



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 O'Hanrahan
Executive Director of the Board

**In the Matter of
Permanent Registered Nurse
License Number 584472 &
Permanent Vocational Nurse
License Number 116981
Issued to SHERYL M PIESCIUK,
Respondent**

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

ORDER OF THE BOARD

TO: Sheryl Piesciuk
223 Hill Terrace
Nederland, TX 77627

During open meeting held in Austin, Texas, on December 8, 2020, 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 584472, and Permanent Vocational Nurse License Number 116981, previously issued to SHERYL M PIESCIUK 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 December, 2020

TEXAS BOARD OF NURSING

BY: 

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

Attachment: Formal Charges filed August 4, 2020

d17r(2020.11.17)

Re: Permanent Registered Nurse License Number 584472
& Permanent Vocational Nurse License Number 116981
Issued to SHERYL M PIESCIUK
DEFAULT ORDER - REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 9th day of December, 2020, 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.
Copy Via USPS First Class Mail

Sheryl Piesciuk
223 Hill Terrace
Nederland, TX 77627

BY: 

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

In the Matter of	§	
Permanent Registered Nurse	§	BEFORE THE TEXAS
License Number 584472 &	§	
Permanent Vocational Nurse	§	
License Number 116981	§	BOARD OF NURSING
Issued to SHERYL M. PIESCIUK,	§	
Respondent	§	

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, SHERYL M. PIESCIUK, is a Registered Nurse holding license number 584472 which is in delinquent status at the time of this pleading. Further, Respondent is a Vocational Nurse holding license number 116981 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 July 17, 2020, Respondent's Arkansas Practical Nurse license was Suspended for one (1) year by the Arkansas State Board of Nursing, Little Rock, Arkansas. A copy of the Arkansas State Board of Nursing's Findings of Fact, Conclusions of Law and Order dated July 17, 2020, 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) 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.

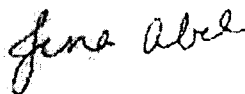
NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, www.bon.texas.gov.

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, which can be found under the "Discipline & Complaints; Board Policies & Guidelines" section of the Board's website, 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.

Filed this 4th day of August, 2020.

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

Helen Kelley, Assistant General Counsel
State Bar No. 24086520

Brian L. Miller, Jr., Assistant General Counsel
State Bar No. 24117478

JoAnna Starr, Assistant General Counsel
State Bar No. 24098463

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

D(2020.07.27)

BEFORE THE ARKANSAS STATE BOARD OF NURSING

IN THE MATTER OF:

**SHERYL MALISSA PIESCIUK RICHMOND SHIELDS LPN LICENSE NO. L019531
(EXPIRED)**

FINDINGS OF FACT
CONCLUSIONS OF LAW AND ORDER

A hearing on the captioned matter was held before the Arkansas State Board of Nursing (hereinafter referred to as "the Board"), on July 8, 2020, in the Board Room of the Arkansas State Board of Nursing, 1123 South University, Suite 800, Little Rock, Arkansas. The Board was represented by its General Counsel, David Dawson. **SHERYL MALISSA PIESCIUK RICHMOND SHIELDS**, Licensed Practical Nurse, License No. L019531 (expired) (hereinafter referred to as "Respondent"), failed to appear before the Board and was not represented by counsel. The Order and Notice of Hearing was mailed to Respondent on June 18, 2020. On the basis of testimony and other evidence presented, the Board made the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent holds Arkansas LPN License L019531.
2. On January 14, 2019, ASBN received a complaint from Susan Kristiniak, Interim Chief Nursing Officer with Northwest Medical Center, Springdale, Arkansas indicating Respondent's contract through Nursing Options Healthcare Staffing (Nursing Options) was terminated on December 18, 2018 due to possible impairment.
3. On December 18, 2018, Respondent was asked to submit to a reasonable suspicion urine drug screen, due to the following:

1. Behavior
 - a. Alternate periods of high and low productivity

IN THE MATTER OF:

**SHERYL MALISSA PIESCIUK RICHMOND SHIELDS LPN LICENSE NO. L019531
(EXPIRED)**

- b. Difficulty performing ordinary tasks
 - c. Increased errors
- 2. Confusion
 - a. Difficulty in recalling instructions, details, etc.
 - b. Difficulty in recalling mistakes
- 3. Patient Complaint
 - a. Patient's stated in part they did not get my pain med

A urine sample was collected twice. Both specimens did not meet the temperature requirement of 90⁰ to 100⁰ Fahrenheit.

4. On January 31, 2019, a certified letter was sent to Respondent to her last known address on file with the Board requesting a response to the complaint. The letter was returned by the United States Post Office (USPS) on February 22, 2020 marked "Return to Sender/Vacant/Unable to Forward.

5. Respondent's employment record from Nursing Options was reviewed and indicates on April 1, 2019, Siloam Springs Regional Hospital emailed Nursing Options requesting replacement for Respondent. The hospital felt Respondent was unsafe and not competent as an RN, as she could not perform basic RN duties after extra days of orientation. Nursing Options terminated Respondent's contract and she is not eligible for future employment.

6. ASBN staff sent a Request for Evaluation to nine (9) different addresses by certified and regular mail to all known addresses on file with ASBN and Nursys. All were returned by the USPS marked undeliverable except for the letter sent to 609 West Maple, Springdale, Arkansas 72764. USPS tracking history indicates the USPS delivered the letter on 9/25/2019.

IN THE MATTER OF:

**SHERYL MALISSA PIESCIUK RICHMOND SHIELDS LPN LICENSE NO. L019531
(EXPIRED)**

7. As of the date of this report ASBN has not had any communication with Respondent.

CONCLUSIONS OF LAW

1. Pursuant to Ark. Code Ann. §17-87-309, the Board has subject matter and personal jurisdiction in this matter.

2. Respondent is guilty of violating Ark. Code Ann. §17-87-309(a)(4) and (a)(6).

ORDER

IT IS THEREFORE ORDERED that the license issued to Respondent be **SUSPENDED** for one (1) year with the following conditions:

1. Respondent shall provide evidence of a comprehensive assessment for substance use disorder and a neuropsychological evaluation within thirty (30) days of receipt of this order. Acceptable evidence shall consist of an evaluation with appropriate testing by an evaluator, who meets the Board approved criteria and specializes in addiction disorders. Respondent shall supply a copy of the Board's order to the evaluator. The evaluation shall contain evidence that the evaluator knows the reason for the referral. The evaluator shall specifically advise the Board that the nurse is or is not presently able to engage in the safe practice of nursing or recommend the conditions, if any, under which safe practice could occur. Respondent shall ensure the evaluator sends the report directly to the Board.

2. Respondent shall attend AA/NA, or other Board approved counseling / support group meetings and shall submit quarterly reports to the Board through the Board approved monitoring program. Acceptable evidence shall consist of completion of the disciplinary form, Aftercare Meetings Report. Respondent shall log attendance of all support group meetings via the Board approved monitoring program. Respondent shall follow the evaluator's

IN THE MATTER OF:

**SHERYL MALISSA PIESCIUK RICHMOND SHIELDS LPN LICENSE NO. L019531
(EXPIRED)**

recommendations regarding treatment, counseling and support group meetings. Respondent shall attend three (3) meetings per week until the Board receives the evaluation with recommendations regarding meeting attendance.

3. Respondent shall obtain or continue counseling with a psychiatrist, psychologist, or other recognized mental health practitioner and shall submit the practitioner's progress report quarterly until discharged by the practitioner. Respondent shall log all appointments via the Board approved monitoring program. Treatment shall begin within thirty (30) days of receipt of this order.

4. Respondent shall abstain at all times from the use of controlled or abuse potential substances, including alcohol and products that contain alcohol. Respondent shall not consume hemp, poppy seeds, or any product or by-product containing the same. Respondent shall not use or consume products that contain Cannabidiol (CBD). Short-term treatment with a controlled medication may be allowed for an acute illness or acute condition. Short-term treatment is a course of treatment that is limited in duration. Respondent shall notify Board staff within ten (10) days of being prescribed a controlled or abuse potential substance via the Board approved drug screen monitoring program. Respondent shall log all medications, including over-the-counter medications via the Board approved drug screen monitoring program. Acceptable documentation includes, but is not limited to photo(s) of the prescription label, documentation from the provider, or documentation from the pharmacy indicating the prescriber, medication, dose, date prescribed and amount dispensed.

5. Respondent shall submit to observed, random drug screens. The observed drug screens shall meet the criteria established by the Board and be conducted through a Board

IN THE MATTER OF:

**SHERYL MALISSA PIESCIUK RICHMOND SHIELDS LPN LICENSE NO. L019531
(EXPIRED)**

approved drug screen monitoring program, laboratory, and collection site. Respondent shall contact the monitoring program to activate their account and begin checking in daily beginning the first of the month following Board order. If selected for testing, Respondent shall submit the specimen within two (2) hours from the time of notification. Respondent shall not submit specimens at Respondent's place of employment or practice site. Failed drug screens include the results of a biological specimen, which is determined to be diluted, substituted, abnormal, adulterated, or tests positive for alcohol, controlled substances, abuse potential substances, or their metabolites without a valid prescription. Failed drug screens also include failure of Respondent to check-in daily, failure of Respondent to present and provide specimen when notified, and failure of Respondent to provide specimen within the allotted time.

6. Respondent shall provide evidence within six months of successful completion of the Board approved course(s): *The Nurse and Professional Behaviors and Substance Abuse*. Respondent shall submit the certificate(s) of completion via the Board approved monitoring program.

7. Respondent shall submit the Enforcement Personal Report to the Board via the Board approved monitoring program quarterly.

8. Respondent shall execute any release necessary to give the Board access to records, including but not limited to medical, psychological, employment, and or criminal records. Failure to execute a release shall be grounds for additional disciplinary action against Respondent's license / privilege to practice.

9. Respondent shall ensure that all reports, of Respondent and the employer, are submitted quarterly.

IN THE MATTER OF:

**SHERYL MALISSA PIESCIUK RICHMOND SHIELDS LPN LICENSE NO. L019531
(EXPIRED)**

10. Respondent shall obey all federal, state, and local laws, and all rules governing the practice of nursing in this state.

11. Respondent shall be responsible for all costs involved in complying with the Board's order.

12. Respondent shall request a hearing and appear for license reinstatement once compliance with the Board's suspension order is met.

IT IS FURTHER ORDERED that Respondent pay a civil penalty of \$750.00 plus any outstanding balance associated with previous disciplinary action pursuant to Arkansas Code Ann. §17-87-104(b)(1). The civil penalty is to be paid within fifteen (15) calendar days following the date for appeal.

Respondent may request judicial review of the decision rendered by the Board by filing a petition in the circuit court of any county in which Respondent resides or does business or in the Circuit Court of Pulaski County within thirty (30) days after service upon Respondent of the Board's final decision.

DATED this 17th day of July, 2020.

ARKANSAS STATE BOARD OF NURSING

BY:

Michael Burdine

Michael Burdine, RN
President



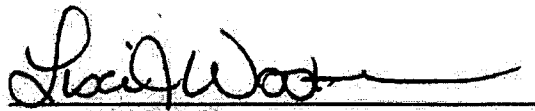
IN THE MATTER OF:

SHERYL MALISSA PIESCIUK RICHMOND SHIELDS LPN LICENSE NO. L019531
(EXPIRED)

CERTIFICATE OF SERVICE

I, Lisa Wooten, ASBN Assistant Director, do hereby certify that I have served a copy of the foregoing document by mailing a copy of same by certified, return receipt requested, U.S. Mail, postage prepaid, this 17th of July, 2020, to the following:

Sheryl Malissa Shields
333 Guadalupe Street
Austin, TX 78701


LISA WOOTEN, MPH, BSN, RN

