

7. On or about March 14, 2007, through March 20, 2007, while employed as a Registered Nurse with Northwest Surgery Center, Houston, Texas, Respondent admitted to misappropriating Fentanyl, Demerol, and Morphine from the facility and the patients thereof, for her own personal use. Respondent's conduct was likely to defraud the facility and patients of the cost of the medications.
8. On or about June 3, 2008, Respondent submitted her License Renewal Form to the Texas Board of Nursing where she answered "Yes" to the question:

"Have you, within the past 24 months or since your last renewal, for any criminal offense, including those pending appeal, been granted pre-trial diversion?"

Specifically, Respondent was granted Pre-Trial Diversion on May 29, 2008 for the charge of Obtaining Drugs by Fraud, in the 228th District Court of Harris County, Texas, under Cause Number 1139057.

Subsequently, on or about July 7, 2009, Respondent failed to successfully complete the Pre-Trial Diversion and an Order of Deferred Adjudication was entered in the 228th District Court, Harris County, Texas, under Case Number 1139057. Respondent plead guilty to the charge of OBTAIN DRUGS BY FRAUD-SCHEDULE III/IV, a 3rd Degree Felony. Respondent was placed on Community Supervision for two (2) years with a Drug Treatment Stipulation, and ordered to pay court costs.

9. In response to Finding of Fact Number Seven (7), Respondent states that it is with great remorse that she must admit that the allegations are true, that she did misappropriate Fentanyl, Demerol, and Morphine for her own personal use. At the time of the offense, Respondent stated that she was in the middle of her divorce, and she just broke down.
10. In response to Finding of Fact Number Eight (8), Respondent states that two weeks away from completing the Pre-Trial Diversion program, she took a prescribed Xanax due to short lived span of panic attacks, which she had never before experienced. She was honest with her aftercare counselor, and then she reported it to her probation officer. This event led to the court wanting her to get additional treatment, so they revoked her pre-trial diversion and sentenced her to probation.
11. Respondent, by her signature to this Order, expresses her desire to voluntarily surrender her license to practice nursing in the State of Texas.
12. The Board policy implementing Rule 213.29 in effect on the date of this Agreed Order provides discretion by the Executive Director for consideration of conditional reinstatement after proof of twelve (12) consecutive months of abstinence from alcohol and drugs followed by licensure limitations/stipulations and/or peer assistance program participation.
13. 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.

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)(3),(9),(10)&(13), Texas Occupations Code, 22 TEX. ADMIN. CODE §217.11(1)(B), and 22 TEX. ADMIN. CODE §217.12(1)(B),(4),(5),(6)(G),(11)(B)&(13).
4. The evidence received is sufficient cause pursuant to Section 301.453(a), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 677135, heretofore issued to SHANNON J. STEIN, including revocation of Respondent's license to practice nursing in the State of Texas.
5. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
6. Under Section 301.453(d), Texas Occupations Code, as amended, the Board may impose conditions for reinstatement of licensure.
7. Any subsequent reinstatement of this license will be controlled by Section 301.453(d), Texas Occupations Code, and 22 TEX. ADMIN. CODE §213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

ORDER

NOW, THEREFORE, IT IS AGREED and ORDERED that the VOLUNTARY SURRENDER of Registered Nurse License Number 677135, heretofore issued to SHANNON J. STEIN, to practice nursing in the State of Texas, is accepted by the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL immediately deliver the wallet-sized license, heretofore issued to SHANNON J. STEIN, to the office of the Texas Board of Nursing.

2. RESPONDENT SHALL NOT practice professional nursing, use the title "registered nurse" or the abbreviation "RN" or wear any insignia identifying herself as a registered nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a registered 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; and, RESPONDENT has obtained objective, verifiable proof of twelve (12) consecutive months of sobriety immediately preceding the petition.
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 multistate privilege, if any, to practice nursing in the State of Texas.

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RESPONDENT'S CERTIFICATION

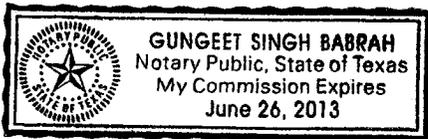
I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and 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 becomes final when accepted by the Executive Director at which time the terms of this Order become effective and a copy will be mailed to me.

Signed this 18th day of December, 2009.

Shannon J Stein
SHANNON J. STEIN, Respondent

Sworn to and subscribed before me this 21st day of December, 2009.

SEAL



Gungeet Singh
Notary Public in and for the State of Texas

WHEREFORE, PREMISES CONSIDERED, the Executive Director on behalf of the Texas Board of Nursing does hereby accept the voluntary surrender of Registered Nurse License Number 677135, previously issued to SHANNON J. STEIN.

Effective this 5th day of January, 2010.

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

