



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

In the Matter of § AGREED
Vocational Nurse License Number 332005 §
issued to TERESA DAWN SCARBROUGH § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of TERESA DAWN SCARBROUGH, Vocational Nurse License Number 332005, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may be subject to discipline pursuant to Section 301.452(b)(8), Texas Occupations Code. Respondent waived notice and hearing and agreed to the entry of this Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on October 31, 2017.

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(s).
2. Respondent waived notice and hearing and agreed to the entry of this Order.
3. Respondent's license to practice as a vocational nurse in the State of Texas is in current status.
4. Respondent received a Certificate in Vocational Nursing from Platt College, Lawton, OK, on May 1, 2012. Respondent was licensed to practice vocational nursing in the State of Texas on June 7, 2016.
5. Respondent's nursing employment history includes:

7/12 - 1/13	LVN	Montevista Rehabilitation and Skilled Care Lawton, OK
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Respondent's nursing employment history continued:

1/13 - 4/13	LVN	Faith Hospice Chickasha, Oklahoma
5/13 - 1/14	LVN	Nursefinders Unknown
9/13 - 1/16	LVN	Total Medical Personnel Staffing Oklahoma City, Oklahoma
08/15 - 9/15	LVN	Convergence Medical Staffing Charlotte, North Carolina
12/15 - Present	LVN	Robinson Medical Resource Group Oklahoma City, Oklahoma
6/16 - 12/16	LVN	Resource Staffing Unknown
12/16 - Present	LVN	Well Care Houston, Texas

6. On or about July 25, 2017, Respondent's Oklahoma practical nurse license was Severely Reprimanded by the Oklahoma Board of Nursing, Oklahoma City, Oklahoma. A copy of the Oklahoma Board of Nursing's Stipulations, Settlement and Order dated July 25, 2017, is attached and incorporated, by reference, as part of this Order.
7. Regarding the conduct outlined in Finding of Fact Number Six (6), Respondent denies she falsified time cards. Respondent states her current position as Medical Director Review Nurse with Well Care, Houston, Texas, involves no direct patient care.

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 cause pursuant to Section 301.452(b)(8), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 332005, heretofore issued to TERESA DAWN SCARBROUGH, including revocation of Respondent's license(s) to practice nursing in the State of Texas.
4. Pursuant to Section 301.463(d), Texas Occupations Code, this Agreed Order is a settlement agreement under Rule 408, Texas Rules of Evidence, in civil or criminal litigation.

TERMS OF ORDER

I. SANCTION AND APPLICABILITY

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL receive the sanction of **LIMITED LICENSE WITH STIPULATIONS** in accordance with the terms of this Order.

- A. 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.
- B. This Order SHALL apply to any and all future licenses issued to Respondent to practice nursing in the State of Texas.
- C. This Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.
- D. As a result of this Order, Respondent's license(s) will be designated "single state" and Respondent may not work outside the State of Texas in another nurse licensure compact party state.

II. COMPLIANCE WITH LAW

While under the terms of this Order, RESPONDENT agrees to 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.

III. REMEDIAL EDUCATION COURSE(S)

In addition to any continuing education requirements the Board may require for licensure renewal, RESPONDENT SHALL successfully complete the following remedial education course(s) **within one (1) year of entry of this Order:**

A Board-approved course in Texas nursing jurisprudence and ethics that 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. Home study courses and video programs will not be approved.

In order to receive credit for completion of this/these course(s), RESPONDENT SHALL CAUSE the instructor to submit a Verification of Course Completion form or SHALL submit the continuing education certificate, as applicable, to the attention of Monitoring at the Board's office. RESPONDENT SHALL first obtain Board approval of any course prior to enrollment if the course is not being offered by a pre-approved provider. *Information about Board-approved courses and Verification of Course Completion forms are available from the Board at www.bon.texas.gov/compliance.*

IV. COMPLIANCE WITH OKLAHOMA ORDER

RESPONDENT SHALL fully comply with all the terms and conditions of the Order of the Board issued to her on July 25, 2017, by the Oklahoma Board of Nursing. RESPONDENT SHALL CAUSE the Oklahoma Board of Nursing to submit reports at the end of each three (3) month quarterly period, on forms provided by the Texas Board, that RESPONDENT is in compliance with the Order of the Board, and RESPONDENT SHALL cause the Oklahoma Board of Nursing to submit written verification of Respondent's successful completion of that Order.

Evidence of compliance/completion with the terms of the Order of the Oklahoma State Board of Nursing will be accepted as evidence of compliance/completion of the terms of this Order issued by the Texas Board of Nursing.

V. RESTORATION OF PATIENT CARE PRIVILEGE AND/OR UNENCUMBERED LICENSE(S)

SHOULD RESPONDENT desire to provide direct patient care, RESPONDENT SHALL petition the Board for such approval, at which time, the RESPONDENT MUST satisfy all then existing requirements for re-issuance of the privilege to provide direct patient care. Further, the Board may impose reasonable conditions that must be satisfied by the RESPONDENT before re-issuance of an unencumbered license, which, at a minimum, shall include the remedial education courses, work restrictions, supervised practice, and/or employer reporting which would have been requirements of this Order had the license(s) not been placed in limited status.

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RESPONDENT'S CERTIFICATION

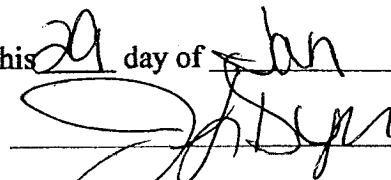
I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the entry of this Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that when this Order becomes final and the terms of this Order become effective, 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 possible revocation of my license(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

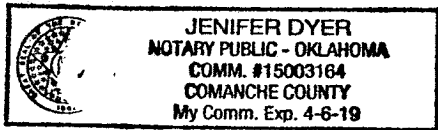
Signed this _____ day of _____, 20____.


TERESA DAWN SCARBROUGH, Respondent

Sworn to and subscribed before me this 29 day of Jan, 2018.

SEAL


Notary Public in and for the State of Oklahoma



WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 29th day of January, 2018, by TERESA DAWN SCARBROUGH, Vocational Nurse License Number 332005, and said Order is final.

Effective this 13th day of March, 20 18.



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

BEFORE THE OKLAHOMA BOARD OF NURSING

IN THE MATTER OF TERESA DAWN PAUL SCARBROUGH, L.P.N.
LICENSE NO. L0061252

STIPULATIONS, SETTLEMENT AND ORDER

This matter comes on before the Informal Disposition Panel ("Panel") of the Oklahoma Board of Nursing ("Board") on the 11th day of July, 2017, in the Conference Room of the Board Office, 2901 North Classen Boulevard, Suite 105, Oklahoma City, Oklahoma.

Sandra Terry, R.N., a Nurse Investigator with the Board, appears in person, and Teresa Dawn Paul Scarbrough, L.P.N., (hereinafter, "Respondent") having received notice voluntarily elected not to appear neither in person nor by counsel before the Panel on this date, without objection by Board staff. Respondent and the Nurse Investigator participated in a telephonic conference on June 5, 2017 and subsequently consented to this Stipulations, Settlement and Order. The Respondent agrees that she has received timely Notice of the agreed Stipulations, Settlement and Order ("Order") to be presented to the Informal Disposition Panel and to the Board.

The Board of Nursing has jurisdiction of this matter and authority to discipline Respondent through 59 O.S. §§567.2 and 567.8 and OAC 485:10-11.

Respondent has been advised of her right to an attorney and has voluntarily waived her right to an attorney.

STIPULATIONS

Respondent and the Panel hereby stipulate and agree to the following joint stipulations and proposed Order of the Board incorporating these stipulations and agreements in the above-styled matter.

1. Respondent is licensed to practice licensed practical nursing in the State of

Oklahoma and is the holder of License No. L0061252 issued by the Oklahoma Board of Nursing.

2. On or about November 2, 2001 the District Attorney for Comanche County, Oklahoma filed Information in the District Court of Comanche County, State of Oklahoma, Case No. CM-2001-1470, charging the Respondent with the following crime:

- Obtaining Cash or Merchandise By Bogus Check.

On or about December 17, 2001, the Respondent pled guilty, the Court ordered a one year **suspended** sentence and Respondent was ordered to pay fines and costs. As more particularly set forth in the Information, Affidavit for Arrest Warrant, and Plea of Guilty Summary of Facts, copies of which are attached hereto as pages 9-13 and made a part hereof.

3. On or about September 22, 23, 27, 28, 29, and 30, 2015 and October 2, 3, 4, 5, 6, and 7, 2015 the Respondent, while employed as a licensed practical nurse with Convergence Medical Staffing in Charlotte, North Carolina ("Medical Staffing"), and contracted to work at McMahon Tomlinson Nursing Center in Lawton, Oklahoma ("Nursing Center"), falsified the Respondent's Medical Staffing time cards by documenting she had worked a minimum of twelve (12) hours daily at the Nursing Center, on each of the specified dates described *supra*. The Nursing Center Administration confirmed the Respondent's last shift worked at the Nursing Center was September 21, 2015. Medical Staffing paid the Respondent for the specified dates/hours described *supra*. The Respondent was terminated from Medical Staffing on October 7, 2015.

4. On or about April 27, 2016 the District Attorney for Comanche County, Oklahoma filed Information in the District Court of Comanche County, State of Oklahoma, Case No. CM-2016-502, charging the Respondent with the following crime:

- Obtaining Cash By False Pretenses.

On or about March 10, 2017, the Respondent entered a plea of Nolo Contendere and the Court ordered a one year deferred sentence (until March 10, 2018), restitution to District Attorney Restitution Recovery Program for benefit of Convergence Service Group, LLC. (a.k.a. Convergence Medical Staffing), in the amount of five thousand and three dollars and eighty-one cents (\$5,003.81) to be paid in full by September 30, 2017, and payment of a fine, fees and costs. As more particularly set forth in the Information, Affidavit for Arrest Warrant, and Plea of Nolo Contendere Summary of Facts, copies of which are attached hereto as pages 14-17 and made a part hereof.

5. Respondent's conduct violates the Oklahoma Nursing Practice Act, 59 O.S. §§567.1, *et seq.*, specifically, §§567.8 A.1.a.2.3.B.2.7. and Board Rules, OAC 485:10-11-1.(a)(b)(3)(H).

6. No formal Complaint has been filed as of the date of these stipulations charging Respondent with violations of the Oklahoma Nursing Practice Act. Respondent understands that Respondent has a right to require that a formal Complaint be filed and the right to a formal hearing before the Board at which time Respondent could confront the witnesses against Respondent, cross-examine those witnesses, and present evidence in Respondent's own behalf. Respondent understands that by signing and agreeing to this Order Respondent is waiving those rights.

7. This Order is executed by the Respondent for the purpose of avoiding further administrative action with respect to this matter. In this regard, Respondent authorizes the Board to review and examine all investigative file materials concerning Respondent prior to or in conjunction with consideration of this Order. Furthermore, should this Order not be accepted by the Board, it is agreed that presentation to and consideration of this Order and other documents and matters by the

Board shall not unfairly or illegally prejudice the Board or any of its members from further participation, consideration or resolution of these proceedings.

8. Respondent fully understands and agrees that this Order will in no way preclude additional proceedings by the Board against Respondent for acts or omissions not specifically made a part of this Order.

9. Respondent expressly waives all further procedural steps, and expressly waives all rights to seek judicial review of or to otherwise challenge or contest the validity of this joint stipulation of facts, conclusions of law and imposition of discipline, and the Order of the Board incorporating said stipulations.

10. It is expressly understood that this Order is subject to approval of the Board and has no force and effect until approved and Ordered by the Board.

11. This Order constitutes formal disciplinary action.

STIPULATED DISPOSITION AND ORDER

IT IS THEREFORE ORDERED by the Oklahoma Board of Nursing that Respondent's license to practice licensed practical nursing in the State of Oklahoma remains in effect, and that Respondent is disciplined as follows:

1. Respondent shall, within **ninety (90) days** before or after the receipt of this Order, successfully complete a course on **Nursing Jurisprudence**. Respondent shall obtain Board approval of the course prior to enrollment. Home study courses, video Programs and Internet courses will not be approved. In order for the course to be approved, the target audience must include licensed nurses. It must be a minimum of four (4) contact hours in length. The course must include an examination of the scope of nursing practice from the Oklahoma Nursing Practice Act and Rules

of the Board; other laws; policies; and accreditation guidelines that govern the practice of nursing; the role of delegation and supervision; and an exploration of the ethical basis of nursing practice. Courses focusing on malpractice issues will not be accepted. The course description must indicate goals and objectives for the course; resources to be utilized; and the methods to be used to determine successful completion of the course. Respondent shall cause the sponsoring institution to submit verification of Respondent's successful completion of the course to the Board office.

2. Respondent shall, within **one hundred twenty (120) days** before or after the receipt of this Order, successfully complete a course on **Nursing Ethics, to include Professionalism, Professional Boundaries, and Social Networking**. Respondent shall obtain Board approval of the course prior to enrollment. Courses that exclusively include home study courses, video Programs, and Internet courses will not be approved. The target audience must include licensed nurses. The course must contain content on the following concepts: professional ethics, professional boundaries, boundary crossings, boundary violations and professional sexual misconduct. The course must be a minimum of eight (8) contact hours in length and include case studies and role playing. The course description must indicate goals and objectives for the course, resources to be utilized, and the methods to be used to determine successful completion of the course. Respondent shall cause the sponsoring institution to submit verification of Respondent's successful completion of the course to the Board office.

3. Within **sixty (60) days** from receipt of this Order, Respondent shall pay an **administrative penalty** payable to the Oklahoma Board of Nursing in the full amount of **\$2,000.00**. Partial payments are not accepted. The administrative penalty shall be paid only by certified check, money order or cash.

IT IS FURTHER ORDERED that the license to practice licensed practical nursing held by Respondent is hereby **severely reprimanded**.

IT IS FURTHER ORDERED that Respondent shall comply in all respects with the Oklahoma Nursing Practice Act, 59 O.S. Sections 567.1, et seq., the Rules, OAC Title 485 Chapters 1 and 10 and Guidelines relating to nursing education, licensure and practice and this Order.

IT IS FURTHER ORDERED, prior to the Respondent's successful completion of this Order, any violations of the Oklahoma Nursing Practice Act by the Respondent, except as set forth herein, may require Respondent's appearance before the Board to **Show Cause** why Respondent's license should not be revoked or other such action taken as the Board deems necessary and proper.

IT IS FURTHER ORDERED that in the event the Certified Mail delivery of Respondent's Order is unsuccessful a process server will be hired to obtain service of the Order. If it is necessary to serve the Respondent by a process server, the Respondent shall reimburse the Board for the actual cost of the process server. The Respondent shall pay to the Board the actual cost of the process service **within sixty (60) days of service of the process served Order**. The process service fee shall be paid only by certified check, money order or cash to the Board.

IT IS FURTHER ORDERED that any failure to comply with submission of the administrative penalty, reimbursement of cost of process server, and/or written documentation by the due date, including but not limited to proof of successful completion of educational courses, will result in a three (3) month suspension of license. If a license is suspended, all Board ordered classes must be successfully completed to include review of Evaluations, and administrative penalty and process server costs must be paid prior to reinstatement of license. At the completion of the three-month suspension, any application for reinstatement may be submitted for processing by Board Staff

for approval in accordance with the agency approval process or for referral to the Board. An administrative penalty of \$500.00 for each violation of Respondent's Board Order shall be paid by certified check, money order, or cash prior to reinstatement pursuant to statute, 59 O.S. §567.8.J.1. and 2., and OAC §485:10-11-2(c) of the Rules promulgated by the Board.

IT IS FURTHER ORDERED that the parties agree that both (all) parties have participated in the drafting of this Order and that no presumption or construction against any party as the drafter of this Order, shall apply or be applied in the event of a claim of ambiguity of the document or a provision thereof.

IT IS FURTHER ORDERED that should this Order not be accepted by the Board, it is agreed that presentation to and consideration of this Order and other documents and matters by the Board shall not unfairly or illegally prejudice the Board or any of its members from further participation, consideration or resolution of these proceedings.

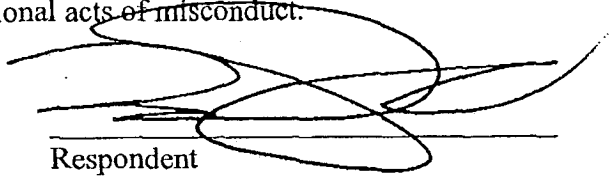
IT IS FURTHER ORDERED that this Order shall become final after anticompetitive review and a determination by the Oklahoma Attorney General, 74 O.S. §18b(A)(5), that the Order is in compliance with the Board's authority and mission to protect the public health, safety and welfare, and Respondent's receipt of the fully executed Order.

IT IS FURTHER ORDERED that this Order shall not be effective until the Respondent has accepted service of the fully executed Order.

IT IS FURTHER ORDERED that upon successful completion of all of the terms and conditions of this Order, no further Order of the Board shall be deemed necessary.

IT IS FURTHER ORDERED that this Order constitutes disciplinary action by the Board and may be used in any subsequent hearings by the Board. In the event other misconduct is

reported to the Board, this Order may be used as evidence against Respondent to establish a pattern of behavior and for the purpose of proving additional acts of misconduct.


Respondent

Approved and ordered this 25th day of July, 2017.

OKLAHOMA BOARD OF NURSING

By: Susan Jones PhD APRN-CNS
Presiding Board Officer

ST:st

