

IN THE MATTER OF  
PERMANENT CERTIFICATE  
NUMBER 693029  
ISSUED TO  
JANE ANN MCDONALD

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§

BEFORE THE ELIGIBILITY  
AND DISCIPLINARY  
COMMITTEE  
OF THE TEXAS  
BOARD OF NURSING



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 P. Roman*  
Executive Director of the Board

**ORDER OF THE BOARD**

TO: Jane Ann McDonald  
105 Bowie St.  
Forney, TX 75126

During open meeting held in Austin, Texas, on Tuesday, March 8, 2011, the Eligibility and Disciplinary Committee (hereinafter "Committee") heard the above-styled case, based on the failure of the Respondent to appear as required by 22 TEX. ADMIN. CODE Ch. 213.

The Committee of the Texas Board of Nursing finds that notice of the facts or conduct alleged to warrant disciplinary action has been provided to Respondent in accordance with Texas Government Code § 2001.054(c) and Respondent has been given an opportunity to show compliance with all the requirements of the Nursing Practice Act, Chapter 301 of the Texas Occupations Code, for retention of Respondent's license to practice professional nursing in the State of Texas.

The Committee finds that the Formal Charges were properly initiated and filed in accordance with section 301.458, Texas Occupations Code.

The Committee finds that after proper and timely Notice regarding the violations alleged in the Formal Charges was given to Respondent in this matter, Respondent has failed to appear in accordance with 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that the Board is authorized to enter a default order pursuant to Texas Government Code § 2001.056.

The Eligibility and Disciplinary Committee, after review and due consideration, adopts the proposed findings of fact and conclusions of law as stated in the Formal Charges which are attached hereto and incorporated by reference for all purposes and the Staff's recommended sanction of revocation by default. This Order will be properly served on all parties and all parties will be given an opportunity to file a motion for rehearing [22 TEX. ADMIN.CODE § 213.16(j)]. All parties have a right to judicial review of this Order.

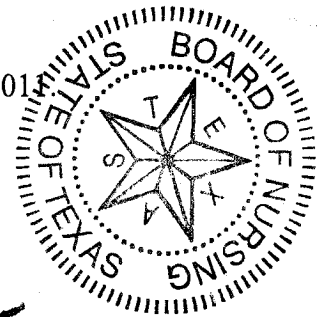
All proposed findings of fact and conclusions of law filed by any party not specifically adopted herein are hereby denied.

NOW, THEREFORE, IT IS ORDERED that Permanent Certificate Number 693029, previously issued to JANE ANN MCDONALD, to practice professional nursing in the State of Texas be, and the same is hereby, REVOKED.

IT IS FURTHER ORDERED that this Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice professional nursing in the State of Texas.

Entered this 8th day of March, 2011

TEXAS BOARD OF NURSING



BY:

A handwritten signature in black ink, appearing to read "Katherine A. Thomas".

KATHERINE A. THOMAS, MN, RN  
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD


Attachment: Formal Charge filed January 12, 2011.

Re: Permanent Certificate Number 693029  
Issued to Jane Ann McDonald  
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 11<sup>th</sup> day of March, 20 11, a true and correct copy of the foregoing DEFAULT ORDER was served by placement in the U.S. Mail via certified mail, and addressed to the following person(s):

Jane Ann McDonald  
105 Bowie St.  
Forney, TX 75126

BY:   
KATHERINE A. THOMAS, MN, RN  
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

In the Matter of Permanent License                   §       BEFORE THE TEXAS  
Number 693029, Issued to                               §  
JANE ANN MCDONALD, Respondent                   §       BOARD OF NURSING

### FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, JANE ANN MCDONALD, is a Registered Nurse holding license number 693029, which is in current status at the time of this pleading.

Written notice of the facts and conduct alleged to warrant adverse licensure action was sent to Respondent at Respondent's address of record and Respondent was given opportunity to show compliance with all requirements of the law for retention of the license prior to commencement of this proceeding.

### CHARGE I.

On or about October 15, 2002, Respondent submitted a Temporary License/Endorsement Application 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 of/or received a deferred order for a crime other than minor traffic violations?"

Respondent failed to disclose that on or about October 22, 1993, Respondent entered a plea of Guilty and was convicted of DRIVING WHILE INTOXICATED (a Class B misdemeanor offense committed on June 12, 1993), in the County Court at Law of Rockwall County, Texas, under Cause No. CR-93-366. As a result of the conviction, Respondent was sentenced to confinement in the Rockwall County Jail for a period of ninety (90) days; however, the imposition of sentence of confinement was suspended and Respondent was placed on probation for a period of twenty-four (24) months.

Respondent failed to disclose that on or about October 4, 1994, Respondent entered a plea of Guilty and was convicted of DRIVING WHILE INTOXICATED (a misdemeanor offense committed on October 7, 1992), in the Criminal County Court No. 7 of Dallas County, Texas, under Cause No. MB9227718. As a result of the plea, Respondent was sentenced to confinement in the Dallas County Jail for a period of ninety (90) days; however, the imposition of sentence of confinement was suspended and Respondent was placed on probation for a period of twenty-four (24) months.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(2)&(10), Texas Occupations Code,(eff. 09/01/2001), and is a violation of 22 TEX. ADMIN. CODE §217.12(23)(eff. 09/1999).

NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of up to revocation of Respondent's license to practice nursing in the State of Texas pursuant to the Board's rules, 22 TEX. ADMIN. CODE §§ 213.27 - 213.33. Additionally, staff will seek to impose on Respondent the administrative costs of the proceeding pursuant to Section 301.461, Texas

Occupations Code. The cost of proceedings shall include, but is not limited to, the cost paid by the Board to the State Office of Administrative Hearings and the Office of the Attorney General or other Board counsel for legal and investigative services, the cost of a court reporter and witnesses, reproduction of records, Board staff time, travel, and expenses. These shall be in an amount of at least one thousand two hundred dollars (\$1200.00).

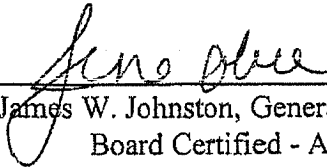
NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, [www.bon.state.tx.us](http://www.bon.state.tx.us).

NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Guidelines for Criminal Conduct and on Adopted Disciplinary Sanction Policies for Lying and Falsification, which can be found at the Board's website, [www.bon.state.tx.us](http://www.bon.state.tx.us).

NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, which can be found at [www.bon.state.tx.us/disciplinaryaction/discp-matrix.html](http://www.bon.state.tx.us/disciplinaryaction/discp-matrix.html).

Filed this 12<sup>th</sup> day of January, 20 11.

TEXAS BOARD OF NURSING



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