



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 License Number 650722
issued to WILLIAM DAVID DUNN

§ AGREED
§ ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of, WILLIAM DAVID DUNN, Registered Nurse License Number 650722, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Article 301.452(b)(1)&(10), Texas Occupations Code. Respondent waived representation by counsel, informal conference, notice and hearing, and agreed to the entry of this Order offered on September 9, 2008, 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 conference, 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.
4. Respondent received an Associate Degree in Nursing from Regents College, Albany, New York, on May 1, 1998; a Bachelors of Science Degree in Nursing from the University of Texas Medical Branch, Galveston, Texas in 2001; and a Master of Science Degree in Nursing from the University of Texas Medical Branch, Galveston, Texas, on December 12, 2003. Respondent was licensed to practice professional nursing in the State of Texas on May 26, 1998, and recognized as a Family Nurse Practitioner by the Texas Board of Nursing on January 13, 2004.

5. Respondent's professional nursing employment history includes:

05/98-12/03	House Supervisor, Registered Nurse-CVICU St. Elizabeth Hospital Beaumont, Texas
05/98-09/99	Charge Nurse, Registered Nurse-ICU/ER Jasper Memorial Hospital Jasper, Texas
09/99-Present	Charge Nurse/House Supervisor/RN Park Place Medical Center Port Arthur, Texas
12/03-06/04	Family Nurse Practitioner Gulf Coast Health Center, Inc. Port Arthur, Texas
07/04-09/04	Family Nurse Practitioner Dr. Bimal Talati Orange, Texas
09/04-Present	Family Nurse Practitioner Deweyville Health Clinic Deweyville, Texas

6. At the time of the initial incident in Finding of Fact Number Seven (7), Respondent was employed as a Family Nurse Practitioner with Deweyville Health Clinic, Deweyville, Texas, and had been in this position for approximately four (4) years.
7. On or about September, 2006, through December, 2006, while employed with Deweyville Rural Health Clinic, Deweyville, Texas, Respondent signed the name of his Supervising Physician, Dr. James Jones, MD, to approve Medicare Plans of Care for patients under this physician's care without this physician's approval or knowledge. Respondent's conduct was deceiving to Medicare and Medicaid Services a violation of federal home health regulations.
8. Respondent denies that he ever signed any Medicare "Plan of Care" forms. Respondent states that after this complaint, his supervising physician Dr. James Jones signs all orders to ensure there are no problems. Respondent's supervising physicians, states that there may have been some instances when he asked Respondent to sign forms for him, but this has since stopped.

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, 22 TEX. ADMIN. CODE §217.11(A)(1) and 22 TEX. ADMIN. CODE §217.12(6)(A).
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 650722, heretofore issued to WILLIAM DAVID DUNN, including revocation of Respondent's license to practice professional 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 Professional and Vocational 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 professional 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 the office of the Texas Board of Nursing within ten (10) days of the date of ratification of this Order for appropriate notation.

(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) 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/disciplinary_action.*

(3) RESPONDENT SHALL pay a monetary fine in the amount of Five Hundred Dollars \$500.00. 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.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, RESPONDENT SHALL be issued an unencumbered license and multistate licensure privileges, if any, to practice professional 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 professional nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 10 day of November, 2008.

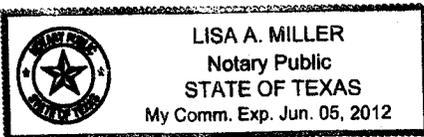
William David Dunn
WILLIAM DAVID DUNN, Respondent

Sworn to and subscribed before me this 10 day of November, 2008.

SEAL

Lisa A Miller

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 10 day of November, 2008, by WILLIAM DAVID DUNN, Registered Nurse License Number 650722, and said Order is final.



Effective this 17th day of November, 2008.

Katherine A. Thomas

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