



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.  
*Katherine A. Thomas*  
Executive Director of the Board

## BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of	§	AGREED ORDER
Registered Nurse License Number 871435	§	
issued to SHARETA BUTLER	§	
	§	

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of SHARETA BUTLER, Registered Nurse License Number 871435, 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 March 3, 2021.

### 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 professional nurse in the State of Texas is in current status.
4. Respondent received an Associate Degree in Nursing from Hinds Community College, Jackson, Mississippi, on July 29, 2011. Respondent was licensed to practice professional nursing in the State of Texas on January 30, 2015.
5. Respondent's nursing employment history includes:

01/2015 – 04/2018

Unknown

Respondent's nursing employment history continued:

05/2018 – 11/2018	RN	A Treasure of Dreams Friendswood, Texas
12/2018 – Present	Unknown	

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with A Treasure of Dreams, Friendswood, Texas, and had been in that position for four (4) months.
7. On or about August 1, 2018, while employed as a Registered Nurse with A Treasure of Dreams, Friendswood, Texas, Respondent falsely documented receiving a telephone order for a prescription of Diazepam (Diastat) for Patient R.P. (MRN 644574P) from Randal Corwin Reinertson, MD. The prescription was subsequently submitted to Tarrytown Expocare, LLC, Austin, Texas.
8. In response to Finding of Fact Number Seven (7), Respondent states she did not intend to deceive the pharmacy nor forge a prescription to possess the drug, Diazepam (Diastat). Respondent, with her LVN trainee, clarified the prescription written from the previous year due to missing parameters. She states that she requested her LVN in training to reach out to Dr. Reinertson's clinic using the form "Physician's Order Request/ Order Clarification" which is a generic internal form at Treasure of Dreams. It was a miscommunication issue when the pharmacy interpreted the form as the prescription.
9. On or about December 16, 2019 through February 7, 2020, while working as a Registered Nurse, with Chi-Chi Living Center, Houston, Texas, Respondent failed to notify her supervisors and/or the physician of the lack of appropriate Behavior Support Plan for Patient MRN 13654969, who had a history of mental health issues, an aggressive episode on October 3, 2019, and a Behavior Support Plan in place prior to June 6, 2019. Respondent's conduct contributed to the lack of appropriate interventions for mental health issues.
10. On or about February 1, 2020, while working as a Registered Nurse, with Chi-Chi Living Center, Houston, Texas, and providing care for Patient Medical Record Number (MRN) 13654969, Respondent failed to clarify the patient's orders with the physician for diabetic medication and for divalproex sodium and incorrectly documented the patient's medications during her Quarterly Nursing Assessment. More specifically, Respondent:
  - Documented incorrect doses for the patient's Novolog and Lantus insulin;
  - Documented divalproex sodium, instead of divalproex sodium extended release (ER), as ordered;
  - Failed to document the medications Bydureon BCise, Synjardy and Pioglitazone HCL, as ordered; and

- Documented Metformin 1,000 mg orally twice daily, for which there was no physician order.

Respondent's conduct likely injured the patient from inadequate review and supervision of medication for out of control Diabetes Mellitus, and incorrect documentation of diabetic medication.

11. On or about February 1, 2020, while working as a Registered Nurse, with Chi-Chi Living Center, Houston, Texas, and providing care for Patient Medical Record Number (MRN) 13654969, Respondent failed to notify the physician and/or her supervisors that there were no hypoglycemic and hyperglycemic monitoring parameters or protocols and that the patient's family had been administering different dosages of Lantus and Novolog insulin than had been ordered. Patient MRN 13654969 had a history of obesity, Prader-Willi Syndrome (PWS), out of control Diabetes Mellitus, and a lab indicating prior significantly elevated blood sugar levels on November 22, 2019. Respondent's conduct was likely to injure the patient from adverse effects of elevated blood sugar.
12. In response to Finding of Fact Number Nine (9) through Eleven (11), Respondent states she was not assigned to perform direct patient care to patient MRN 13654969. She was assigned to conduct a one-time focused assessment in the form of a chart review. The chart review is to get a background of the patient's medical history. No in-person interaction occurred since the task only required paperwork. There was no face-to-face meeting even after the chart review because the patient was admitted to another facility. The notification of the patient's lack of behavior support plan, clarification of diabetic medications, monitoring of hyper/hypoglycemia protocols are done by a nurse assigned to direct patient care during the patient's stay in the facility. They were not the respondent's tasks at the time of the allegation.

### 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.
1. The evidence received is sufficient to prove violation(s) of 22 TEX. ADMIN. CODE §217.11(1)(A),(1)(B),(1)(D),(1)(M),(1)(N)&(1)(P) and §217.12(1)(A),(1)(B),(4),(6)(H),(10)(E)&(11)(B).
3. The evidence received is sufficient cause pursuant to Section 301.452(b)(10)&(13), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 871435, heretofore issued to SHARETA BUTLER.

4. 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 **REPRIMAND WITH STIPULATIONS AND FINE** 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" as applicable and RESPONDENT may not work outside the State of Texas in another nurse licensure compact party state using a Texas compact license.

#### **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. **A Board-approved course in nursing documentation** that shall be a minimum of six (6) hours in length. The course's content shall include: nursing standards related to accurate and complete documentation; legal guidelines for recording; methods and processes of recording; methods of alternative record-keeping; and computerized documentation. Home study courses and video programs will not be approved.
- C. **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.

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](http://www.bon.texas.gov/compliance).*

**V. MONETARY FINE**

RESPONDENT SHALL pay a monetary fine in the amount of five hundred dollars (\$500.00) within forty-five (45) days of the effective date of this Order.

Payment is to be made directly to the Texas Board of Nursing in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

**VI. EMPLOYMENT REQUIREMENTS**

In order to complete the terms of this Order, RESPONDENT must work as a nurse in the State of Texas, providing direct patient care in a clinical healthcare setting, for a minimum of sixty-four (64) hours per month for eight (8) quarterly periods [two (2) years] of employment. This requirement will not be satisfied until eight (8) quarterly periods of employment as a nurse have elapsed. Periods of unemployment or of employment that do not require the use of a registered nurse (RN) or a vocational nurse (LVN) license, as appropriate, will not apply to this period and will not count towards completion of this requirement.

- A. **Notifying Present and Future Employers:** RESPONDENT SHALL notify each present employer in nursing and present each with a complete copy of this Order, including all attachments, if any, within five (5) days of receipt of this Order. While under the terms of this Order, RESPONDENT SHALL notify all future employers in nursing and present each with a complete copy of this Order, including all attachments, if any, prior to accepting an offer of employment.
- B. **Notification of Employment Forms:** RESPONDENT SHALL CAUSE each present employer in nursing to submit the Board's "Notification of Employment" form to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Board's "Notification of Employment form" to the Board's office within five (5) days of employment as a nurse.
- C. **Direct Supervision:** For the first year [four (4) quarters] of employment as a Nurse under this order, RESPONDENT SHALL be directly supervised by a Registered Nurse, if licensed as a Registered Nurse, or by a Licensed Vocational

Nurse or a Registered Nurse, if licensed as a Licensed Vocational Nurse. Direct supervision requires another nurse, as applicable, to be working on the same unit as RESPONDENT and immediately available to provide assistance and intervention. RESPONDENT SHALL work only on regularly assigned, identified and predetermined unit(s). RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

- D. **Indirect Supervision:** For the remainder of the stipulation/probation period, RESPONDENT SHALL be supervised by a Registered Nurse, if licensed as a Registered Nurse, or by a Licensed Vocational Nurse or a Registered Nurse, if licensed as a Licensed Vocational Nurse, who is on the premises. The supervising nurse is not required to be on the same unit or ward as RESPONDENT, but should be on the facility grounds and readily available to provide assistance and intervention if necessary. The supervising nurse shall have a minimum of two (2) years of experience in the same or similar practice setting to which the RESPONDENT is currently working. RESPONDENT SHALL work only regularly assigned, identified and predetermined unit(s). RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.
- E. **Nursing Performance Evaluations:** RESPONDENT SHALL CAUSE each employer to submit, on forms provided to the RESPONDENT by the Board, periodic reports as to RESPONDENT'S capability to practice nursing. These reports shall be completed by the individual who supervises the RESPONDENT and these reports shall be submitted by the supervising individual to the office of the Board at the end of each three (3) month quarterly period for eight (8) quarters [two (2) years] of employment as a nurse.

## **VII. 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 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 is subject to ratification by the Texas Board of Nursing and a copy of this Order will be mailed to me once the Order becomes effective. 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 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 \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Shareta Butler, RN

SHARETA BUTLER, RESPONDENT

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

SEAL

\_\_\_\_\_  
Notary Public in and for the State of \_\_\_\_\_

Approved as to form and substance.

Yong An

07/07/21

Yong An, Attorney for Respondent

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 7<sup>th</sup> day of July, 2021, by SHARETA BUTLER, Registered Nurse License Number 871435, and said Agreed Order is final.

Effective this 10<sup>th</sup> day of August, 2021.

A handwritten signature in black ink, appearing to read "Katherine A. Thomas".

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