



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 Vocational Nurse § AGREED
License Number 99126 §
issued to DONNA H. MORAN § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of DONNA H. MORAN, Vocational Nurse License Number 99126, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(2),(8)&(10), Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on January 3, 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 license.
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 vocational nursing in the State of Texas.
4. Respondent received a Certificate in Vocational Nursing from Paris Junior College, Paris, Texas, on August 26, 1982. Respondent was licensed to practice vocational nursing in the State of Texas on December 13, 1982.
5. Respondent's complete vocational nursing employment history is unknown.

6. On or about March 22, 2007, Respondent's license to practice practical nursing in the State of Kentucky was issued the sanction of an IMMEDIATE TEMPORARY SUSPENSION by the Commonwealth of Kentucky Board of Nursing, Louisville, Kentucky. A copy of the Findings of Fact, Conclusions of Law and Order of Immediate Temporary Suspension dated March 22, 2007, is attached and incorporated, by reference, as a part of this Order.
7. In response to Finding of Fact Number Six (6), Respondent states: I am currently working with the Kentucky Board of Nursing to have my license reinstated.
8. On or about August 27, 2008, Respondent submitted an Online Renewal Document for Licensed Vocational Nurses to the Texas Board of Nursing, in which she provided false, deceptive, and/or misleading information in that she answered "No" to the question:

"Has any licensing authority refused to issue you a license or ever revoked, annulled, cancelled, accepted surrender of, suspended, placed on probation, refused to renew a nursing license, certificate or multi-state privilege held by you now or previously, or ever fined, censured, reprimanded or otherwise disciplined you?"

On or about March 22, 2007, Respondent's license to practice practical nursing in the State of Kentucky was issued the sanction of an IMMEDIATE TEMPORARY SUSPENSION by the Kentucky Board of Nursing, Louisville, Kentucky.

9. In response to Finding of Fact Number Eight (8), Respondent states: It was never my intention to falsify my application to the State of Texas.

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)(2),(8)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(6)(I).
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 99126, heretofore issued to DONNA H. MORAN, 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 WITH A FINE, 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 DONNA H. MORAN to the office of the Texas Board of Nursing within ten (10) days of the date of ratification of this Order.

(2) RESPONDENT SHALL pay a monetary fine in the amount of two hundred fifty dollars (\$250.00). RESPONDENT SHALL pay this fine within forty-five (45) days of entry of this Order. Payment is to be made directly to the Texas Board of Nursing in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

(3) 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 license and RESPONDENT shall be eligible for multistate licensure privileges, if any, to practice nursing in the State of Texas.

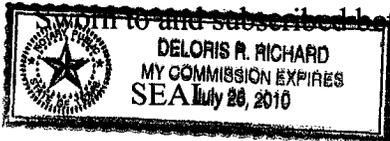
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RESPONDENT'S CERTIFICATION

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 16 day of February, 2009
Donna H. Moran
DONNA H. MORAN, Respondent



Sworn to and subscribed before me this 14 day of February, 2009.
Deloris A. Richard
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 16th day of February, 2009, by DONNA H. MORAN, Vocational Nurse License Number 99126, and said Order is final.



Effective this 18th day of February, 2009.

Katherine A. Thomas

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

**COMMONWEALTH OF KENTUCKY
BOARD OF NURSING
Case Number: 2007-768**

In The Matter Of: **DONNA D. HARRISON DAVIS**
LPN License No. 2040125
2716 Brownsboro Road, Apt. 1
Louisville, KY 40206

DATE 7-1-2008
I CERTIFY THIS TO BE A
TRUE COPY OF THE RECORD(S)
ON FILE WITH THE KENTUCKY
BOARD OF NURSING

Donna Sherman

ORDER OF IMMEDIATE TEMPORARY SUSPENSION

Pursuant to KRS 314.075(1), the Kentucky Board of Nursing hereby issues the following Order for the immediate temporary suspension of the license of Donna D. Harrison Davis, hereinafter referred to as the Respondent, to practice as a Licensed Practical Nurse in the Commonwealth of Kentucky. Pursuant to the above-cited statute, the basis for this Order is as follows:

1. The Respondent is a Licensed Practical Nurse, licensed by the Kentucky Board of Nursing, license number 2040125, temporary work permit number 40934 having expired January 25, 2006, and, as such, the Kentucky Board of Nursing has jurisdiction in this matter pursuant to KRS Chapter 314.
2. On or about October 31, 2006, the Respondent submitted to the Kentucky Board of Nursing an ACH Debit transaction, in the amount of Fifty Dollars (\$50.00), in payment for the renewal of the Respondent's nursing license.
3. The Respondent's ACH Debit transaction was returned from your bank as unable to be processed due to an invalid account number. The Kentucky Board of Nursing was notified of the unpaid transaction on or about November 15, 2006. The Petitioner has made a good faith effort to contact the Respondent to request payment of

In the Matter of: **Donna D. Harrison Davis**
LPN License No. 2040125

this amount by letter to the Respondent dated November 15, 2006. An administrative complaint was filed December 15, 2006.

4. The Respondent has failed to respond to the Kentucky Board of Nursing and Respondent has failed to pay the licensure fee and returned check fee, all in violation of KRS 314.075(1), 201 KAR 20:240 §8, and 314.091(1)(a) and (d).

The Respondent is hereby **ORDERED** to **CEASE AND DESIST** from the practice of nursing effective immediately as a result of Respondent's failure to reimburse the board for the amount of the licensure fee and the amount of the returned transaction fee. Any such practice after the date of this Order shall constitute grounds for further disciplinary action. **The Respondent's LPN license is immediately suspended on a temporary basis. The Respondent must return her Kentucky nursing license to the Kentucky Board of Nursing immediately upon receipt of this Order.**

Pursuant to KRS 13B.125(3), the Respondent may request a Hearing in regard to this Order. Any such request must be in writing and sent to the attention of the Hearing Officer, Kentucky Board of Nursing, Suite 300, 312 Whittington Parkway, Louisville, Kentucky 40222. A request for a Hearing does not stay the effect of this Order.

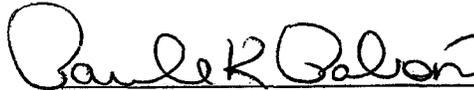
This 22nd day of March 2007.


Charlotte F. Beason, Ed.D., RN, CNAA
Executive Director
Kentucky Board of Nursing

In the Matter of: **Donna D. Harrison Davis**
LPN License No. 2040125

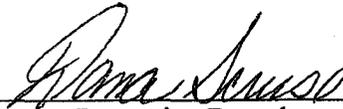
Certificate of Service

This is to certify that a true and correct copy of the foregoing Order of Immediate Temporary Suspension was served upon Donna D. Harrison Davis, 2716 Brownsboro Road, Apt. 1, Louisville, KY 40206, her address of record pursuant to KRS 314.107, via certified U.S. Mail, return receipt requested, postage pre-paid, all on this the 22nd day of March, 2007.



Paula K. Pabon
Prosecuting Attorney
Kentucky Board of Nursing
312 Whittington Parkway, Ste. 300
Louisville, Kentucky 40222
(502) 429-3300, ext. 243

I hereby certify that the Order of Immediate Temporary Suspension was served the 22nd day of March, 2007, and became effective on that date pursuant to KRS 13B.125(2).



Consumer Protection Branch
Kentucky Board of Nursing

DATE: 7-1-2008
I CERTIFY THIS TO BE A
TRUE COPY OF THE RECORD(S)
ON FILE WITH THE KENTUCKY
BOARD OF NURSING

Dane Thomas

Decision Entered On: 08/29/2007
FILED
September 4, 2007
KENTUCKY BOARD OF NURSING
<i>Dane Thomas</i>

[05-08-08]

COMMONWEALTH OF KENTUCKY
KENTUCKY BOARD OF NURSING
CASE #2007-768

DECISION

DONNA D. HARRISON DAVIS

LPN LICENSE NO. 2040125
(IMMEDIATE TEMPORARY SUSPENSION)

FINDINGS OF FACT,
CONCLUSIONS OF LAW AND ORDER

This matter was scheduled to be heard before the Kentucky Board of Nursing Hearing Panel at the office of the Kentucky Board of Nursing, 312 Whittington Parkway, Louisville, Kentucky, on May 31, 2007. Due to the Respondent's failure to appear at the Prehearing Conference, a default order was entered.

Pursuant to the Statement of Charges, Respondent, Donna D. Harrison Davis, was charged with violating:

KRS 314.091(1)(a) - Is guilty of fraud or deceit in procuring or attempting to procure a license, credential, or privilege to practice nursing;

KRS 314.091(1)(d) - Has negligently or willfully acted in a manner inconsistent with the practice of nursing;

KRS 314.091(1)(j) - Has violated any of the provisions of this chapter;

KRS 314.091(1)(l) - Has violated any administrative regulation promulgated by the board;

FINDINGS OF FACT

1. Respondent, Donna D. Harrison Davis, is a Licensed Practical Nurse licensed in the

Commonwealth of Kentucky and subject to the authority and regulation of the Board under KRS Chapter 314.

2. The Board mailed a copy of the Notice of Hearing and Statement of Charges to the Respondent's address of record by certified mail that was returned unclaimed by the Post Office.
3. A Prehearing Conference was scheduled for May 15, 2007. Ms. Davis failed to appear at the conference. The Board moved for a default order, which was granted pursuant to KRS 13B.080(6).
4. KRS 314.021(2) holds all nurses responsible and accountable for making decisions based upon their educational preparation and experience in nursing, and requires that they practice with reasonable skill and safety.
5. On October 31, 2006, Ms. Davis submitted an ACH automatic debit transaction to the Board in the amount of \$50 in payment of the renewal fee for her LPN license. The transaction was returned by the bank as unable to be processed due to an invalid account number. The Board was notified of the unpaid transaction on November 15, 2006. The Board made a good faith effort to contact Ms. Davis to request payment of the amount in a letter dated November 15, 2006. Ms. Davis did not respond to the letter.
6. On March 22, 2007, the Board issued an Order of Immediate Temporary Suspension of Ms. Davis' LPN license due to her failure to pay her renewal fee and the bad transaction fee, in violation of KRS 314.075(1) and 201 KAR 20:240, Section 8.

CONCLUSIONS OF LAW

1. The Kentucky Board of Nursing has jurisdiction to take disciplinary action against individuals licensed by the Board pursuant to KRS Chapter 314.
2. The burden of proof for disciplinary charges brought under KRS 314.091 is upon the Board.
3. The Board properly served notice on the Respondent pursuant to KRS 13B.050.
4. The Respondent is guilty of violating KRS 314.091(1)(a), (d), (j), and (l).

ORDER

1. The LPN License No. 2040125 of Respondent, Donna D. Harrison Davis, shall be continued on suspension until requirements are met.
2. The current license shall be returned to the Kentucky Board of Nursing office, Consumer Protection Branch, within fifteen (15) days of notification of entry of the Board's final order. Failure to return the current license shall result in immediate revocation of the license and subject the Respondent to the reinstatement requirements of 201 KAR 20:225, Section 2(1) and (2).
3. The Respondent shall make the bad transaction good, plus pay the bad transaction fee.
4. A civil penalty in the amount of five hundred dollars (\$500) shall be imposed, to be paid in full prior to reinstatement.
5. A hearing fee in the amount of two hundred dollars (\$200) for the hearing officer services shall be assessed, to be paid in full prior to reinstatement.

NOTICE OF APPEAL RIGHTS

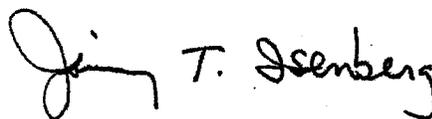
Respondent has a right to appeal the Final Order of the agency pursuant to KRS 13B.140 that reads in part:

(1) All final orders of an agency shall be subject to judicial review in accordance with the provisions of this chapter. A party shall institute an appeal by filing a petition in the Circuit Court of venue, as provided in the agency's enabling statutes, within thirty (30) days after the final order of the agency is mailed or delivered by personal service. If venue for appeal is not stated in the enabling statutes, a party may appeal to Franklin Circuit Court or the Circuit court of the county in which the appealing party resides or operates a place of business. Copies of the petition shall be served by the petitioner upon the agency and all parties of record. The petition shall include the names and addresses of all parties to the proceeding and the agency involved, and a statement of the grounds on which the review is requested. The petition shall be accompanied by a copy of the final order.

Pursuant to KRS 23A.010(4), such review [by Circuit Court] shall not constitute an appeal but an original action. Some courts have interpreted this language to mean that summons must be served upon filing an appeal in Circuit Court. Also, KRS 314.091(6) states: "Any person adversely affected by any final order of the board may obtain a review thereof by filing a written petition for review with the Circuit Court of the county in which the board's offices are located in accordance with KRS Chapter 13B."

The Board considered the record and entered the above Findings of Fact, Conclusions of Law and Order, which represent a **Final Decision** duly made by the Kentucky Board of Nursing.

Entered this 29th day of August, 2007



Jimmy T. Isenberg, RN
President
KENTUCKY BOARD OF NURSING

(Board Seal)

CERTIFICATE OF SERVICE

I hereby certify that a true copy of this Decision was mailed by certified mail, return receipt requested to Donna D. Harrison Davis, 2716 Brownsboro Road, Apt. 1, Louisville, KY 40206, her last known address, and hand-delivered to the Hon. Paula K. Pabon, Prosecuting Attorney, Kentucky Board of Nursing, 312 Whittington Parkway, Suite 300, Louisville, Kentucky this 4th day of September, 2007.



DIANE THOMAS
DOCKET COORDINATOR
KENTUCKY BOARD OF NURSING