



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.
Patricia P. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Vocational Nurse §
License Number 163243 §
issued to SHERYL ANN LESTER §

ORDER OF THE BOARD

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Vocational Nurse License Number 163243, issued to SHERYL ANN LESTER, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived representation by counsel, informal proceedings, notice and hearing.

The Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Respondent is currently licensed to practice vocational nursing in the State of Texas.
2. Respondent waived representation by counsel, informal proceedings, notice and hearing.
3. Respondent received a Certificate in Vocational Nursing from Frank Phillips College, Borger, Texas, on May 15, 1997. Respondent was licensed to practice vocational nursing in the State of Texas on July 25, 1997.
4. Respondent's nursing employment history includes:

7/1997 - 2004	Unknown	
2004 - 1/2005	Staff Nurse	Bastrop Nursing Home Bastrop, Texas

Respondent's nursing employment history continued:

2/2005 - 10/2005	Staff Nurse	Oakland Manor Giddings, Texas
11/2005 - 1/2008	Unknown	
2/2008 - 7/2008	Staff Nurse	Country Care Plex Giddings, Texas
8/2008 - Present	Unknown	

5. On November 20, 2009, the Board filed Formal Charges against Respondent's license to practice Vocational Nursing in the State of Texas alleging that:
 - On or about July 4, 2008, while employed as a Staff Nurse with Country Care Plex, Giddings, Texas, Respondent administered a gastrostomy tube feeding in an excessive amount via a feeding pump to Patient LJ.
 - On or about July 4, 2008, while employed as a Staff Nurse with Country Care Plex, Giddings, Texas, Respondent failed to assess and intervene in a timely manner when the nurse aides reported the feeding pump for Patient LJ was beeping, an audible and visual alarm that alerts the nurse that the feeding pump needs attention.
 - On or about May 26, 2009, the Grand Jury for Lee County, Texas, returned an Indictment for the offense of Injury to Disabled Individual against Respondent.
 - On or about May 26, 2009, the Grand Jury for Lee County, Texas, returned an Indictment for the offense of Manslaughter against Respondent.
 - On or about August 12, 2009, Respondent filed a MOTION SUGGESTING INCOMPETENCY AND REQUEST FOR EXAMINATION with the District Court, 21st Judicial District, Lee County, Texas.
6. On June 9, 2010, Respondent submitted a notarized statement to the Board voluntarily surrendering the right to practice vocational nursing in Texas. A copy of Respondent's notarized statement, dated January 5, 2010, is attached and incorporated herein by reference as part of this Order.

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 violations of Section 301.452(b)(10)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.11(1)(A),(1)(B),(1)(C)&(1)(M) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(4),(6)(C)&(13).
4. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
5. Under Section 301.453(d), Texas Occupations Code, the Board may impose conditions for reinstatement of licensure.
6. Any subsequent reinstatement of this license will be controlled by Section 301.452 (b), Texas Occupations Code, and 22 TAC§§213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

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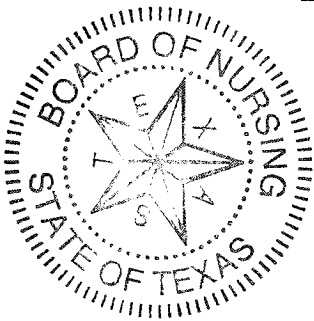
ORDER

NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Vocational Nurse License Number 163243, heretofore issued to SHERYL ANN LESTER, to practice vocational nursing in the State of Texas, is accepted by the Executive Director on behalf of the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL immediately deliver the wallet-size license, heretofore issued to SHERYL ANN LESTER, to the office of the Texas Board of Nursing.
2. RESPONDENT SHALL NOT practice vocational nursing, use the title of vocational nurse or the abbreviation LVN or wear any insignia identifying herself as a vocational nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a vocational nurse during the period in which the license is surrendered.
3. RESPONDENT SHALL NOT petition for reinstatement of licensure until: one (1) year has elapsed from the date of this Order.
4. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.


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

Effective this 10th day of June, 2010.



TEXAS BOARD OF NURSING

By:


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

SHERYL ANN LESTER
1258 CR 311
Lexington, Texas 78947
Texas LVN License #163243

Voluntary Surrender Statement

December 2, 2009

Dear Texas Board of Nursing:

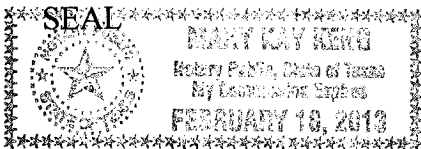
I no longer desire to be licensed as a vocational nurse. Accordingly, I voluntarily surrender my license to practice in Texas. I waive representation by counsel and consent to the entry of an Order which outlines requirements for reinstatement of my license. I understand that I will be required to comply with the Board's Rules and Regulations in effect at the time I submit any petition for reinstatement.

Signature *Sheryl Hester*
Date *Jan 5 10*
Texas Nursing License Number/s *163243*

The State of Texas

Before me, the undersigned authority, on this date personally appeared SHERYL ANN LESTER who, being duly sworn by me, stated that she executed the above for the purpose therein contained and that she understood same.

Sworn to before me the *5* day of *JANUARY*, 20 *10*.



Mary Kay King
Notary Public in and for the State of *Texas*