BEFORE THE TEXAS BOARD OF NURSING

****

In the Matter of Vocational Nurse	§	AGREED
License Number 73682	§	
issued to CHERYL L. COOK	§	ORDER

TEXAS BOARD OF NURSING
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.
Executive Director of the Board

On this day the Texas Board of Nursing, hereinafter referred to as the B considered the matter of CHERYL L. COOK, Vocational Nurse License Number 73682, herei referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(10), Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on October 10, 2009, by Katherine A. Thomas, MN, RN, Executive Director, subject to ratification by the Board.

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.

2. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order.

3. Respondent is currently licensed to practice vocational nursing in the State of Texas.

4. Respondent received a Certificate in Vocational Nursing from Texas Southmost College Vocational School of Nursing, Brownsville, Texas, on September 9, 1977. Respondent was licensed to practice vocational nursing in the State of Texas on November 22, 1977.

5. Respondent's vocational employment history includes:

1977 - 1987	LVN	San Antonio Community Hospital San Antonio, Texas

Respondent's vocational nursing employment history continued:

1987 - 1989	LVN	Fayette Memorial Hospital LaGrange, Texas
Unknown	LVN	Western Medical Services San Antonio, Texas
10/97 - 04/03	LVN	Wilford Hall Medical Center San Antonio, Texas
05/03 - 08/03	Not Practicing Nursing	
09/03 - 05/04	Unknown	
06/04 - 11/06	LVN	Clinical Trials of Texas San Antonio, Texas
Unknown - Present	Nurse Liaison	Associates Home Health Agency San Antonio, Texas

6. At the time of the initial incident, Respondent was employed as a Clinical Research Coordinator with Clinical Trials of Texas, San Antonio, Texas, and had been in this position for seven (7) months.

7. On or about December 9, 2004 to November 9, 2006, while employed as a Clinical Research Coordinator with Clinical Trials of Texas, San Antonio, Texas, Respondent forged physician's signatures on lab results, ECG's, clinical results reports, adverse events forms, patient's informed consents, and office visit forms. Additionally, Respondent forged patient G.R.'s signature on consent forms and receipt of study gifts forms. Respondent's conduct was deceptive and resulted in inaccurate Medical Research Studies.

8. In response to the incident in Finding of Fact Number Seven (7), Respondent states:

   "Documents needing signatures by the P.I.'s [Physician Investigator] were hand delivered to their offices by the coordinators and passed through many hands. Many times the coordinators would take documents to P.I.s for each other. I am not accusing other coordinators of wrongdoing. I just want to make it clear that many persons had access to study documents, both at CTT & at the offices of the P.I.s."

9. Formal Charges were filed on May 27, 2009.

10. Formal Charges were mailed to Respondent on June 1, 2009.

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 of Section 301.452(b)(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(1)(C),(6)(A)&(6)(H).

4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 73682, heretofore issued to CHERYL L. COOK, including revocation of Respondent's license to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that RESPONDENT SHALL receive the sanction of a LIMITED LICENSE with Stipulations, and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Texas Occupations Code, §§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 multistate licensure privilege, if any, to practice nursing in compact states.

IT IS FURTHER AGREED and ORDERED that while Respondent's license is 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:

(1) While under the terms of this Order, RESPONDENT SHALL NOT provide direct patient care. For the purposes of this Order, direct patient care involves a personal 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.

(2) SHOULD RESPONDENT desire to return to a clinical practice setting, which would require her to provide direct patient care, RESPONDENT SHALL petition the Board for such approval.

BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK.

CONTINUED ON NEXT PAGE.

RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, 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 Board. When this Order is ratified, the terms of this Order become effective, 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 to practice vocational nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 5th day of February, 2010.

Cheryl Cook

CHERYL L. COOK, Respondent

Sworn to and subscribed before me this 5th day of February, 2010.

SEAL

ADRIANA ARREDONDO
Notary Public
STATE OF TEXAS
My Comm. Exp. 10-12-10

Adriana Arredondo

Notary Public in and for the State of Texas

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 5th day of February, 2010, by CHERYL L. COOK, Vocational Nurse License Number 73682, and said Order is final.

Effective this 23rd day of March, 2010.

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