

IN THE MATTER OF
PERMANENT CERTIFICATE
NUMBER 105850
ISSUED TO
DONNA LYNN PAUL

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BEFORE THE ELIGIBILITY
AND DISCIPLINARY
COMMITTEE
OF 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 P. Thomas
Executive Director of the Board

ORDER OF THE BOARD

TO: Donna Lynn Paul
7483 FM 2451
Scurry, Texas 75158

During open meeting held in Austin, Texas, on Tuesday, May 10, 2011, the Eligibility and Disciplinary Committee (hereinafter "Committee") heard the above-styled case, based on the failure of the Respondent to appear as required by 22 TEX. ADMIN. CODE Ch. 213.

The Committee of the Texas Board of Nursing finds that notice of the facts or conduct alleged to warrant disciplinary action has been provided to Respondent in accordance with Texas Government Code § 2001.054(c) and Respondent has been given an opportunity to show compliance with all the requirements of the Nursing Practice Act, chapter 301 of the Texas Occupations Code, for retention of Respondent's license to practice vocational nursing in the State of Texas.

The Committee finds that the Formal Charges were properly initiated and filed in accordance with section 301.458, Texas Occupations Code.

The Committee finds that after proper and timely Notice regarding the violations alleged in the Formal Charges was given to Respondent in this matter, Respondent has failed to appear in accordance with 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that the Board is authorized to enter a default order pursuant to Texas Government Code § 2001.056.

The Eligibility and Disciplinary Committee, after review and due consideration, adopts the

proposed findings of fact and conclusions of law as stated in the Formal Charges which are attached hereto and incorporated by reference for all purposes and the Staff's recommended sanction of revocation by default. This Order will be properly served on all parties and all parties will be given an opportunity to file a motion for rehearing [22 TEX. ADMIN.CODE § 213.16(j)]. All parties have a right to judicial review of this Order.

All proposed findings of fact and conclusions of law filed by any party not specifically adopted herein are hereby denied.

NOW, THEREFORE, IT IS ORDERED that Permanent Certificate Number 105850, previously issued to DONNA LYNN PAUL, to practice vocational nursing in the State of Texas be, and the same is hereby, REVOKED.

IT IS FURTHER ORDERED that this Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice vocational nursing in the State of Texas.

Entered this 10th day of May, 2011.

TEXAS BOARD OF NURSING

BY:



KATHERINE A. THOMAS, MN, RN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

Re: Permanent Certificate Number 105850
Issued to DONNA LYNN PAUL
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 10th day of May, 2011, a true and correct copy of the foregoing
DEFAULT ORDER was served by placement in the U.S. Mail via certified mail, and addressed to
the following person(s):

Donna Lynn Paul
7483 FM 2451
Scurry, Texas 75158

BY:



KATHERINE A. THOMAS, MN, RN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD



Texas Board of Nursing

333 Guadalupe Street, Ste. 3-460, Austin, Texas 78701
Phone: (512) 305-7400 Fax: (512) 305-7401 www.bon.state.tx.us

Katherine A. Thomas, MN, RN
Executive Director

January 13, 2011

Certified Mail No. 91 7108 2133 3934 2566 1806

Return Receipt Requested

Donna Lynn Paul
7483 FM 2451
Scurry, Texas 75158

Dear Ms. Paul:

Enclosed are Formal Charges which have been filed against you alleging one or more violations of Section 301.452(b) of the Nursing Practice Act, Texas Occupations Code. Within three weeks of the date of this letter, you must file a written answer to each charge admitting or denying each allegation. If you intend to deny only part of an allegation, you must specify so much of it as is true and deny only the remainder. Your answer shall also include any other matter, whether of law or fact, upon which you intend to rely for your defense. Please send your written answer to the attention of John De La Rosa, Investigator. You may obtain legal counsel at your own expense.

FAILURE TO FILE A WRITTEN ANSWER TO THE FORMAL CHARGES, EITHER PERSONALLY OR BY LEGAL REPRESENTATIVE, WILL RESULT IN THE ALLEGATIONS CONTAINED IN THE FORMAL CHARGES BEING ADMITTED AS TRUE AND THE PROPOSED RECOMMENDATION OF STAFF WILL BE GRANTED BY DEFAULT.

Please be advised that should you fail to file a written answer, the case will proceed on a default basis and it will be staff's recommendation that a default order be entered revoking your license(s) and/or nurse licensure compact privilege(s) to practice nursing in the State of Texas.

The results of any default order or formal disposition (Board Order) are public information. Results of informal and formal dispositions will appear in the Board's newsletter under the heading of "Disciplinary Action."

Should you desire to discuss this matter, you may contact John De La Rosa, Investigator, Enforcement Division, at the above address, or at (512) 305-6873.

Sincerely,

Katherine A. Thomas, MN, RN
Executive Director

KAT/jd

Enclosure: Formal Charges

09/99-DA

Members of the Board

Linda Rounds, PhD, FNP, RN
Galveston, President

Doborah Bell, CLU, ChFC Ablene	Kristin Benton, MSN, RN Austin	Patricia Clapp, BA Dallas	Tamara Cowen, MN, RN Harlingen	Sheri Crosby, JD, SPHR Dallas	Marilyn Davis, BSN, RN, MPA Sugar Land
Blanca Rosa Garcia, PhD, RN Corpus Christi	Richard Gibbs, LVN Mesquite	Kathy Leader-Horn, LVN Granbury	Josefina Lujan, PhD, RN El Paso	Beverley Jean Nutall, LVN Bryan	Mary Jane Salgado, MED Eagle Pass

In the Matter of Permanent License § **BEFORE THE TEXAS**
Number 105850, Issued to §
DONNA LYNN PAUL, Respondent § **BOARD OF NURSING**

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, DONNA LYNN PAUL, is a Vocational Nurse holding license number 105850, which is in current 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 August 23, 1983, Respondent submitted an Application for Licensure to the Board of Vocational Nurse Examiners for the State of Texas, in which she provided false, deceptive, and/or misleading information, in that he answered "No" to the question:

"Have you ever been charged with or convicted of a felony in this State or any other State of the U.S.?"

Respondent failed to disclose that on or about August 6, 1979, Respondent entered a plea of Guilty and was convicted of AGGRAVATED ROBBERY (a felony offense committed on November 25, 1978), in the Criminal District Court # 5 in Dallas County, Texas, under Cause No. F-7907207.

The above action constitutes grounds for disciplinary action in accordance with TEX. REV. CIV. STAT. ART. 4528c sec 10(2)&(9)(eff 9/1/83).

CHARGE II.

On or about January 22, 1997, Respondent entered a plea of Guilty and was convicted of THEFT BY CHECK \$20-\$500 (a Class B misdemeanor offense committed on October 11, 1995), in the County Court of Henderson County, Texas, under Cause No. 96-0071CC. As a result of the conviction, Respondent was sentenced to confinement in the Henderson County Jail for a period of one hundred and eighty (180) days, reduced to thirty (30) days of confinement. Additionally, Respondent was ordered to pay one hundred and nineteen dollars and forty-four cents (\$119.44) in restitution, along with a fine and court costs.

The above action constitutes grounds for disciplinary action in accordance with TEX. REV. CIV. STAT. ART. 4528c sec 10(a)(9)(eff 9/1/95).

CHARGE III.

On or about December 31, 1997, Respondent entered a plea of Guilty and was convicted of ESCAPE FROM CUSTODY (a misdemeanor offense committed on April 18, 1997), in the County Court at Law of Henderson County, Texas, under Cause No. 97-0419CL. As a result of the conviction, Respondent was sentenced to confinement in the Henderson County Jail for a period of forty-five (45) days. Additionally, Respondent was ordered to pay a fine and court costs.

The above action constitutes grounds for disciplinary action in accordance with TEX. REV. CIV. STAT. ART. 4528c sec 10(a)(9)(eff 9/1/97).

CHARGE IV.

On or about May 12, 2000, Respondent entered a plea of Guilty and was convicted of POSS MARIJUANA UNDER 2 OZ (a misdemeanor offense committed on April 11, 2000), in the County Court of Rockwall County, Texas, under Cause No. CR00-0505. As a result of the conviction, Respondent was sentenced to confinement in the Rockwall County Jail for a period of ninety (90) days; however, the imposition of the sentence of confinement was suspended, and Respondent was placed on probation for a period of twelve (12) months. Additionally, Respondent was ordered to pay a fine and court costs.

The above action constitutes grounds for disciplinary action in accordance with Section 302.402(a)(10) (eff 9/1/99), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §239.11(28)&(29)(A)(eff 9/1/99).

CHARGE V.

On or about August 10, 2004, Respondent entered a plea of Guilty and was convicted of THEFT PROP >=\$20<\$500 BY CHECK (a Class B misdemeanor offense committed on September 7, 2001), in the County Court at Law # 2 of Waxahachie County, Texas, under Cause No. 0211853. As a result of the conviction, Respondent was sentenced to confinement for a period of six (6) days. Additionally, Respondent was ordered to pay a fine and court costs.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)(eff 2/1/04), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(13)(eff 2/1/04).

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CHARGE VI.

On or about March 30, 2005, Respondent submitted a Texas Online Renewal Document Licensed Vocational Nurse to the Board of Nurse Examiners for the State of Texas in which she provided false, deceptive, and/or misleading information, in that she answered "No" to the question:

"Have you ever been convicted, adjudged guilty by a court, plead guilty, no contest or nolo contendere to any crime in any state, territory or country, whether or not a sentence was imposed, including any pending criminal charges or unresolved arrests (excluding minor traffic violations) since your last renewal?"

Respondent failed to disclose that on or about August 10, 2004, Respondent entered a plea of Guilty and was convicted of THEFT PROP >=\$20<\$500 BY CHECK (a Class B misdemeanor offense committed on September 7, 2001), in the County Court at Law # 2 of Waxahachie County, Texas, under Cause No. 0211853. As a result of the conviction, Respondent was sentenced to confinement for a period of six (6) days. Additionally, Respondent was ordered to pay a fine and court costs.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(2)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(6)(I).

CHARGE VII.

On or about May 18, 2007, Respondent entered a plea of Guilty to POSS CS PG 1< 1G (a State Jail felony offense committed on March 17, 2006), in the 86th District Court of Kaufman County, Texas, under Cause No. 24912-86. As a result, the proceedings against Respondent were deferred without entering an adjudication of guilt, and Respondent was placed on probation for a period of three (3) years. Additionally, Respondent was ordered to pay a fine, court costs and restitution in the amount of one hundred forty dollars (\$140).

On or about October 22, 2009, Respondent was adjudged guilty of POSS CS PG 1< 1G (a State Jail felony offense). As a result of the conviction, Respondent was sentenced to confinement in the Kaufman County Jail for a period of sixty (60) days. Additionally, Respondent was ordered to pay court costs.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(13).

NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of up to 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. and TEX. OCC. CODE Ch. 53. Additionally, staff will seek to impose on Respondent the administrative costs of the proceeding pursuant to Section 301.461, Texas Occupations Code. 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).

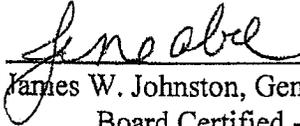
NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, www.bon.state.tx.us.

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

NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, which can be found at www.bon.state.tx.us/disciplinaryaction/discp-matrix.html.

Filed this 13th day of January, 2012.

TEXAS BOARD OF NURSING


James W. Johnston, General Counsel
Board Certified - Administrative Law
Texas Board of Legal Specialization
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Date Produced: 01/31/2011

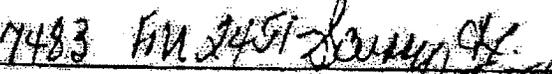
STATE OF TEXAS

The following is the delivery information for Certified Mail™ item number 7108 2133 3934 2566 1806. Our records indicate that this item was delivered on 01/26/2011 at 04:05 p.m. in SCURRY, TX, 75158. The scanned image of the recipient information is provided below.

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Sincerely,

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