



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.
A. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Vocational Nurse §
License Number 167458 § AGREED
issued to SHERRY LAVON BURROW § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered matter of SHERRY LAVON BURROW, Vocational Nurse License Number 167458, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 302.402 (a) (10), Texas Occupations Code. Respondent waived representation by counsel, informal conference, notice and hearing, and agreed to the entry of this Order offered on April 16, 2008, 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 conference, notice and hearing, and agreed to the entry of this Order.
3. Respondent's license to practice vocational nursing in the State of Texas is currently in suspended status.
4. Respondent received a Certificate in Vocational Nursing from Delta Career Institute, Beaumont, Texas, on April 8, 1998. Respondent was licensed to practice vocational nursing in the State of Texas on May 20, 1998.
5. Respondent's complete vocational nursing employment history is unknown.
6. On June 10, 2002, Respondent's license to practice vocational nursing was suspended by the Board of Vocational Nurse Examiners for the State of Texas. A copy of the June 10, 2002, Agreed Board Order is attached and incorporated, by reference, as part of this Order.
7. Respondent completed a residential treatment program on January 18, 2008.

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 302.402(a)(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §239.11 (6), (28), effective through September 28, 2004.
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 167458, heretofore issued to SHERRY LAVON BURROW, including revocation of Respondent's license to practice vocational nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that Vocational Nurse License Number 167458, previously issued to SHERRY LAVON BURROW, to practice vocational nursing in Texas is hereby suspended for a period of two (2) years with the suspension stayed and Respondent is hereby placed on probation for two (2) years with the following agreed terms of probation:

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

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

(1) RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas as amended, Texas Occupations Code, §§301.001 *et seq.*, the Rules and Regulations Relating to Vocational Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.1 *et seq.* and this Order.

(2) The stipulations outlined and required herein SHALL supercede all previous stipulations required by any Order entered by the Board of Vocational Nurse Examiners.

(3) RESPONDENT SHALL within one (1) year of entry of this Order and prior to practicing as a vocational nurse, successfully complete a nursing refresher course prior to returning to the practice of vocational nursing in the State of Texas. RESPONDENT SHALL obtain Board approval of the course prior to enrollment. Home study courses and video programs will not be approved. The course content shall include: 1) the role and scope of the vocational nurse; 2) a review of the nursing process to include focused assessment, planning, implementation and evaluation; 3) Pharmacology review; 4) medication administration review for all standard routes of administration; 5) documentation, ethical and legal implications for nursing practice; and 6) current CPR certification. This course shall include a minimum of the clinical components, providing direct patient care supervised by another nurse, as stated on the *Board's website* <ftp://www.bon.state.tx.us/6mth-lvn.pdf>. Upon receipt of verification that RESPONDENT has enrolled in a nursing refresher course, the RESPONDENT SHALL apply for a "Six-Month Clinical Permit" for the limited purpose of completing the course. RESPONDENT SHALL NOT, in any way, attempt to use this limited permit for any purpose other than attending this course. RESPONDENT SHALL CAUSE the sponsoring institution to notify the Board of RESPONDENT's successful completion on the Verification of Course Completion form, available from the Board at <ftp://www.bon.state.tx.us/i17.pdf>. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure.

(4) Upon verification of successful completion of the agreed pre-licensure conditions of reinstatement, as set out in this Order, RESPONDENT SHALL pay all re-registration fees and be issued a license to practice vocational nursing in the State of Texas, which shall bear the appropriate notation. Said license issued to SHERRY LAVON BURROW, shall be subject to the following agreed post-licensure stipulations:

(5) RESPONDENT SHALL, within one (1) year entry of suspension stayed, successfully complete a course in Texas nursing jurisprudence and ethics. RESPONDENT SHALL obtain Board approval of the course prior to enrollment only if the course is not being offered by a pre-approved provider. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include nurses. It 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. RESPONDENT SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to the Office of the Board to verify RESPONDENT's successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure. *Board-approved courses may be found at the following Board website address:* <http://www.bon.state.tx.us/disciplinaryaction/stipscourses.html>.

IT IS FURTHER AGREED, SHOULD RESPONDENT PRACTICE AS A LICENSED VOCATIONAL NURSE IN THE STATE OF TEXAS, RESPONDENT WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL PRACTICE SETTING AND RESPONDENT MUST WORK IN SUCH SETTING A MINIMUM OF

SIXTY-FOUR (64) HOURS PER MONTH DURING THE TWO (2) YEAR PERIOD OF PROBATION. THE LENGTH OF PROBATION WILL BE EXTENDED UNTIL SUCH TWENTY-FOUR (24) MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE A VOCATIONAL NURSE LICENSE WILL NOT APPLY TO THIS PROBATION PERIOD.

(6) RESPONDENT SHALL notify all future employers in vocational nursing of this Order of the Board and the stipulations on RESPONDENT's license. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each present employer within five (5) days of receipt of this Order.

(7) RESPONDENT SHALL CAUSE each future employer to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within five (5) days of employment as a vocational nurse.

(8) For the first year of employment as a vocational nurse under this Order, RESPONDENT SHALL be directly supervised by a Registered Nurse or a Licensed Vocational Nurse. Direct supervision requires another professional or vocational nurse to be working on the same unit as RESPONDENT and immediately available to provide assistance and intervention. RESPONDENT SHALL work only on regularly assigned, identified and predetermined unit(s). The RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(9) For the remainder of the probation period, RESPONDENT SHALL be supervised by a Registered Nurse or a Licensed Vocational Nurse who is on the premises. The supervising nurse is not required to be on the same unit or ward as RESPONDENT, but should be on the facility

grounds and readily available to provide assistance and intervention if necessary. The supervising nurse shall have a minimum of two (2) years experience in the same or similar practice setting to which the RESPONDENT is currently working. RESPONDENT SHALL work only regularly assigned, identified and predetermined unit(s). RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(10) RESPONDENT SHALL NOT practice as a vocational nurse on the night shift, rotate shifts, work overtime, accept on-call assignments, or be used for coverage on any unit other than the identified, predetermined unit(s) to which RESPONDENT is regularly assigned for one (1) year of employment as a vocational nurse.

(11) RESPONDENT SHALL NOT practice as a vocational nurse in any critical care area for one (1) year of employment as a vocational nurse. Critical care areas include, but are not limited to, intensive care units, emergency rooms, operating rooms, telemetry units, recovery rooms, and labor and delivery units.

(12) RESPONDENT SHALL NOT administer or have any contact with controlled substances, Nubain, Stadol, Dalgan, Ultram, or other synthetic opiates for one (1) year of employment as a vocational nurse.

(13) RESPONDENT SHALL CAUSE each employer to submit, on forms provided to the RESPONDENT by the Board, periodic reports as to RESPONDENT's capability to practice vocational nursing. These reports shall be completed by the Registered Nurse or Licensed Vocational Nurse who supervises the RESPONDENT. These reports shall be submitted by the

supervising nurse to the office of the Board at the end of each three (3) months for three (3) years of employment as a vocational nurse.

(14) RESPONDENT SHALL abstain from the consumption of alcohol, Nubain, Stadol, Dalgan, Ultram, or other synthetic opiates, and/or the use of controlled substances, except as prescribed by a licensed practitioner for a legitimate purpose. If prescribed, RESPONDENT SHALL CAUSE the licensed practitioner to submit a written report identifying the medication, dosage and the date the medication was prescribed. The report shall be submitted directly to the office of the Board by the prescribing practitioner, within ten (10) days of the date of the prescription. **In the event that prescriptions for controlled substances are required for periods of two (2) weeks or longer, the Board may require and RESPONDENT SHALL submit to an evaluation by a Board approved physician specializing in Pain Management or Psychiatry. The performing evaluator will submit a written report to the Board's office, including results of the evaluation, clinical indications for the prescriptions, and recommendations for on-going treatment within thirty (30) days from the Board's request.**

(15) RESPONDENT SHALL submit to random periodic screens for controlled substances, tramadol hydrochloride (Ultram), and alcohol. For the first three (3) month period, random screens shall be performed at least once per week. For the second three (3) month period, random screens shall be performed at least twice per month. For the next six (6) month period, random screens shall be performed at least once per month. For the remainder of the stipulation period, random screens shall be performed at least once every three (3) months.

Specimens shall be screened for at least the following substances:

Amphetamines	Meperidine
Barbiturates	Methadone
Benzodiazepines	Methaqualone
Cannabinoids	Opiates
Cocaine	Phencyclidine
Ethanol	Propoxyphene
tramadol hydrochloride (Ultram)	

A Board representative may appear at the RESPONDENT's place of employment at any time during the stipulation period and require RESPONDENT to produce a specimen for screening.

All screens shall be properly monitored and produced in accordance with the Board's policy on Random Drug Testing. A complete chain of custody shall be maintained for each specimen obtained and analyzed. RESPONDENT SHALL be responsible for the costs of all random drug screening during the stipulation period.

Any positive result for which the nurse does not have a valid prescription will be regarded as non-compliance with the terms of this Order and may subject the nurse to further disciplinary action by this Board. Failure to report for a drug screen may be considered the same as a positive result and may result in further disciplinary action by this Board.

(16) RESPONDENT SHALL attend at least two (2) support group meetings each week, one of which shall be for substance abuse; and RESPONDENT SHALL provide acceptable evidence of attendance. Acceptable evidence shall consist of a written record of at least: the date of each meeting; the name of each group attended; and the signature and printed name of the chairperson of each group attended by RESPONDENT. RESPONDENT SHALL submit the required evidence on the forms provided by the Board at the end of every three (3) months. No duplications, copies, third party signatures, or any other substitutions will be accepted as evidence.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT's license and RESPONDENT shall be eligible for multistate licensure privileges, if any, to practice vocational nursing in the State of Texas.

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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 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 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.

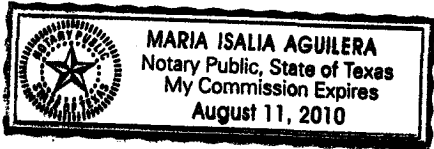
Signed this 15 day of May, 2009.

Sherry Burrow
SHERRY LAVON BURROW, Respondent

Sworn to and subscribed before me this 15th day of may, 2009.

SEAL

Maria Isalia Aguilera
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 15th day of May, by SHERRY LAVON BURROW, Vocational Nurse License Number 167458, and said Order is final.



Effective this 9th day of June, 2009.

Katherine A. Thomas

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

I certify this to be a true copy of the records on file with the Board of Nurse Examiners for the State of Texas.

Date: 6/15/09

Signed: 

BOARD OF VOCATIONAL
NURSE EXAMINERS

VS.

SHERRY LAVON BURROW

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STATE OF TEXAS

COUNTY OF TRAVIS

AGREED BOARD ORDER

On this day came to be considered by the Board of Vocational Nurse Examiners the matter of vocational nurse license number 167458 held by SHERRY LAVON BURROW, hereinafter called Respondent.

By letter, the Board of Vocational Nurse Examiners sent preliminary notice to Respondent of its intent to take disciplinary action with respect to said license held by Respondent, as a result of a complaint and subsequent investigation. Said investigation produced evidence indicating that Respondent has engaged in unprofessional or dishonorable conduct that, in the Board's opinion, is likely to deceive, defraud, or injure the public, in violation of Texas Occupations Code, Chapter 302, Section 302.402 (a) (10), in the following manner:

I.

a. By letter dated November 28, 2001, the Board of Vocational Nurse Examiners received a referral from the Texas Peer Assistance Program for Nurses (TPAPN) alleging that Respondent had become non-compliant with their program in the area of treatment and abstinence.

II.

a. Respondent was employed as a licensed vocational nurse with Autumn Hills Convalescent Center in Tomball Texas from about November 29, 2000 through about June 18, 2001.

MAY 06 2002

AGREED BOARD ORDER
RE: SHERRY LAVON BURROW, LVN #167458
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b. While so employed with said facility, from about May 5, 2001 through about June 18, 2001, Respondent diverted medication from residents at the facility. Narcotic records reveal that Respondent withdrew numerous narcotics during said time period. The facility subsequently contacted the police department and the police set up a secret camera in the facility's medication room. Facility staff observed Respondent taking about 20-40 pills, one after the other. Respondent was subsequently arrested after the viewing of the tape.

c. As a result of Respondent's drug diversion, she was charged in Harris County, Texas with the Misdemeanor Offense of: POSSESSION OF A CONTROLLED SUBSTANCE. On or about September 14, 2001, Respondent entered a guilty plea to the Misdemeanor Offense of: POSSESSION OF A CONTROLLED SUBSTANCE, in the County Criminal Court at Law No. 1 of Harris County, Texas. The Court deferred adjudication of guilt in the matter and placed Respondent on community supervision for a period of two (2) years.

By Respondent's signature on this Order, Respondent neither admits nor denies the truth of the matters previously set out in this Order with respect to the above-mentioned investigation. By Respondent's signature on this Order, Respondent acknowledges that they have read and understood this Order and have approved it for consideration by the Board.

By their notarized signature on this Order, Respondent does hereby waive the right to a formal Complaint, Notice of Hearing and a Public Hearing held before an Administrative Law Judge with the State Office of Administrative Hearings, and to judicial review of this disciplinary action. Notice of this disciplinary action will appear in the Board's newsletter sent to Texas employers.

AGREED BOARD ORDER
RE: SHERRY LAVON BURROW, LVN #167458
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ORDER OF THE BOARD

NOW THEREFORE, IT IS ORDERED, subject to ratification by the Board of Vocational Nurse Examiners that License Number 167458, heretofore issued to SHERRY LAVON BURROW, to practice vocational nursing in the State of Texas be, and the same is hereby Suspended until such time as Respondent has provided the Board office with proof of two (2) years of sobriety from any mood altering substance. It is further ordered that upon sobriety the suspension of said license shall be automatically lifted and the license reinstated without stipulations.

This Agreed Order shall not be effective or take effect and become enforceable in accordance with its terms until endorsed by a majority of the Board present and voting, at its next regularly called session.

Dated this the 30 day of April, 2002.

Sherry Burrow
Signature of Respondent

19515 Sandy Woods Dr
Current Address

Tomball TX 77375
City, State and Zip

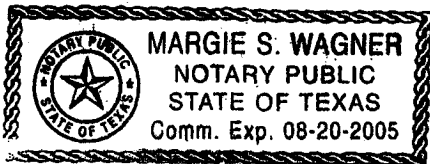
281 1 357-1763
Area Code and Telephone Number

AGREED BOARD ORDER
RE: SHERRY LAVON BURROW, LVN #167458
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The State of Texas
County of HARRIS

Before me, the undersigned authority, on this day personally appeared SHERRY LAVON BURROW, who being duly sworn by me stated that he or she executed the above for the purpose therein contained, and that he or she understood same.

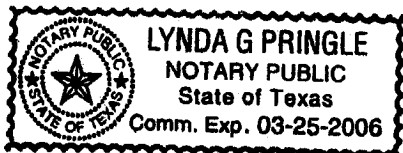
SWORN TO AND SUBSCRIBED before me on this the 30 day of April, 2002.



Margie S. Wagner
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS
My Commission Expires 08-20-2005

Terrie L. Hairston
Terrie L. Hairston, R.N., C.H.E.,
Agent for the Board of
Vocational Nurse Examiners

SWORN TO AND SUBSCRIBED before me, the undersigned authority, on this the 3rd day of June, 2002.

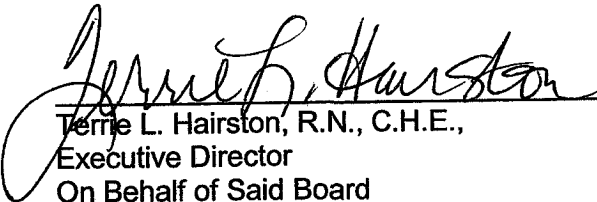


Lynda G. Pringle
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS
My Commission Expires 03-25-06

BOARD ORDER
RE: SHERRY LAVON BURROW, LVN #167458
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WHEREFORE, PREMISES CONSIDERED, the Board of Vocational Nurse Examiners for the State of Texas does hereby ratify and adopt the Agreed Board Order, notarized on the 30th day of April, 2002 by SHERRY LAVON BURROW, license number 167458 and that Said Order is Final.

Effective this 10th day of June, 2002.



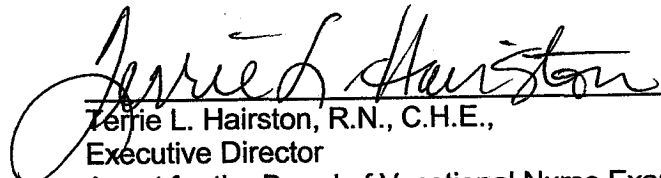
Terrie L. Hairston, R.N., C.H.E.,
Executive Director
On Behalf of Said Board

BOARD ORDER
RE: SHERRY LAVON BURROW, LVN #167458
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CERTIFICATE OF SERVICE

I hereby certify that on the 14th day of June, 2002, a true and correct copy of the foregoing **BOARD ORDER** was served by placement in the U.S. Mail first class mail, and addressed to the following person(s):

SHERRY LAVON BURROW
19515 SANDY WOODS DRIVE
TOMBALL, TEXAS 77375


Terrie L. Hairston, R.N., C.H.E.,
Executive Director
Agent for the Board of Vocational Nurse Examiners