

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Registered Nurse
License Number 563217
issued to SUSAN DAWN HULTMAN

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ORDER OF THE BOARD

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Registered Nurse License Number 563217, issued to SUSAN DAWN HULTMAN, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived representation by counsel, informal proceedings, notice and hearing.

The Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Respondent's license to practice professional nursing in the State of Texas is currently in delinquent status.
2. Respondent waived representation by counsel, informal proceedings, notice and hearing.
3. Respondent received an Associate Degree in Nursing from Victoria College, Victoria, Texas on May 15, 1990. Respondent was licensed to practice professional nursing in the State of Texas on August 31, 1990.
4. Respondent's professional nursing employment history includes:

09/1990 - 04/1991	Unknown	
05/1991 - 06/1998	RN	Citizens Medical Center Victoria, Texas



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.
Arlene P. Thomas
Executive Director of the Board

Respondent's professional nursing employment history continued:

07/1998 - 06/1999	Unknown	
07/1999 - 03/2001	RN	Medshares Livingston, Texas
03/2001 - 06/2001	RN	Rx Home Care Livingston, Texas
07/2001 - 10/2006	RN	Huntsville Memorial Hospital Huntsville, Texas
11/2006 - Present	Unknown	

5. Formal Charges were filed on May 19, 2009. A copy of the Formal Charges is attached and incorporated by reference as part of this Order.
6. Formal Charges were mailed to Respondent on May 21, 2009.
7. On May 22, 2009, Respondent submitted a statement to the Board voluntarily surrendering the right to practice professional nursing in Texas. Respondent states that she does not have a copy of her license. A copy of the letter is attached and incorporated, by reference, as part of this Order.
8. The Board policy implementing Rule 213.29 in effect on the date of this Agreed Order provides discretion by the Executive Director for consideration of conditional reinstatement after proof of twelve (12) consecutive months of abstinence from alcohol and drugs followed by licensure limitations/stipulations and/or peer assistance program participation.
9. 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 violations of Section 301.452(b)(9), (10) & (12), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(5), (10)(A)(D) & (11)(B).

4. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
5. Under Section 301.453(d), Texas Occupations Code, the Board may impose conditions for reinstatement of licensure.
6. Any subsequent reinstatement of this license will be controlled by Section 301.452 (b), Texas Occupations Code, and 22 TAC §§213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

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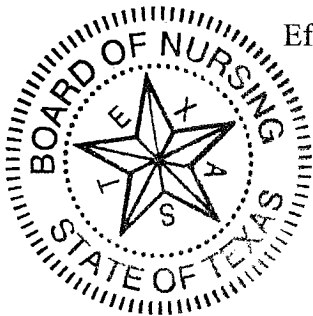
ORDER

NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Registered Nurse License Number 563217, heretofore issued to SUSAN DAWN HULTMAN, to practice professional nursing in the State of Texas, is accepted by the Executive Director on behalf of the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL NOT practice professional nursing, use the title of registered nurse or the abbreviation RN or wear any insignia identifying herself as a registered nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a registered nurse during the period in which the license is surrendered.
2. RESPONDENT SHALL NOT petition for reinstatement of licensure until: one (1) year has elapsed from the date of this Order; and, RESPONDENT has obtained objective, verifiable proof of twelve (12) consecutive months of sobriety immediately preceding the petition.
3. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.


IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's multistate licensure privilege, if any, to practice professional nursing in compact states.

Effective this 22nd day of May, 2009.



TEXAS BOARD OF NURSING

By:


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

**In the Matter of Permanent License
Number 563217, Issued to
SUSAN DAWN HULTMAN, Respondent**

§ **BEFORE THE TEXAS**
§
§ **BOARD OF NURSING**

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, SUSAN DAWN HULTMAN, is a Registered Nurse holding license number 563217, which is in delinquent 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 April 26, 2006, while employed with Huntsville Memorial Hospital, Huntsville, Texas, Respondent engaged in the intemperate use of Lortab in that she admitted that she used Lortab without a valid prescription. Possession of Lortab is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Lortab 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.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(9) & (10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(5), (10)(A) & (11)(B).

CHARGE II.

On or about April 26, 2006, while employed with Huntsville Memorial Hospital, Huntsville, Texas, Respondent engaged in the intemperate use of Xanax in that she admitted that she used Xanax without a valid prescription. Respondent also admitted that she submitted two specimens for drug screens which resulted positive for Xanax. Possession of Xanax is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Xanax 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.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(9) & (10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(5), (10)(A)(D) & (11)(B).

CHARGE III.

On or about May 2006, while employed with Huntsville Memorial Hospital, Huntsville, Texas, Respondent lacked fitness to practice professional nursing in that she attempted to commit suicide. Respondent's condition 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.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10) & (12), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(5).

CHARGE IV.

On or about May 17, 2006, while employed with Huntsville Memorial Hospital, Huntsville, Texas, Respondent lacked fitness to practice professional nursing in that she was given a dual diagnosis of bipolar disorder and chemical dependency. Respondent's condition 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.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10) & (12), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(5).

NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of 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 § 301.461, TEX. OCC. CODE ANN. 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.

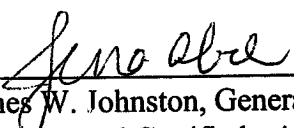
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NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Sanction Policies for Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder which can be found at the Board's website, www.bon.state.tx.us.

Filed this 19th day of May, 2009.

TEXAS BOARD OF NURSING


James W. Johnston, General Counsel
Board Certified - Administrative Law
Texas Board of Legal Specialization
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Jena Renee Koslan Abel, Assistant General Counsel
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TEXAS BOARD OF NURSING
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F: (512) 305-8101 or (512)305-7401

To whom it may concern 5/22/09

I, Susan Hultman voluntarily surrender
my nursing license. I do not have a license
to mail back to the BNE & I do not have
the means to have the previous letter notarized
& sent back.

Susan Hultman

Attn: Paul Longoria
512-305-6870