

6. On February 25, 2007, Respondent disclosed on the Board of Nurse Examiners License Renewal Form that on September 29, 2006, he had been diagnosed with Alcohol Dependence and undergone treatment through the MacDill Air Force Base Alcohol and Drug Abuse Treatment (ADAPT) Program.
7. In a response received by the Board on October 8, 2007, Respondent states that in October 2006, he decided to stop drinking and denies any incident that prompted this decision. Additionally, Respondent denies that he drank all the time and asserts that he never needed a drink in the morning, however, in August 2006, he experienced some trying times at work and began to drink more often, including week nights. Consequently, Respondent chose to go into a recovery program and is approaching one (1) year sobriety.
8. On June 4, 2009, Respondent sent in an additional response which states that he continues to maintain his sobriety. Additionally, Respondent provided verification that he successfully completed the ADAPT's program, including the military's monitoring program on January 26, 2008. According to his treatment practitioner, Respondent "...actively participated in an extensive alcohol treatment plan. He successfully completed all requirements of the ADAPT program and continues to participate voluntarily in the aftercare group....At this time, SFC Robert Durland's Alcohol Dependence Diagnosis is in remission. Further, he continues to actively seek opportunities to maintain his sobriety..."

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 violation of Section 301.452(b)(9) & (10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(10)(A).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 184278, heretofore issued to ROBERT LAMAR DURLAND, including revocation of Respondent's license to practice vocational 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 REMEDIAL EDUCATION,

and RESPONDENT 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.

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

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 State of Texas 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 ROBERT LAMAR DURLAND to the office of the Texas Board of Nursing within ten (10) days of the date of ratification of this Order.

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in Texas nursing jurisprudence and ethics. RESPONDENT SHALL obtain Board approval of the course prior to enrollment only if the course is not being offered by a pre-approved provider. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include nurses. It 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. RESPONDENT SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to the Office of the Board to verify RESPONDENT's successful completion of the course. 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. *Board-approved courses may be found at the following Board website address:*
<http://www.bon.state.tx.us/disciplinaryaction/stipscourses.html>.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT's license and RESPONDENT shall be eligible for multistate licensure privileges, if any, to practice nursing in the State of Texas.

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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 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 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 revocation of my license to practice vocational nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 25th day of JUNE, 2009.

Robert Lamar Durland
ROBERT LAMAR DURLAND, Respondent

Sworn to and subscribed before me this 25th day of June, 2009.

SEAL

[Signature]
Notary Public in and for the State of Georgia

Paul E. McNeil
Notary Public Richmond County Georgia
My Commission Expires March 11, 2013

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 25th day of June, 2009, by ROBERT LAMAR DURLAND, Vocational Nurse License Number 184278, and said Order is final.



Effective this 29th day of June, 2009.

Katherine A. Thomas

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