

BEFORE THE TEXAS BOARD OF NURSING  
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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 Blair*  
Executive Director of the Board

In the Matter of Vocational Nurse License           §  
Number 130929, and Registered Nurse License       §       ORDER GRANTING  
Number 567882 issued to                               §       PETITIONER'S REQUEST  
DAVID EUGENE HILLIARD                               §       FOR EXCEPTION

On the 13<sup>th</sup> day of September, 2009, the Eligibility and Disciplinary Committee of the Texas Board of Nursing met at the Board's office at 333 Guadalupe, Austin, Texas.

Petitioner was represented by Patricia Blair, PhD, RN, Attorney at Law Board members present were: Richard Gibbs, LVN; Marilyn Davis, MPA, BSN, RN; Patti Clapp, BA; and Kristin K. Benton, RN, MSN. Staff present were Katherine A. Thomas, MN, RN; Dusty Johnston, General Counsel; Nikki Hopkins, Assistant General Counsel; Anthony L. Diggs, Director, Enforcement Division; Allison Hassinger, Legal Assistant; Earl E. Stearns, Supervising Investigator; Valerie Walsh, Investigator; Candy Hall, Investigator and Diane E. Burell, Investigator.

The Committee considered the request for exceptions submitted by DAVID EUGENE HILLIARD, Vocational Nurse License Number 130929, and Registered Nurse License Number 567882, concerning his Agreed Order dated December 14, 2010. Petitioner requested an exception regarding several stipulations, but the Committee deliberated the following requests in particular:

1. Request to amend Stipulation Number Seven (7) on page five (5) of the Agreed Order to allow Petitioner to be indirectly supervised during the first year of employment while performing as an operating room nurse in the Operating Room at East Texas Medical Center, Tyler, Texas;
2. Request to amend Stipulation Number Nine (9) on page six (6) of the Agreed Order to allow Petitioner to accept on-call assignments during the first year of employment while performing in the Operating Room at East Texas Medical Center, Tyler, Texas, which may include working on night shift and overtime; and

3. Request to amend Stipulation Number Ten (10) on page six (6) of the Agreed Order to allow Petitioner to practice in a critical care area during the first year of employment, specifically the operating room at East Texas Medical Center, Tyler, Texas.

Upon considering the evidence presented, the Committee determined that Mr. Hilliard's request for exceptions above should be granted.

IT IS THEREFORE ORDERED that the request for exceptions listed above and presented by DAVID EUGENE HILLIARD on September 13, 2011, be GRANTED. All other requests for exceptions, not otherwise addressed in this Order Granting Petitioner's Request for Exception, are DENIED and the Agreed Order, dated December 14, 2010, will remain in effect until full compliance.

Entered this 13th day of September, 2011.



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