of the Board's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

Filed this 15<sup>th</sup> day of October, 2019.

TEXAS BOARD OF NURSING

  
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SHELBY JOYCE PRICE  
1203 Harlan Ave, Hermleigh, TX 79526  
LVN LICENSE NUMBER 157149

Voluntary Surrender Statement

Dear Texas Board of Nursing:

I no longer desire to be licensed as a nurse. Accordingly, I voluntarily surrender my license(s) to practice nursing in the State of Texas. I waive representation by counsel and consent to the entry of an Order which outlines requirements for reinstatement of my license. I understand that I may not petition for reinstatement until one (1) year from the effective date of the Order. I understand that I will be required to comply with the Board's Rules and Regulations in effect at the time I submit any petition for reinstatement.

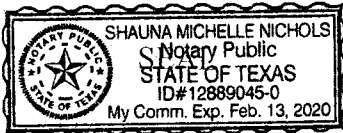
Signature: Shelby Price  
Date: 01-8-2020

LVN LICENSE NUMBER 157149

The State of Texas

Before me, the undersigned authority, on this date personally appeared SHELBY JOYCE PRICE who, being duly sworn by me, stated that he or she executed the above for the purpose therein contained and that he or she understood same.

Sworn to before me the 8th day of January, 2020.



Shauna Michelle Nichols  
Notary Public in and for the State of Texas  
Scump Co.