

BEFORE 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 A. Johnson
Executive Director of the Board

In the Matter of Registered Nurse License Number 618721 § AGREED
and Vocational Nurse License Number 148416 §
issued to DONNIE G. WREN § ORDER

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Registered Nurse License Number 618721, and Vocational Nurse License Number 148416, issued to DONNIE G. WREN, hereinafter referred to as Respondent.

This action was taken in accordance with Section 301.453(c) of the Texas Occupations Code.

Respondent waived representation by counsel, informal conference and hearing, and agreed to the entry of this Order.

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

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was provided to 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, 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's license to practice vocational nursing in the State of Texas is currently in delinquent status.
4. Respondent received a Diploma in Nursing from Odessa College, Odessa, Texas, on August 19, 1994. Respondent was licensed to practice vocational nursing in the State of Texas on September 13, 1994. Respondent received an Associate Degree in Nursing from Odessa College, Odessa, Texas, on May 1, 1995. Respondent was licensed to practice professional nursing in the State of Texas on June 27, 1995.

5. Respondent's vocational and professional nursing employment history includes:

09/94 - 10/98	Unknown	
11/98 - 12/03	ADON	Comanche Trail Nursing Center Big Spring, Texas
11/03 - 12/05	Field RN	Odyssey Hospice Big Spring, Texas
12/05 - 03/06	Field RN	Home Hospice Big Spring, Texas
04/06 - 06/06	Unknown	
07/06 - 10/06	Staff RN	Parks Methodist Retirement Village Odessa, Texas
11/06 - 01/07	Unknown	
02/07 - 12/07	Staff RN	Sienna Care Center, L.P. Odessa, Texas
02/08 - 06/08	Staff RN	Monahans Managed Care Center Monahans, Texas
07/08 - Present	Unknown	

6. On or about March 13, 2006, while employed with Home Hospice, Big Spring, Texas, Respondent engaged in the intemperate use of Cocaine and Marijuana in that he submitted a specimen for a drug screen which resulted positive for Cocaine and Marijuana. Possession of Cocaine and Marijuana is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Cocaine and Marijuana 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.

7. On or about September 22, 2006, while employed with Parks Methodist Retirement Village, Odessa, Texas, Respondent engaged in the intemperate and/or unlawful use of Hydrocodone, Hydromorphone, and Marijuana in that he submitted a specimen for a drug screen which resulted positive for Hydrocodone, Hydromorphone, and Marijuana. Possession of Hydrocodone, Hydromorphone, and Marijuana is prohibited by Chapter 481 of the Texas

Health & Safety Code (Controlled Substances Act). The use of Hydrocodone, Hydromorphone, and Marijuana 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.

8. On or about September 2006 and October 2006, Respondent misappropriated Lortab belonging to Home Hospice, Big Spring, Texas, and Patient Medical Record Number 6764 to whom Respondent previously administered nursing care. Respondent's conduct was likely to defraud the facility and patients of the cost of the medications.
9. On or about January 6, 2007, Respondent was arrested by the Big Spring Police Department, Big Spring Texas, for "Driving While Intoxicated," a Class B Misdemeanor. On February 7, 2007, Respondent entered into an Agreement for Pre-Trial Diversion in the Howard County Court at Law, Big Spring, Texas, under Cause Number 55696. Respondent agreed to be placed on community supervision for a period of six (6) months and pay a fee in the amount of five hundred (\$500) dollars. Respondent also agreed to attend and successfully complete an educational program approved by the Texas Commission on Alcohol and Drug Abuse, and to perform forty (40) hours of community service. On September 19, 2007, an Order was issued removing Respondent from the Pre-Trial Diversion Program. The Order was issued due to Respondent's non-compliance with the Pre-Trial Diversion Program in that he failed to complete forty (40) hours of community service and failed to attend the alcohol education program.
10. On or about October 30, 2007, while employed with Sienna Care Center, L.P., Odessa, Texas, Respondent discontinued a Lortab prescription for Resident Number 301-00320 but failed to follow facility policy and procedure in place for the proper wastage of the unused portions of the Lortab. Respondent's conduct was likely to deceive the hospital pharmacy and placed them in violation of Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).
11. On or about December 1, 2007, while employed with Sienna Care Center, L.P., Odessa, Texas, Respondent submitted an unauthorized written prescription for Lortab for Resident Number 301-00254 to the facility pharmacy. Respondent's conduct was likely to deceive the pharmacy and possession of Hydrocodone through use of an unauthorized written prescription is prohibited by Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).
12. On or about you December 4, 2007, while employed with Sienna Care Center, L.P., Odessa, Texas, Respondent discontinued a Lortab prescription for Resident Number 301-00254 but failed to follow facility policy and procedure in place for the proper wastage of the unused portions of the Lortab. Respondent's conduct was likely to deceive the hospital pharmacy

and placed them in violation of Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).

13. On or about October 30, 2007, and December 4, 2007 while employed with Sienna Care Center, L.P., Odessa, Texas, Respondent misappropriated Lortab belonging to the facility and residents thereof, in that he admitted to such misappropriation for his personal use. Respondent's conduct was likely to defraud the facility and patients of the cost of the medications.
14. On or about December 28, 2007, while employed with Sienna Care Center, L.P., Odessa, Texas, Respondent engaged in the intemperate use of Opiates and Benzodiazepines in that he submitted a specimen for a drug screen which resulted positive for Opiates and Benzodiazepines. Possession of Opiates and Benzodiazepines is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Opiates and Benzodiazepines 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.
15. On July 30, 2008, Respondent stated to the board that he no longer is able to work as a nurse due to several serious health issues and is seeking disability.
16. Respondent, by his signature to this Order, expresses his desire to voluntarily surrender his license to practice nursing in the State of Texas.
17. 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.
18. 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), (6)(G), (8), (10)(A)(B)(C)(D)(E), (11)(B) & (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 618721, and Vocational Nurse License Number 148416, heretofore issued to DONNIE G. WREN, including revocation of Respondent's licenses to practice nursing in the State of Texas.
5. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
6. Under Section 301.453(d), Texas Occupations Code, as amended, the Board may impose conditions for reinstatement of licensure.
7. Any subsequent reinstatement of this license will be controlled by Section 301.453(d), Texas Occupations Code, and 22 TEX. ADMIN. CODE §213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

ORDER

NOW, THEREFORE, IT IS AGREED and ORDERED that the VOLUNTARY SURRENDER of Registered Nurse License Number 618721, and Vocational Nurse License Number 148416, heretofore issued to DONNIE G. WREN, to practice nursing in the State of Texas, is accepted by the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL immediately deliver the wallet-sized licenses, heretofore issued to DONNIE G. WREN, to the office of the Texas Board of Nursing.
2. RESPONDENT SHALL NOT practice professional or vocational nursing, use the titles "registered nurse" or "vocational nurse" or the abbreviations "RN" or "LVN" or wear any insignia identifying himself as a registered nurse or vocational nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a registered or vocational nurse during the period in which the license is surrendered.

3. 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.
4. 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 privilege, 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 violations 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 this Order becomes final when accepted by the Executive Director at which time the terms of this Order become effective and a copy will be mailed to me.

Signed this 31 day of October, 2008

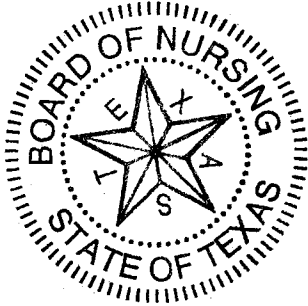
Donnie Wren
DONNIE G. WREN, Respondent

Sworn to and subscribed before me this _____ day of _____, 20____.


SEAL

Notary Public in and for the State of _____

WHEREFORE, PREMISES CONSIDERED, the Executive Director on behalf of the Texas Board of Nursing does hereby accept the voluntary surrender of Registered Nurse License Number 618721, and Vocational Nurse License Number 148416, previously issued to DONNIE G. WREN.



Effective this 31st day of October, 2008.


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