



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. Brown
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Registered Nurse License Number 539816 § AGREED
and Vocational Nurse License Number 117230 § ORDER
issued to DONNA LYNN MOORE §

On this day, the Texas Board of Nursing, hereinafter referred to as the Bo accepted the voluntary surrender of Registered Nurse License Number 539816 and Vocational Nurse License Number 117230, issued to DONNA LYNN MOORE a/k/a DONNA LYNN BROWNE, 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 proceedings, notice 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(s).
2. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order.
3. Respondent holds a license to practice professional nursing in the State of Texas, which is in delinquent status. 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 Baptist Memorial Hospital System of Nursing, San Antonio, Texas, on January 1, 1987, and a Diploma in Nursing from Baptist Memorial Hospital System, San Antonio, Texas, on June 4, 1987. Respondent was licensed to practice vocational nursing in the State of Texas on May 20, 1987, and Respondent was licensed to practice professional nursing in the State of Texas on August 24, 1987.

5. Respondent's employment history is unknown.
6. On or about February 8, 1991, Respondent entered a plea of Guilty and was convicted of OPERATING OR DRIVING A MOTOR VEHICLE IN A PUBLIC PLACE IN BEXAR COUNTY, TEXAS WHILE INTOXICATED (a Class B misdemeanor offense committed on October 21, 1990), in the County Court at Law No. 7, Bexar County, Texas, under Cause No. 477273. As a result of the conviction, Respondent was sentenced to confinement in the Bexar County Jail for a period of thirty (30) days; however, the imposition of sentence of confinement was suspended, and Respondent was placed on probation for a period of twenty-four (24) months. Additionally, Respondent was ordered to pay a fine and court costs.
7. On or about March 26, 1997, Respondent entered a plea of Nolo Contendere and was convicted of DRIVING WHILE INTOXICATED-2D (a Class A misdemeanor offense committed on June 9, 1996), in the County Court at Law No. 4, Bexar County, Texas, under Cause No. 636246. As a result of the conviction, Respondent was sentenced to confinement in the Bexar County Jail for a period of five (5) months. Additionally, Respondent was ordered to pay a fine. Respondent was placed on Electronic Monitoring for one hundred fifty (150) days, in lieu of jail time.
8. On or about June 23, 2010, Respondent entered a plea of Not Guilty and was convicted of DRIVING WHILE INTOXICATED-3D/M (a 3rd Degree felony offense committed on June 11, 2006), in the 144th District Court, Bexar County, Texas, under Cause No. 2006CR7165. As a result of the conviction, Respondent was sentenced to confinement in the Institutional Division of the Texas Department of Criminal Justice for a period of five (5) years; however, the imposition of sentence of confinement was suspended, and Respondent was placed on probation for a period of five (5) years. Additionally, Respondent was ordered to pay a fine and court costs.
9. In response to Finding of Fact Number Eight (8), Respondent states that on June 6, 2006, she was involved in an at-fault automobile accident. She had been to a BBQ restaurant with her husband and children, and Respondent had 2-12 oz beers to drink from 4:30 pm - 10:00 pm, with water in between. She also shared a dinner with her younger son. They returned home around 10:15, and she took her routine pm medications, which were at that time: Xanax 0.25mg.
10. Respondent, by her signature to this Order, expresses her desire to voluntarily surrender her license(s) to practice nursing in the State of Texas.
11. 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.

12. 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 Article 4525(b)(9), TEX. REV. CIV. STAT. (eff. date 09/01/1989), Article 4525(b)(9), TEX. REV. CIV. STAT. (eff. date 09/01/1995), Section 301.452(b)(3)&(10), Texas Occupations Code (eff. date 09/01/2007), 22 TEX. ADMIN. CODE §217.13(1) (eff. date 09/01/1995), and 22 TEX. ADMIN. CODE §217.12(13) (eff. date 09/28/2004).
4. The evidence received is sufficient cause pursuant to Section 301.453(a), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 539816 and Vocational Nurse License Number 117230, heretofore issued to DONNA LYNN MOORE, including revocation of Respondent's license(s) 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 License Number 539816 and Vocational License Number 117230, heretofore issued to DONNA LYNN MOORE, 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 license(s), heretofore issued to DONNA LYNN MOORE, to the office of the Texas Board of Nursing.
2. RESPONDENT SHALL NOT practice professional or vocational nursing, use the title "registered" or "vocational nurse" or the abbreviation "RN" or "LVN" or wear any insignia identifying herself as a registered 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 nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

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RESPONDENT'S CERTIFICATION

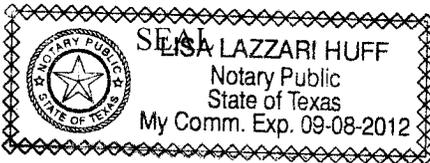
I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and 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 8th day of December, 2010.

Donna Lynn Moore

DONNA LYNN MOORE, Respondent

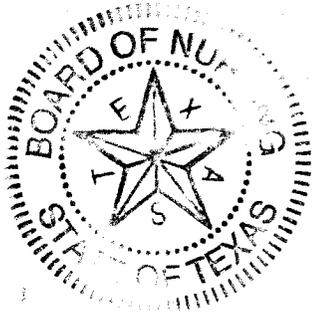
Sworn to and subscribed before me this 8 day of December, 2010



[Signature]

Notary Public in and for the State of TX

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 539816 and Vocational Nurse License Number 117230, previously issued to DONNA LYNN MOORE.



Effective this 13th day of December, 2010.


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