

IN THE MATTER OF  
PERMANENT CERTIFICATE  
NUMBER 195752  
ISSUED TO  
SHELLIE DEANN GASKINS

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BEFORE THE ELIGIBILITY  
AND DISCIPLINARY  
COMMITTEE  
OF THE 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.  
*Patricia Sherman*  
Executive Director of the Board

**ORDER OF THE BOARD**

TO: Shellie Deann Gaskins  
1809 W. Belden  
Sherman, TX 75092

During open meeting held in Austin, Texas, on Tuesday, August 18, 2009, the Eligibility and Disciplinary Committee (hereinafter "Committee") heard the above-styled case. This case was heard, and based on the failure of the Respondent to appear as required by 22 TEX. ADMIN. CODE Ch. 213.

The Committee of the Texas Board of Nursing 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(c) 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 to practice vocational 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 Eligibility and Disciplinary 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 § 213.2(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.

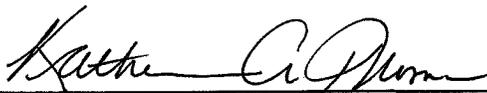
NOW, THEREFORE, IT IS ORDERED that Permanent Certificate Number 195752, previously issued to SHELLIE DEANN GASKINS, to practice vocational nursing in the State of Texas be, and the same is hereby, REVOKED.

IT IS FURTHER ORDERED that Permanent Certificate Number 195752, previously issued to SHELLIE DEANN GASKINS, upon receipt of this Order, be immediately delivered to the office of the Texas Board of Nursing.

IT IS FURTHER ORDERED that this Order SHALL be applicable to Respondent's multi-state privilege, if any, to practice vocational nursing in the State of Texas.

Entered this 18<sup>th</sup> day of August, 2009.

TEXAS BOARD OF NURSING

BY:   
KATHERINE A. THOMAS, MN, RN  
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

Re: Permanent Certificate Number 195752  
Issued to SHELLIE DEANN GASKINS  
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 20<sup>th</sup> day of August, 20 09 a true and correct copy of the foregoing DEFAULT ORDER was served by placement in the U.S. Mail via certified mail, and addressed to the following person(s):

Shellie Deann Gaskins  
1809 W. Beldon  
Sherman, TX 75092

BY:   
KATHERINE A. THOMAS, MN, RN  
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD



Texas Board of Nursing

333 Guadalupe Street, Ste. 3-460, Austin, TX
Phone: (512) 305-7400 Fax: (512) 305-7401
Katherine A. Thomas, MN, RN
Executive Director

May 29, 2009

Certified Mail No. 7008 1300 0001 1733 1788
Return Receipt Requested

Shellie Deann Gaskins
1809 W. Belden
Sherman, TX 75092

CERTIFIED MAIL RECEIPT
OFFICIAL USE
Postage \$
Certified Fee
Return Receipt Fee
Restricted Delivery Fee
Total Postage & Fees \$
Sent To: Shellie Deann Gaskins
1809 W Belden
Sherman, TX 75092

Dear Ms. Gaskins:

Enclosed are Formal Charges which have been filed against you alleging one or more violations of Section 301.452(b) of the Nursing Practice Act, Texas Occupations Code. Within three weeks of the date of this letter, you must file a written answer to each charge admitting or denying each allegation.

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.

Please be advised that should you fail to file a written answer, the case will proceed on a default basis and it will be staff's recommendation that a default order be entered revoking your license or multistate privilege to practice professional nursing in the State of Texas.

The results of any default order or formal disposition (Board Order) are public information. Results of informal and formal dispositions will appear in the Board's newsletter under the heading of "Disciplinary Action."

Should you desire to discuss this matter, you may contact Kevin G. Freemyer, Investigator, Enforcement Division, at the above address, or at (512) 305-8314.

Sincerely,

[Handwritten signature of Katherine A. Thomas]

Katherine A. Thomas, MN, RN
Executive Director

KAT/kgf

Enclosure: Formal Charges

09/99-DA

- Members of the Board
Linda Rounds, PhD, FNP, RN Galveston, President
Deborah Bell, CLU, ChFC Abilene
Kristin Benton, MSN, RN Austin
George Buchenau, Jr., BSN, RN, MBA Amarillo
Patricia Clapp, BA Dallas
Sheri Crosby, JD Dallas
Marilyn Davis, BSN, RN, MPA Sugar Land
Blanca Rosa Garcia, PhD, RN Corpus Christi
Richard Gibbs, LVN Mesquite
Rachel Gomez, LVN Harlingen
Brenda Jackson, PhD, RN San Antonio
Beverley Jean Nutall, LVN Bryan
Mary Jane Saigado, MEd Eagle Pass

**In the Matter of Permanent License** § **BEFORE THE TEXAS**  
**Number 195752, Issued to** §  
**SHELLIE DEANN GASKINS, Respondent** § **BOARD OF NURSING**

### **FORMAL CHARGES**

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, SHELLIE DEANN GASKINS, is a Vocational Nurse holding license number 195752, which is in current 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 December 12, 2006, while applying for employment with Wilson N. Jones Medical Center, Sherman, Texas, Respondent submitted a specimen for a pre-employment screen which resulted positive for Amphetamines and Methamphetamines. Possession of Amphetamines and Methamphetamines without a lawful prescription is prohibited by Chapter 481 of the Texas Health and Safety Code (Controlled Substance Act). The use of Amphetamines and Methamphetamines by a Licensed Vocational Nurse, while subject to call or duty, could impair the nurse's ability to recognize subtle signs, symptoms or changes in the patient's condition, and could impair the nurse's ability to make rational, accurate, and appropriate assessments, judgements, and decisions regarding patient care, thereby placing the patient in potential danger.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(9)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(5),(10)(A)&(D)&(11)(B).

#### **CHARGE II.**

On or about November 3, 2007, while employed as a Licensed Vocational Nurse with Grayson Home Health, Sherman, Texas, Respondent falsified the medical record of Patient M.M., in that she documented administering nursing care to the patient when nursing care was not actually performed. Respondent's conduct was deceptive and created an inaccurate and incomplete medical record on which subsequent care givers would rely to base their ongoing medical care.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(D)(ii), and 22 TEX. ADMIN. CODE §217.12(1)(B)&(C),(4),(6)(A)&(H).

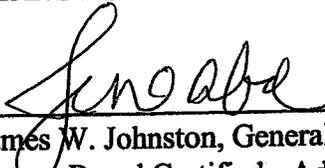
NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of revocation of Respondent's license to practice nursing in the State of Texas pursuant to the Board's rules, 22 TEX. ADMIN. CODE §§ 213.27 - 213.33. Additionally, staff will seek to impose on Respondent the administrative costs of the proceeding pursuant to § 301.461, TEX. OCC. CODE ANN. The cost of proceedings shall include, but is not limited to, the cost paid by the Board to the State Office of Administrative Hearings and the Office of the Attorney General or other Board counsel for legal and investigative services, the cost of a court reporter and witnesses, reproduction of records, Board staff time, travel, and expenses. These shall be in an amount of at least one thousand two hundred dollars (\$1200.00).

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.state.tx.us](http://www.bon.state.tx.us).

NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Sanction Policies for Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder, Lying and Falsification, and Fraud, Theft & Deception, which can be found at the Board's website, [www.bon.state.tx.us](http://www.bon.state.tx.us).

Filed this <sup>29th day</sup> May day of May, 2017.

TEXAS BOARD OF NURSING

  
James W. Johnston, General Counsel  
Board Certified - Administrative Law  
Texas Board of Legal Specialization  
State Bar No. 10838300

Jena Renee Koslan Abel, Assistant General Counsel  
State Bar No. 24036103

Robert Kyle Hensley, Assistant General Counsel  
State Bar No. 50511847

John F. Legris, Assistant General Counsel  
State Bar No. 00785533

TEXAS BOARD OF NURSING

333 Guadalupe, Tower III, Suite 460  
Austin, Texas 78701  
P: (512) 305-6824  
F: (512) 305-8101 or (512)305-7401

**CERTIFIED MAIL™**



7006 1300 0001 1733 1766

BOARD OF NURSE EXAMINERS  
333 GUADALUPE, SUITE 3-460  
AUSTIN, TEXAS 78701

**RETURN RECEIPT  
REQUESTED**

Shellie Deann Gaskins  
1809 W. Belden  
Sherman, TX 75092



02 1A  
0004623940 JUN 01 2009  
MAILED FROM ZIP CODE 78701

PRIMEV BOWTIES  
\$ 05.54<sup>0</sup>



DATE	6-3-09
POST OFFICE	2103 N. ...
	11/11/09

NIXIE 750 SE 1 70 07/09/09

RETURN TO SENDER  
UNCLAIMED  
UNABLE TO FORWARD

BC: 78701394460 \*1099-00020-01-40

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