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Katherine A. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of § AGREED ORDER
Vocational Nurse License Number 331604 §
issued to CHAUNCEY DANTE SCRUGGS §
§

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of CHAUNCEY DANTE SCRUGGS, Vocational Nurse License Number 331604, 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)&(13), Texas Occupations Code.

Respondent waived notice and hearing and agreed to the entry of this Agreed Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on February 18, 2020.

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 notice and hearing, and agreed to the entry of this Agreed Order.
3. Respondent's license to practice as a vocational nurse in the State of Texas is in current status.
4. Respondent received a Certificate in Vocational Nursing from Career Point College, San Antonio, Texas, on January 14, 2016. Respondent was licensed to practice vocational nursing in the State of Texas on April 28, 2016.
5. Respondent's nursing employment history includes:

04/2016	Unknown	
05/2016 – 09/2019	Licensed Vocational Nurse	Brit-Tex Nursing Services, Inc. San Antonio, Texas

Respondent's nursing employment history continued:

10/2019 - Present Licensed Vocational Nurse Vivicare Nursing
San Antonio, Texas

6. At the time of the initial incident, Respondent was employed as a Licensed Vocational Nurse with Brit-Tex Nursing Services, Inc., and had been in that position for three (3) years and three (3) months.
7. On or about August 2019, through September 2019, while employed as a Licensed Vocational Nurse (LVN) with Brit-Tex Nursing Services, Inc., San Antonio, Texas, Respondent violated the professional boundaries of the nurse/client relationship by taking care of Patient AN, when he was not scheduled or assigned to care for the patient, so that the patient's wife could run errands. Respondent's conduct could have resulted in confusion for the patient and the patient's family as to his nursing duties.
8. In response to Finding of Fact Number Seven (7), Respondent states he had been with the family for a year and was at their home four days a week, between 0900-1900. Respondent states the patient's mother accused him of crossing boundaries because she knows the patient's spouse cannot do it alone and there are no other family members willing to assist. The patient's mother was not allowed to care for the patient due to an ongoing feud between the patient's mother and spouse. The feud led to no contact orders being issued. The patient's insurance dropped coverage briefly. During that time the patient's spouse was attempting to reinstate coverage and change home health companies because she didn't feel the company assisted her appropriately during her final weeks with them. After approximately one month she began receiving additional benefits, employed another company, and asked Respondent to stay with the case. Respondent then resumed normal shifts. Respondent states he was asked and offered to help so the patient's spouse could take the kids to school or run other errands. Respondent stated he watched the patient in a non-nursing capacity for approximately two hours in order for the patient's spouse to complete errands. Respondent admits he helped in a limited support role between August to mid-September.

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 §217.11 (1)(A),(1)(B),&(1)(J) and 22 TEX. ADMIN. CODE §217.12 (1)(A),(1)(B) &(6)(D).

4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10)&(13), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 331604, heretofore issued to CHAUNCEY DANTE SCRUGGS.
5. Pursuant to Section 301.463(d), Texas Occupations Code, this Agreed Order is a settlement agreement under Rule 408, Texas Rules of Evidence, in civil or criminal litigation.

TERMS OF ORDER

I. SANCTION AND APPLICABILITY

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL receive the sanction of **REMEDIAL EDUCATION** in accordance with the terms of this Order.

- A. This Order SHALL apply to any and all future licenses issued to RESPONDENT to practice nursing in the State of Texas.
- B. This Order SHALL be applicable to RESPONDENT'S nurse licensure compact privileges, if any, to practice nursing in the State of Texas.
- C. As a result of this Order, RESPONDENT'S license(s) will be designated "single state" and RESPONDENT may not work outside the State of Texas in another nurse licensure compact party state.

II. COMPLIANCE WITH LAW

While under the terms of this Order, RESPONDENT agrees to comply in all respects with the Nursing Practice Act, Texas Occupations Code, §§301.001 *et seq.*, the Rules and Regulations Relating to Nursing Education, Licensure and Practice, 22 TEX. ADMIN. CODE §§211.1 *et seq.*, and this Agreed Order.

III. UNDERSTANDING BOARD ORDERS

Within thirty (30) days of entry of this Order, RESPONDENT must successfully complete the Board's online course, "Understanding Board Orders", which can be accessed

on the Board's website from the "Discipline & Complaints" drop-down menu or directly at: <http://www.bon.texas.gov/UnderstandingBoardOrders/index.asp>. Upon successful completion, RESPONDENT must submit the course verification at the conclusion of the course, which automatically transmits the verification to the Board.

IV. REMEDIAL EDUCATION COURSE(S)

In addition to any continuing education requirements the Board may require for licensure renewal, RESPONDENT SHALL successfully complete the following remedial education course(s) **within one (1) year of the effective date of this Order, unless otherwise specifically indicated:**

- A. **A Board-approved course in Texas nursing jurisprudence and ethics** that shall be a minimum of six (6) hours in length. The course's content shall include the Nursing Practice Act, standards of practice, documentation of care, principles of nursing ethics, confidentiality, professional boundaries, and the Board's Disciplinary Sanction Policies regarding: Sexual Misconduct; Fraud, Theft, and Deception; Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder; and Lying and Falsification. Courses focusing on malpractice issues will not be accepted. Home study and video programs will not be approved.
- B. **The course "Sharpening Critical Thinking Skills,"** a 3.6 contact hour online program provided by the National Council of State Boards of Nursing (NCSBN) Learning Extension.
- C. **The course "Professional Boundaries in Nursing,"** a 3.0 contact hour online program provided by the National Council of State Boards of Nursing (NCSBN) Learning Extension.

In order to receive credit for completion of this/these course(s), RESPONDENT SHALL CAUSE the instructor to submit a Verification of Course Completion form or SHALL submit the continuing education certificate, as applicable, to the attention of Monitoring at the Board's office. RESPONDENT SHALL first obtain Board approval of any course prior to enrollment if the course is not being offered by a pre-approved provider. *Information about Board-approved courses and Verification of Course Completion forms are available from the Board at www.bon.texas.gov/compliance.*

VI. RESTORATION OF UNENCUMBERED LICENSE(S)

Upon full compliance with the terms of this Agreed Order, all encumbrances will be removed from RESPONDENT'S license(s) and/or privilege(s) to practice nursing in the State of Texas and, subject to meeting all existing eligibility requirements in Texas Occupations Code Chapter 304, Article III, RESPONDENT may be eligible for nurse licensure compact privileges, if any.

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RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the entry of this Order and any conditions of said Order, 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, it will be subject to investigation and disciplinary sanction, including possible revocation of my license(s) and/or privileges to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 15 day of FEB, 2021

CELAUNOBY DANNIE SCOTT BOGGS, RESPONDENT

Sworn to and subscribed before me this _____ day of _____, 20____

NOTARY

Notary Public in and for the State of _____

WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 15th day of February, 2021, by CHAUNCEY DANTE SCRUGGS, Vocational Nurse License Number 331604, and said Agreed Order is final.

Effective this 3rd day of March, 2021.



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