



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.
Katherine A. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Registered Nurse License Number 666044 § AGREED
and Vocational Nurse License Number 161478 §
issued to LANCE JOSEPH HAFNER § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the B considered the matter of LANCE JOSEPH HAFNER, Registered Nurse License Number 666044 and Vocational Nurse License Number 161478, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(10), Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on March 13, 2009, by Katherine A. Thomas, MN, RN, Executive Director.

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 licenses.
2. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice professional nursing in the State of Texas. Respondent holds a license to practice vocational nursing in the State of Texas, which is in delinquent status.
4. Respondent received a Certificate in Vocational Nursing from Northwest Tech College, Bemidji, Minnesota, on February 23, 1996, and a Baccalaureate Degree in Nursing from University of Texas at Tyler, Tyler, Texas, on December 1, 1999. Respondent was licensed to practice vocational nursing in the State of Texas on February 5, 1997, and Respondent was licensed to practice professional nursing in the State of Texas on January 25, 2000.

5. Respondent's vocational and professional nursing employment histories are unknown.
6. On or about October 20, 2007, Respondent was arrested by the Arlington Police Department, Arlington, Texas, for DRIVING WHILE INTOXICATED (a Class B misdemeanor offense).

On or about October 20, 2008, Respondent entered a plea of Guilty to OBSTRUCT HWY/PASSAGEWAY (a Class B misdemeanor offense committed on October 20, 2007), in the County Criminal Court Number Two, Tarrant County, Texas, under Cause No. 1088140. As a result of the plea, the proceedings against Respondent were deferred without entering an adjudication of guilt and Respondent was placed on probation for a period of twelve (12) months. Additionally, Respondent was ordered to pay a fine and court costs. Furthermore, Respondent was ordered to attend and successfully complete a DWI Education Program within one hundred eighty (180) days and a DWI Victim Impact Panel within ninety (90) days.

7. On or about December 8, 2008, Respondent submitted a License Renewal Form to the Texas Board of Nursing in which he answered "Yes" to the question: "In the past 5 years, have you been addicted or treated for the use of alcohol or any other drug?"

On December 1, 2008, Respondent enrolled in a Long Term Education Program through the North Texas Addiction Counseling & Education, Inc., Arlington, Texas. The program was successfully completed on February 4, 2009.

8. In response to Findings of Fact Numbers Six (6) and Seven (7), Respondent states: He was being treated for parasthesia, taking the prescribed medications, altace and neurontin. On October 20, 2007, he took his medications and later had a beer. He was awakened in the night to pick up a friend. As he was driving he became dizzy and pulled into a parking lot, where he passed out. Two hours later he was awakened by EMS and police department personnel. The combination of neurontin and beer had caused an adverse reaction. He ultimately accepted a plea of obstruction of highway. The agreement included DWI Education Program/DWI Victim Impact Panel and a long term education class. He has continued to follow up with his doctor and the medication neurontin was discontinued.

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)(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(13).

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 666044 and Vocational Nurse License Number 161478, heretofore issued to LANCE JOSEPH HAFNER, including revocation of Respondent's licenses 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 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 licenses are 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, 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) contact 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 licenses and RESPONDENT shall be eligible for multistate licensure privileges, if any, to practice nursing in the State of Texas.

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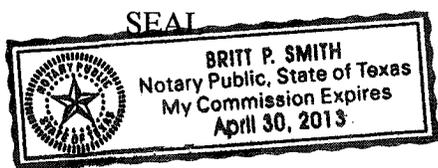
RESPONDENT'S CERTIFICATION

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 licenses to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 28 day of April, 2009.

Lance Joseph Hafner
LANCE JOSEPH HAFNER, Respondent

Sworn to and subscribed before me this 28th day of April, 2009.



Britt P. Smith
Notary Public in and for the State of TEXAS

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 28th day of April, 2009, by LANCE JOSEPH HAFNER, Registered Nurse License Number 666044 and Vocational Nurse License Number 161478, and said Order is final.



Effective this 12th day of May, 2009.


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