

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

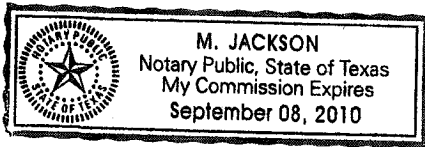
I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order, to avoid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