



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

In the Matter of
Registered Nurse License Number 728197
issued to SHELLY JAN VALMORES

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AGREED ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of SHELLY JAN VALMORES, Registered Nurse License Number 728197, 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 October 23, 2018.

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 Central Texas College, Killeen, Texas, on May 5, 2006. Respondent was licensed to practice professional nursing in the State of Texas on June 6, 2006.
5. Respondent's nursing employment history includes:

6/2006 – 08/06

RN

Scott and White Memorial Hospital
Temple, Texas

Respondent's nursing employment history continued:

08/06 – 10/07	RN	Metroplex Hospital Killeen, Texas
11/07 – 05/08	Unknown	
06/08 – 06/09	RN	Adventist Health Portland, Oregon
06/09	Unknown	
07/09 – 03/10	RN	Metroplex Health System Killeen, Texas
04/10 – 06/10	Unknown	
07/10 -07/12	RN	Scott and White Memorial Hospital Temple, Texas
07/12 – 03/18	RN	Seton Medical Center Harker Heights Harker Heights, Texas
04/18 – Present	Unknown	

6. On or about September 3, 2013, Respondent was required to successfully complete the Texas Peer Assistance Program for Nurses (TPAPN) through an Order of the Board. On or about April 10, 2016, Respondent successfully completed the terms of the Order. A copy of the September 3, 2013, Order is attached and incorporated herein by reference as part of this Agreed Order.
7. At the time of the initial incident, Respondent was employed as a Registered Nurse with Seton Medical Center Harker Heights, Harker Heights, Texas, and had been in that position for five (5) years and eight (8) months.
8. On or about March 9, 2018, through March 29, 2018, while employed as a Registered nurse with Seton Medical Center Harker Heights, Harker Heights, Texas, Respondent withdrew Dilaudid and Hydrocodone from the medication dispensing system for patients in excess frequency and/or dosage of the physician's orders and failed to document or completely and accurately document administration of the medications in the patient's medication administration records. Additionally, Respondent failed to follow the facility's policy and procedures for wastage of the unused portions of the medications. Respondent further

misappropriated or failed to take precautions to prevent the misappropriation of the medications. On March 29, 2018, Respondent engaged in the intemperate use of Hydromorphone and Morphine in that she submitted a specimen for a drug screen that produced a positive result for Hydromorphone and Morphine.

9. In response to Finding of Fact Number Eight (8), Respondent acknowledges she did relapse and misappropriate narcotics from Seton Medical Center in Harker Heights as alleged. Respondent states she recognizes the patterns and has recommitted herself to her recovery, including re-entering therapy to manage these issues and taking full responsibility for her decisions and mistakes.
10. Formal Charges were filed on August 22, 2018.

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)(C)&(1)(D) and 22 Tex. Admin. Code §217.12(1)(A),(1)(B),(1)(C),(4),(5),(6)(A),(6)(G),(6)(H),(8),(10)(A),(10)(B),(10)(D),(10)(E)&(11)(B).
4. 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 728197, heretofore issued to SHELLY JAN VALMORES.
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 **LIMITED LICENSE WITH STIPULATIONS** in accordance with the terms of this Order.

- A. While under the terms of this Order, **RESPONDENT SHALL NOT provide direct patient care.** For the purposes of this Order, direct patient care involves the formation of a relationship between the nurse and the client, and includes, but is not limited to: teaching, counseling, assessing the client's needs and strengths, and providing skilled nursing care.
- B. This Order SHALL apply to any and all future licenses issued to RESPONDENT to practice nursing in the State of Texas.
- C. This Order SHALL be applicable to RESPONDENT'S nurse licensure compact privileges, if any, to practice nursing in the State of Texas.
- D. 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. 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 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.

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.*

IV. RESTORATION OF PATIENT CARE PRIVILEGES AND/OR UNENCUMBERED LICENSE(S)

SHOULD RESPONDENT desire to provide direct patient care, RESPONDENT SHALL petition the Board for such approval, at which time, the RESPONDENT MUST satisfy all then existing requirements for restoration of the privilege to provide direct patient care. Further, the Board may impose reasonable conditions that must be satisfied by the RESPONDENT before restoration of an unencumbered license, which, at a minimum, shall include the remedial education courses, work restrictions, supervised practice, and/or employer reporting which would have been requirements of this Agreed Order had the license(s) not been placed in limited status.

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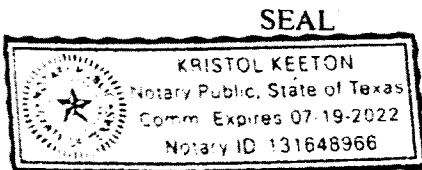
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RESPONDENT'S CERTIFICATION

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 29th day of November, 2018.
Shelly Jan Valmores
SHELLY JAN VALMORES, Respondent

Sworn to and subscribed before me this 29 day of November, 2018.



Kristol Keeton
Notary Public in and for the State of Texas

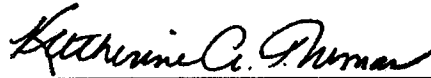
Approved as to form and substance.

Darrin Dest
Darrin Dest, Attorney for Respondent

Signed this 29 day of Nov, 2018.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 29th day of November, 2018, by SHELLY JAN VALMORES, Registered Nurse License Number 728197, and said Agreed Order is final.

Effective this 24th day of January, 2019.

A handwritten signature in black ink, appearing to read "Katherine A. Thomas", written over a horizontal line.

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

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of	§	CONFIDENTIAL
Registered Nurse License Number 728197	§	AGREED ORDER FOR
issued to SHELLY JAN VALMORES	§	PEER ASSISTANCE PROGRAM

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of SHELLY JAN VALMORES, Registered Nurse License Number 728197, 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),(12)&(13) and 301.453, Texas Occupations Code. Respondent waived informal proceedings, notice and hearing, and agreed to the entry of this Order offered under the authority of Section 301.466(d), Texas Occupations Code, and approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on August 6, 2013.

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 informal proceedings, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice professional nursing in the State of Texas.
4. Respondent received an Associate Degree in Nursing from Central Texas College, Killeen, Texas, on May 5, 2006. Respondent was licensed to practice professional nursing in the State of Texas on June 6, 2006.
5. Respondent's complete professional nursing employment history includes:

06/06-08/06

RN

Scott and White Memorial Hospital
Temple, Texas

Respondent's complete professional nursing employment history continued:

08/06-10/07	RN	Metroplex Hospital Killeen, Texas
11/07-07/08	Unknown	
08/08-05/09	RN	Adventist Health Portland, Oregon
06/09	Unknown	
07/09-03/10	RN	Metroplex Health System Killeen, Texas

6. On or about February 24, 2010, while employed as a Registered Nurse with Metroplex Health System, Killeen, Texas, Respondent withdrew Hydromorphone from the Medication Dispensing System without a valid physicians order. Respondent's conduct was likely to injure the patient in that the administration of Hydromorphone without a valid physicians order could result in the patient suffering from adverse reactions.
7. On or about February 24, 2010, through March 14, 2010, while employed as a Registered Nurse with Metroplex Health System, Killeen, Texas, Respondent withdrew Hydromorphone from the Medication Dispensing System in excess frequency/dosage of the physicians order. Respondent's conduct was likely to injure the patient in that the administration of Hydrocodone in excess frequency and/or dosage of the physicians order could result in the patient suffering from adverse reactions.
8. On or about February 24, 2010, through March 23, 2010, while employed as a Registered Nurse with Metroplex Health System, Killeen, Texas, Respondent withdrew Hydromorphone from the Medication Dispensing System but failed to document, or completely and accurately document, the administration of, including, signs, symptoms, and responses to the medications in the patients' Medication Administration Records and/or nurses notes. Respondent's conduct was likely to injure the patients in that subsequent care givers would rely on her documentation to further medicate the patients which could result in an overdose.
9. On or about February 24, 2010, through March 23, 2010, while employed as a Registered Nurse with Metroplex Health System, Killeen, Texas, Respondent withdrew Hydromorphone from the Medication Dispensing System but failed to follow the facility's policy and procedures for wastage of any of the unused portions of the medications. Respondent's conduct was likely to deceive the hospital pharmacy and placed them in violation of Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).
10. On or about February 24, 2010, through March 23, 2010, while employed as a Registered Nurse with Metroplex Health System, Killeen, Texas, Respondent misappropriated Hydromorphone from the facility or patients thereof or failed to take precautions to prevent

such misappropriation. Respondent's conduct was likely to defraud the facility and patients of the cost of the medications.

11. On or about October 2009, while employed as a Registered Nurse with Metroplex Health System, Killeen, Texas, Respondent lacked fitness to practice nursing in that on or about March 31, 2010, Respondent admitted to the Executive Director of Human Resources, in a written letter, that she had an addiction to prescription medication, specifically Vicodin. Respondent's condition could have affected her ability to recognize subtle signs, symptoms or changes in patients conditions, and could have affected her ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patients in potential danger.
13. On or about April 26, 2013, Respondent entered a plea of "guilty" to DRIVING WHILE INTOXICATED (a Class B Misdemeanor offense committed on August 20, 2012) in the County Court at Law #1, Williamson County, Texas, under Cause No. 13-00607-1. As a result of the plea, the proceedings against Respondent were deferred without entering an adjudication of guilt and she was placed on Probation for a period of two (2) years. Additionally, Respondent was ordered to pay a fine and court costs.
14. The Respondent's conduct as described in the preceding Finding(s) of Fact was reportable under the provisions of Sections 301.401-301.419, Texas Occupations Code.
15. The Board finds that there exists serious risks to public health and safety as a result of impaired nursing care due to intemperate use of controlled substances or chemical dependency.
16. Charges were filed on September 10, 2012.
17. Charges were mailed to Respondent on September 12, 2012.
18. Respondent's conduct as described in the preceding Finding(s) of Fact resulted from or was significantly influenced by Respondent's substance use disorder.
19. Respondent's compliance with the terms of a Board approved peer assistance program should be sufficient to protect patients and the public.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.455, 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),(B),(C),(D)&(T). and 22 TEX. ADMIN. CODE §217.12(1)(A),(B)&(E),(4),(5),(6)(A),(G)&(H),(8),(10)(B)&(C) and (11)(B).

4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10),(12)&(13), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 728197, heretofore issued to SHELLY JAN VALMORES, up to, and including, revocation of Respondent's license(s) to practice nursing in the State of Texas.
5. The Board may, in its discretion, order a nurse to participate in a peer assistance program approved by the Board if the nurse would otherwise have been eligible for referral to peer assistance pursuant to Section 301.410, Texas Occupations Code.

ORDER

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL comply with the following conditions for such a time as is required for RESPONDENT to successfully complete the Texas Peer Assistance Program for Nurses (TPAPN):

- (1) RESPONDENT SHALL, within forty-five (45) days following the date of entry of this final Order, apply to TPAPN and SHALL, within ninety (90) days following the date of entry of this final Order, sign and execute the TPAPN participation agreement and complete the enrollment process, which SHALL include payment of a non-refundable participation fee in the amount of five hundred dollars (\$500.00) payable to TPAPN.
- (2) Upon acceptance into the TPAPN, RESPONDENT SHALL waive confidentiality and provide a copy of the executed TPAPN participation agreement to the Texas Board of Nursing.
- (3) RESPONDENT SHALL comply with all requirements of the TPAPN participation agreement during its term and SHALL keep all applicable license(s) to practice nursing in the State of Texas current.
- (4) RESPONDENT SHALL CAUSE the TPAPN to notify the Texas Board of Nursing of any violation of the TPAPN participation agreement.

IT IS FURTHER AGREED and ORDERED, RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Texas Occupations Code, Section §§301.001 *et seq.*, the

Rules and Regulations Relating to Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.1 *et seq.* and this Order.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that while Respondent's license(s) is/are encumbered by this Order, Respondent may not work outside the State of Texas pursuant to a multistate licensure privilege without the written permission of the Texas Board of Nursing and the Board of Nursing in the party state where Respondent wishes to work.

IT IS FURTHER AGREED that, while RESPONDENT remains in compliance with the terms of this Order, this Order shall remain confidential in accordance with the authority outlined in Section 301.466(d), Texas Occupations Code. However, should Respondent fail to successfully complete the terms of this Order or should Respondent commit a subsequent violation of the Nursing Practice Act or Board Rules, this Order shall be treated as prior disciplinary action and will become public information.

IT IS FURTHER AGREED, SHOULD RESPONDENT fail to comply with this Order or the terms of the participation agreement with the TPAPN, such noncompliance will result in further disciplinary action including EMERGENCY SUSPENSION pursuant to Section 301.4551, Texas Occupations Code, or REVOCATION of Respondent's license(s) and nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

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RESPONDENT'S CERTIFICATION

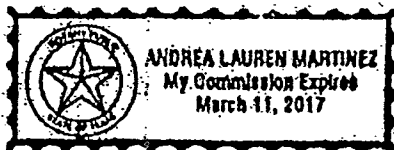
I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. I do acknowledge possessing a diagnosis that deems me eligible to participate in the Texas Peer Assistance Program for Nurses. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, and Conditions One (1) through Four (4) of this Order to obtain disposition of the allegations through peer assistance and 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, I will be subject to investigation and disciplinary sanction, including revocation of my license(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 15 day of August, 2013.

Shelly Jan Valmores
SHELLY JAN VALMORES, RESPONDENT

Sworn to and subscribed before me this 15th day of August, 2013.

SBAL



ACell
Notary Public in and for the State of TEXAS

Approved as to form and substance,

Dm
DARRIN DEST, Attorney for Respondent

Signed this 15 day of August, 2013

WHEREFORE PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby accept and enter the Confidential Agreed Order for Peer Assistance Program that was signed on the 15th day of August, 2013, by SHELLY JAN VALMORES, Registered Nurse License Number 728197, and said Order is final.

Entered and effective this 3rd day of September, 2013.



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