



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.  
*Katherine A. Thomas*  
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Registered Nurse                   §     AGREED  
License Number 629573                               §  
issued to SHELLY KAY LAMBERT                   §     ORDER

An investigation by the Texas Board of Nursing, hereinafter referred to as the Board, produced evidence indicating that SHELLY KAY LAMBERT, hereinafter referred to as Respondent, Registered Nurse License Number 629573, may have violated Section 301.452(b)(2)&(10), Texas Occupations Code.

An informal conference was held on January 27, 2009, at the office of the Texas Board of Nursing, in accordance with Section 301.464 of the Texas Occupations Code.

Respondent appeared in person. Respondent was represented by Colin B. Amann, Attorney at Law. In attendance were Katherine A. Thomas, MN, RN, Executive Director; John F. Legris, Assistant General Counsel; Kyle Hensley, Assistant General Counsel; Anthony L. Diggs, MSCJ, Director, Enforcement Division; Earl E. Stearns, Supervising Investigator, Eligibility Division; and Bonnie Krznarich, Investigator.

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 consented to the entry of this Order.
3. Respondent is currently licensed to practice professional nursing in the State of Texas.
4. Respondent received an Associate Degree in Nursing from Lamar University, Beaumont, Texas, on May 1, 1996. Respondent was licensed to practice professional nursing in the State of Texas on June 19, 1996.

5. Respondent's professional nursing employment history includes:

6/96 to 9/98	RN St. Elizabeth Hospital Beaumont, Texas
6/96 to 12/99	PRN Liberty Hospital Liberty, Texas
06/96 to 12/99	PRN Baptist Hospital Beaumont, Texas
10/97 to 12/99	RN IMS Infusion Management Nederland, Texas
10/98 to 12/99	RN, IV Specialist Sunscript Pharmaceuticals Beaumont, Texas
1/00 to 11/03	Not employed in nursing
12/15/03 to 9/10/04	RN, Staff Nurse Northwest Texas Healthcare System Amarillo, Texas
9/11/04 to 3/07	Not employed in Nursing
3/07 to 12/07	RN Paid to care for Grandmother in Grandmother's home Amarillo, Texas
12/07 - Present	Not employed in Nursing

6. On or about July 18, 2007, Respondent submitted a License Renewal Form (Delinquent over 90 days) to the Board of Nurse Examiners for the State of Texas in which she provided false, deceptive, and/or misleading information, in that she answered "No" to the question:

"Have you ever been convicted, placed on community supervision whether or not adjudicated guilty, sentenced to serve jail or prison time or granted pre-trial diversion. . . ."

- A. On or about December 17, 2004, Respondent was arrested by the Amarillo Police Department, Potter County, Texas, for POSSESSION OF A CONTROLLED SUBSTANCE PG 1 < 1G, a State Jail felony offense. On or about December 1, 2005, Respondent was indicted in the 181<sup>st</sup> District Court of Randall County, Texas, under Cause No. 16,709-B for POSSESSION OF A CONTROLLED SUBSTANCE WITHIN A DRUG-FREE ZONE - METHAMPHETAMINE (a felony offense committed on December 17, 2004). On or about October 9, 2006, Cause No. 16,709-B was dismissed in the 181<sup>st</sup> District Court, Randall County, Texas, based on Respondent successfully completing the Potter County Pre-Trial Diversion Program.
8. Formal Charges were filed on April 24, 2008.
  9. Formal Charges were mailed to Respondent on April 25, 2008.

#### CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.455, 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)(2)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(6)(I).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 629573, heretofore issued to SHELLY KAY LAMBERT, 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 REMEDIAL EDUCATION WITH A FINE, 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) RESPONDENT SHALL pay a monetary fine in the amount of two hundred fifty dollars (\$250). RESPONDENT SHALL pay this fine within forty-five (45) days of entry of this Order. Payment is to be made directly to the Texas Board of Nursing in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, 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) contact 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, 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 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 Agreement. 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 this 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 do not 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 professional nursing in the State of Louisiana, as a consequence of my noncompliance.

Signed this 16<sup>th</sup> day of March, 2009.

Shelly Kay Lambert  
SHELLY KAY LAMBERT, Respondent

Sworn to and subscribed before me this 16<sup>th</sup> day of March, 2009.



Amanda McManus #6752  
Amanda McManus  
Notary Public in and for the State of Louisiana

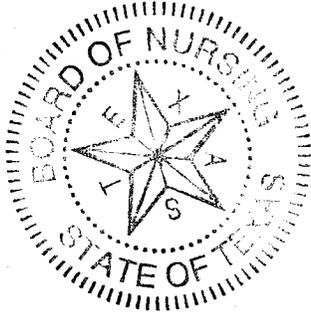
Approved as to form and substance.

Colin B. Amann  
Colin B. Amann, Attorney for Respondent

Signed this 16<sup>th</sup> day of March, 2009.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 16<sup>th</sup> day of March, 2009, by SHELLY KAY LAMBERT, Registered Nurse License Number 629573, and said Order is final.

Effective this 17<sup>th</sup> day of March, 2009.



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