



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 Clapp
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of § AGREED
Registered Nurse License Number 249345 §
issued to KAREN SUZANNE SHELTON, § ORDER
PETITIONER for Exception §

A public meeting of the Eligibility and Disciplinary Committee of the Board hereinafter referred to as the Committee, was held on May 14, 2013, at 333 Guadalupe, Tower 3, Suite 460, Austin, Texas, to consider the Petition for Exception and supporting documents filed by KAREN SUZANNE SHELTON, hereinafter referred to as PETITIONER.

PETITIONER appeared in person.

Board Members in attendance were: Patricia Clapp, BA; Kathy Leader-Horn, LVN; and Mary LeBeck, MSN, RN. Staff present were: Katherine A. Thomas, MN, RN, FAAN, Executive Director; James W. Johnston, General Counsel; Earl E. Stearns, CFE, Supervising Investigator; Nicole Binkley, BSN, RN, Nurse Consultant; Diane E. Burell, Investigator; and Andrea Gonzalez, Legal Secretary.

Petitioner waived representation by counsel, notice and hearing, and agreed to the entry of this Order offered by the Committee on May 14, 2013.

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 Petitioner and Petitioner was given an opportunity to show compliance with all requirements of the law for retention of the license(s).
2. Petitioner waived representation by counsel, notice and hearing, and consented to the entry of this Order.
3. Petitioner's license to practice professional nursing in the State of Texas is currently in delinquent status.

4. Petitioner received an Associate Degree in Nursing from San Jacinto College, Pasadena, Texas, on May 1, 1979. Petitioner was licensed to practice professional nursing in the State of Texas on September 4, 1979.
5. Petitioner's professional nursing employment history includes:

9/79 - 9/95	Unknown	
10/95 - 8/05	Lead RN/OR Educator	Bayshore Medical Center Pasadena, Texas
8/05 - 12/05	Assistant Director of Surgical Services	Clear Lake Regional Medical Center Webster, Texas
1/06 - Unknown	Nurse/Owner	Recovery Solutions Houston, Texas
7. On or about January 22, 2008, Petitioner was issued the sanction of a Limited License with Stipulations through an Agreed Order of the Board. A copy of the January 22, 2008, Agreed Order, including the Findings of Fact, Conclusions of Law is attached and incorporated herein by reference as part of this Order.
8. Petitioner has not been permitted to provide direct patient care since January 22, 2008, pursuant to the terms of the Order issued to her by the Board on January 22, 2008. As a result, Petitioner has not been able to adequately demonstrate that her conduct, as described in the Findings of Fact in the Agreed Order dated January 22, 2008, does not continue to pose serious risks to public health and safety due to intemperate use of controlled substances or chemical dependency.
9. PETITIONER's compliance with the terms of a Board approved peer assistance program should be sufficient to protect patients and the public.

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(s) of 22 TEX. ADMIN. CODE §217.12(5) & (10)(A) and (D).

4. The evidence received is sufficient cause pursuant to Section 301.452(b)(9), (10) and (12), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 249345, heretofore issued to KAREN SUZANNE SHELTON, including revocation of Petitioner's license(s) to practice nursing in the State of Texas.
5. The Board may, in its discretion, order a nurse to participate in a peer assistance program approved by the Board if the nurse would otherwise have been eligible for referral to peer assistance pursuant to Section 301.410, Texas Occupations Code.

ORDER

IT IS THEREFORE AGREED AND ORDERED, subject to ratification by the Texas Board of Nursing, that the petition of KAREN SUZANNE SHELTON to return to direct patient care is hereby GRANTED, SUBJECT TO THE FOLLOWING CONDITIONS:

(1) PETITIONER 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.

(2) PETITIONER SHALL, within one (1) year of entry of this Order and prior to practicing as a professional nurse, successfully complete a nursing refresher course. PETITIONER SHALL obtain Board approval of the course prior to enrollment. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include Nurses. The course's content shall include: 1) the role of the nurse; 2) a review of the nursing process to include assessment, planning, implementation and evaluation; 3) pharmacology review; 4) medication administration review for all standard routes of administration; 5) documentation, quality assurance 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 registered nurse, as stated on the Board's website, <http://www.bon.state.tx.us/olv/pdfs/6mth-rn.pdf>. Upon receipt of verification that PETITIONER has enrolled in a nursing refresher course, the PETITIONER SHALL apply for a "Six-Month

Clinical Permit" for the limited purpose of completing the course. PETITIONER SHALL NOT, in any way, attempt to use this limited permit for any purpose other than attending this course. PETITIONER SHALL CAUSE the sponsoring institution to notify the Board of PETITIONER'S successful completion on the Verification of Course Completion form, available from the Board at <http://www.bon.state.tx.us/disciplinaryaction/pdfs/i17.pdf>. Upon receipt of the Verification of Course Completion form and the limited permit, the Board will then issue PETITIONER a license to practice professional nursing. 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.

(3) PETITIONER SHALL, within forty-five (45) days following re-licensure, apply to the Texas Peer Assistance Program for Nurses (TPAPN) and SHALL, within ninety (90) days following re-licensure, sign and execute the TPAPN participation agreement and complete the enrollment process, which SHALL include payment of a non-refundable participation fee in the amount of five hundred dollars (\$500.00) payable to TPAPN. Upon acceptance into the TPAPN, PETITIONER SHALL waive confidentiality and provide a copy of the executed TPAPN participation agreement to the Texas Board of Nursing. PETITIONER SHALL comply with all requirements of the TPAPN participation agreement during its term and SHALL keep all applicable license(s) to practice nursing in the State of Texas current. PETITIONER SHALL CAUSE the TPAPN to notify the Texas Board of Nursing of any violation of the TPAPN participation agreement. IT IS FURTHER AGREED and ORDERED that PETITIONER SHALL comply with these conditions for such a time as is required for PETITIONER to successfully complete TPAPN.

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

IT IS FURTHER AGREED and ORDERED that while Petitioner's license is encumbered by this Order, Petitioner 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 Petitioner wishes to work.

IT IS FURTHER AGREED AND ORDERED that, while under the terms of this Order, this Order SHALL apply to any and all future licenses issued to Petitioner to practice nursing in the State of Texas.

IT IS FURTHER AGREED AND ORDERED that the stipulations, conditions, and requirements outlined herein SHALL supercede all previous stipulations required by any Order entered by the Texas Board of Nursing.

IT IS FURTHER AGREED, SHOULD PETITIONER fail to comply with this Order or the terms of the participation agreement with the TPAPN, such noncompliance will result in further disciplinary action including EMERGENCY SUSPENSION pursuant to Section 301.4551, Texas Occupations Code, or REVOCATION of PETITIONER's license(s) and nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, PETITIONER SHALL be issued an unencumbered license and may be eligible for multistate licensure privileges, if any, to practice nursing in the State of Texas.

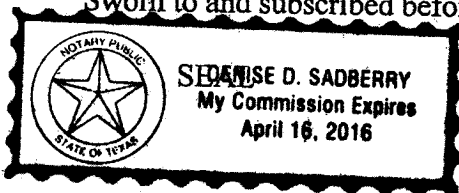
PETITIONER'S CERTIFICATION

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 violation(s) alleged herein. I do acknowledge possessing a diagnosis that deems me eligible to participate in the Texas Peer Assistance Program for Nurses. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, and Conditions One (1) through Four (4) of this Order to obtain disposition of the allegations through peer assistance and to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that this Order becomes effective upon acceptance by the Executive Director on behalf of the Texas Board of Nursing, 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(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 29th day of October, 2013.

Karen Suzanne Shelton
KAREN SUZANNE SHELTON, Petitioner

Sworn to and subscribed before me this 29th day of October, 2013.



Denise D. SADBERRY
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 ratify and adopt the Agreed Order that was signed on the 29th day of October, 2013, by KAREN SUZANNE SHELTON, Registered Nurse License Number 249345, and said Order is final.

Effective this 5th day of November, 2013.



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

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Registered Nurse § AGREED
License Number 249345 §
issued to KAREN SUZANNE SHELTON § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of KAREN SUZANNE SHELTON, Registered Nurse License Number 249345, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated 301.452(b)(9),(10),&(12), Texas Occupations Code. Respondent waived informal conference, notice and hearing, and agreed to the entry of this Order offered on November 14, 2007, 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 informal conference, notice and hearing, and agreed to the entry of this Order.
3. Respondent's license to practice professional nursing in the State of Texas is in delinquent status.
4. Respondent received an Associate Degree in Nursing from San Jacinto College, Pasadena, Texas, on May 1, 1979. Respondent was licensed to practice professional nursing in the State of Texas on September 4, 1979.
5. Respondent's complete professional nursing employment history includes:

September 1979 to September 1995 Employment Unknown

Respondent's professional nursing employment history continued:

October 1995 to August 2005	Lead RN/OR Educator Bayshore Medical Center Pasadena, Texas
August 2005 to December 2005	Assistant Director of Surgical Services Clear Lake Regional Medical Center Webster, Texas
January 2006 to Present	Self-Employed Nurse/Owner Recovery Solutions Houston, Texas

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with Clear Lake Regional Medical Center, Webster, Texas, and had been in this position for four (4) months.
7. On or about December 16, 2005, while employed with Clear Lake Regional Medical Center, Webster, Texas, the Board believes Respondent lacked fitness to practice professional nursing in that Respondent exhibited impaired behavior while on duty, including, but not limited to: being loud, unable to focus, and dropping items. Respondent's conduct could have affected her ability to recognize subtle signs, symptoms or changes in patients' conditions, and could have affected her ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patients in potential danger.
8. On or about December 16, 2005, while employed with Clear Lake Regional Medical Center, Webster, Texas, Respondent engaged in the intemperate use of alcohol in that Respondent submitted a specimen for a drug/alcohol screen which resulted positive for alcohol. The use of alcohol by a Registered 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, judgments, and decisions regarding patient care, thereby placing the patient in potential danger.
9. Respondent states that the alcohol was in her system from attending a Christmas party from the night before.
10. Respondent submitted documentation indicating that she successfully completed an Intensive Outpatient Program at TRS Behavioral Care, Inc., Clear Lake, Texas, on February 20, 2006.
11. Respondent currently provides no direct patient care in her self-employment position. Respondent affirms that she plans to continue to provide medical review services for insurance companies and healthcare management companies or other in direct patient care.

12. 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 a violation of Section 301.452(b)(9),(10),&(12), Texas Occupations Code, and 22 TEX. ADMIN. CODE § 217.12(5)&(10)(A)(D).
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 249345, heretofore issued to KAREN SUZANNE SHELTON, including revocation of Respondent's professional 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 a LIMITED LICENSE with Stipulations, and 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 Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.01 *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 deliver the wallet-sized license issued to KAREN SUZANNE SHELTON, to the office of the Texas Board of Nursing within ten (10) days from date of ratification of this Order for appropriate notation.

(2) While under the terms of this Order, RESPONDENT SHALL NOT provide direct patient care. For the purposes of this Order, direct patient care involves a personal relationship between the Nurse and the client, and includes, but is not limited to: teaching, counseling, assessing the client's needs and strengths, and providing skilled nursing care.

(3) SHOULD RESPONDENT desire to return to a clinical practice setting, which would require her to provide direct patient care, RESPONDENT SHALL petition the Board for such approval.

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RESPONDENT'S CERTIFICATION

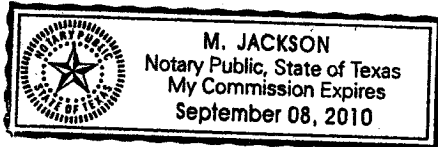
I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order, to avoid 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 professional nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 6th day of December, 2007.

Karen Suzanne Shelton
KAREN SUZANNE SHELTON, Respondent

Sworn to and subscribed before me this 6th day of December, 2007.

SEAL



M. Jackson

Notary Public in and for the State of Texas

Approved as to form and substance.

Pat Chukelu
PATRICK O. CHUKELU, Attorney for Respondent

Signed this 6th day of December, 2007.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 6th day of December, 20 08.

by KAREN SUZANNE SHELTON, Registered Nurse License Number 249345, and said Order is final.

Effective this 22nd day of January, 20 08.

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