



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.  
*Kristin K. Benton, DVP, RN*  
Executive Director  
Texas Board of Nursing

**In the Matter of  
Permanent Vocational Nurse  
License Number 331604  
Issued to CHAUNCEY DANTE SCRUGGS,  
Respondent**

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

**ORDER OF THE BOARD**

TO: Chauncey Scruggs  
1715 Finland Palm  
San Antonio, TX 78251

During open meeting held in Austin, Texas, on November 14, 2023, 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(e) 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 Vocational Nurse License Number 331604, previously issued to CHAUNCEY DANTE SCRUGGS 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 14<sup>th</sup> day of November, 2023.

TEXAS BOARD OF NURSING

BY: Kristin K. Benton, DNP, RN

KRISTIN K. BENTON, DNP, RN  
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

Attachment: Formal Charges filed August 22, 2023

d17r(2023.10.09)

Re: Permanent Vocational Nurse License Number 331604  
Issued to CHAUNCEY DANTE SCRUGGS  
DEFAULT ORDER - REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 13<sup>th</sup> day of November, 2023<sup>www</sup>, 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

Chauncey Scruggs  
1715 Finland Palm  
San Antonio, TX 78251

Copy Via USPS First Class Mail

add any CC addresses

BY: Kristin K. Benton, DNP, RN

KRISTIN K. BENTON, DNP, RN  
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD



## Texas Board of Nursing

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1801 Congress Avenue, Ste. 10-200, Austin, Texas 78701  
Phone: (512) 305-7400 Fax: (512) 305-7401  
www.bon.texas.gov

**Katherine A. Thomas, MN, RN, FAAN**  
*Executive Director*

August 28, 2023

Certified Mail No. 9214 8901 9403 8300 0028 0543 98  
Return Receipt Requested, Copy Via USPS First Class Mail

Chauncey Dante Scruggs  
1715 Finland Palm  
San Antonio, TX 78251

Dear Mr. Scruggs:

Enclosed are Formal Charges which have been filed concerning your nursing license(s) because your pending alleged violation(s) of Section 301.452(b) of the Nursing Practice Act, TEXAS OCCUPATIONS CODE, have not been resolved. Within three (3) weeks from the date of this letter, you **must file a written answer to each charge** admitting or denying each allegation. If you intend to deny only part of an allegation, you must specify those facts that are true and deny the remainder. Your answer shall also include any other matter, whether of law or fact, upon which you intend to rely for your defense. Send your written answer to the attention of Tamika Rose, Investigator, at the above address. You may obtain legal counsel at your own expense.

**FAILURE TO FILE A WRITTEN ANSWER TO THE FORMAL CHARGES, EITHER PERSONALLY OR BY LEGAL REPRESENTATIVE, WILL RESULT IN THE ALLEGATIONS CONTAINED IN THE FORMAL CHARGES BEING ADMITTED AS TRUE AND THE PROPOSED RECOMMENDATION OF STAFF WILL BE GRANTED BY DEFAULT.**

If a written answer to the Formal Charges is not received within three (3) weeks from the date of this letter, this matter will proceed on a default basis and it will be staff's recommendation that a default order be entered revoking your license(s) and/or nurse licensure compact privilege(s) to practice nursing in the State of Texas.

The result of any disciplinary action, including any default order or formal disposition (Board Order), is public information. Dispositions, including default orders and formal dispositions, will appear in the Board's quarterly newsletter and will be reported to the National Council of State Boards of Nursing, Inc., and the National Practitioner Data Bank (NPDB).

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Kathy Shipp, MSN, APRN, FNP  
Lubbock, *President*

Allison Porter-Edwards, DrPH, MS, RN, CNE  
Bellaire, *Vice-President*

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 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: Order(s) of the Board dated March 3, 2021.

Filed this 22nd day of August, 2023.

TEXAS BOARD OF NURSING

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James W. Johnston, General Counsel  
Board Certified - Administrative Law  
Texas Board of Legal Specialization  
State Bar No. 10838300  
John Vanderford, Deputy General Counsel  
State Bar No. 24086670  
JoAnna Starr, Assistant General Counsel  
State Bar No. 24098463  
Jacqueline A. Strashun, Assistant General Counsel  
State Bar No. 19358600

1801 Congress Avenue, Suite 10-200  
Austin, Texas 78701  
P: (512) 305-8657  
F: (512) 305-8101 or (512) 305-7401

Attachment(s): Order(s) of the Board dated March 3, 2021.

D(2023.08.09)

**In the Matter of** §  
**Permanent Vocational Nurse** § **BEFORE THE TEXAS**  
**License Number 331604** §  
**Issued to CHAUNCEY DANTE SCRUGGS,** §  
**Respondent** § **BOARD OF NURSING**

### **FORMAL CHARGES**

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, CHAUNCEY DANTE SCRUGGS, is a Vocational Nurse holding license number 331604, 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 March 3, 2022, Respondent failed to successfully complete a Board approved course in Texas nursing jurisprudence and ethics as required by the Agreed Order issued on March 3, 2021.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(1)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(11)(B).

#### **CHARGE II.**

On or about March 3, 2022, Respondent failed to successfully complete the course Sharpening Critical Thinking Skills as required by the Agreed Order issued on March 3, 2021.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(1)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(11)(B).

#### **CHARGE III.**

On or about March 3, 2022, Respondent failed to successfully complete the course Professional Boundaries as required by the Agreed Order issued on March 3, 2021.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(1)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(11)(B).


Chauncey Dante Scruggs

August 28, 2023

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Should you desire to discuss this matter, contact Tamika Rose, Investigator, at (512) 305-6812.

Sincerely,



Katherine A. Thomas, MN, RN, FAAN  
Executive Director

KAT/230

Enclosure: Formal Charges

DA(2023.08.28)

BEFORE THE TEXAS BOARD OF NURSING

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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
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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](http://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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CONTINUED ON NEXT PAGE.

RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Order, a waiver of representation by counsel, I have reviewed this Order, I neither admit nor deny the violations alleged therein, I have signed this Order, I agree to the terms 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 its execution by the Executive Director or his or her designee. Board of Nursing and Health Care will be notified by mail. I understand that if I fail to accept, read, all terms and conditions of this Order, I will be subject to investigation and discipline, including but not limited to possible revocation of any license or act of professional nursing, including the State of Texas, as a consequence of my noncompliance.

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

\_\_\_\_\_  
Nancy D. [Name]

Witness my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Nancy D. [Name]

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 3<sup>rd</sup> day of March, 2021.



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