



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. Roman*  
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

\*\*\*\*\*

In the Matter of Registered Nurse           §  
License Number 550426                       §  
issued to DONNA O. HAIR                   §

ORDER OF THE BOARD

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Registered Nurse License Number 550426, issued to DONNA O. HAIR, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived representation by counsel, informal proceedings, notice and hearing.

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

FINDINGS OF FACT

1. Respondent's license to practice professional nursing in the State of Texas is currently in delinquent status.
2. Respondent waived representation by counsel, informal proceedings, notice and hearing.
3. Respondent received a Baccalaureate Degree from Northeast Louisiana University, Monroe, Louisiana on August 1, 1983. Respondent was licensed to practice professional nursing in the State of Texas on February 10, 1989. Respondent was authorized to practice as a Nurse Anesthetist by the Board of Nurse Examiners for the State of Texas on April 24, 1989.
4. Respondent's professional nursing employment history is unknown.
5. Formal Charges were filed on October 25, 2011. A copy of the Formal Charges is attached and incorporated by reference as part of this Order.
6. Formal Charges were mailed to Respondent on October 25, 2011.

7. On November 14, 2011, the Board received a notarized statement from Respondent voluntarily surrendering the right to practice nursing in Texas. A copy of Respondent's notarized statement, dated November 4, 2011, is attached and incorporated herein by reference as part of this Order.
8. 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.
9. 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 a violation of Section 301.452(b)(8), Texas Occupations Code.
4. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
5. Under Section 301.453(d), Texas Occupations Code, the Board may impose conditions for reinstatement of licensure.
6. Any subsequent reinstatement of this license will be controlled by Section 301.452 (b), Texas Occupations Code, and 22 TAC §§213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

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ORDER

NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Registered Nurse License Number 550426, heretofore issued to DONNA O. HAIR, to practice professional nursing in the State of Texas, is accepted by the Executive Director on behalf of the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

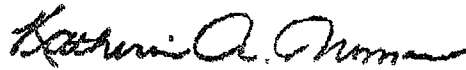
1. RESPONDENT SHALL NOT practice professional nursing, use the title of "registered nurse" or the abbreviation "RN" or wear any insignia identifying herself as a registered nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a registered nurse during the period in which the license is surrendered.
2. 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.
3. 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 professional nursing in the State of Texas.

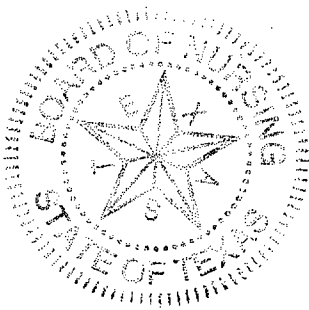
Effective this 14th day of November, 2011.

TEXAS BOARD OF NURSING

By:



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



**In the Matter of Permanent License** § **BEFORE THE TEXAS**  
**Number 550426, Issued to** §  
**DONNA O. HAIR, Respondent** § **BOARD OF NURSING**

### FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, DONNA O. HAIR, is a Registered Nurse holding license number 550426, which is in delinquent 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 September 15, 2011, the Voluntary Surrender of Respondent's Registered Nurse license was accepted by the Louisiana State Board of Nursing, Baton Rouge, Louisiana. A copy of the Voluntary Surrender of License dated September 15, 2011, is attached and incorporated, by reference, as part of this pleading.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(8), Texas Occupations Code.

NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of up to, and including, revocation of Respondent's license/s to practice nursing in the State of Texas pursuant to the Nursing Practice Act, Chapter 301, Texas Occupations Code and the Board's rules, 22 Tex. Admin. Code §§ 213.27 - 213.33. 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.texas.gov](http://www.bon.texas.gov).

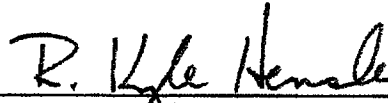
NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Sanction Policies for Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder, which can be found at the Board's website, [www.bon.texas.gov](http://www.bon.texas.gov).

NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, which can be found at [www.bon.texas.gov/disciplinaryaction/discp-matrix.html](http://www.bon.texas.gov/disciplinaryaction/discp-matrix.html).

NOTICE IS ALSO GIVEN that Respondent's past disciplinary history, as set out below and described in the Order which is attached and incorporated by reference as part of these charges, will be offered in support of the disposition recommended by staff: Louisiana State Board of Nursing Voluntary Surrender of License dated September 15, 2011.

Filed this 25<sup>th</sup> day of October, 2011.

TEXAS BOARD OF NURSING



James W. Johnston, General Counsel  
Board Certified - Administrative Law  
Texas Board of Legal Specialization  
State Bar No. 10838300

Jena Abel, Assistant General Counsel  
State Bar No. 24036103

Lance Robert Brenton, Assistant General Counsel  
State Bar No. 24066924

Robert Kyle Hensley, Assistant General Counsel  
State Bar No. 50511847

Nikki Hopkins, Assistant General Counsel  
State Bar No. 24052269

John F. Legris, Assistant General Counsel  
State Bar No. 00785533

TEXAS BOARD OF NURSING

333 Guadalupe, Tower III, Suite 460  
Austin, Texas 78701  
P: (512) 305-6824  
F: (512) 305-8101 or (512)305-7401

Attachments: Louisiana State Board of Nursing Voluntary Surrender of License dated September 15, 2011.

D/2011.09.23

LOUISIANA STATE BOARD OF NURSING  
BATON ROUGE, LOUISIANA

IN THE MATTER OF  
DONNA HAIR FUTRELL,  
420 N BAYOU RAPIDES RD  
ALEXANDRIA, LA 71303

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Respondent

Voluntary Surrender of License

Terms Agreed to by Licensee

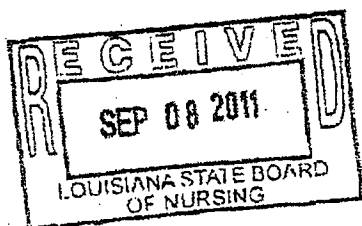
I, DONNA HAIR FUTRELL, voluntarily agree to sign and have witnessed the terms of this agreement for the purpose of avoiding formal administrative proceedings with the Louisiana State Board of Nursing.

I, DONNA HAIR FUTRELL, do freely, knowingly and voluntarily enter into this agreement. I understand that I have a right to a hearing in this matter and I freely waive such right. I understand that I have a right to legal counsel prior to entering into this agreement.

I hereby voluntarily surrender my license to practice as a registered nurse in Louisiana, and I agree that by so doing I subject myself to formal disciplinary action as per Title 46, Professional and Occupational Standards, Part XLVII, Subpart 2, Section 3409. C.

I understand that this voluntary license surrender shall have the consequences set forth in Section 3409.C., including, but not limited to, the following:

1. Be deemed a disciplinary action.
2. Be deemed an admission of the allegations under investigation, listed below as Findings of fact:
  - a. On March 16, 1984, Respondent was licensed by examination to practice as a Registered Nurse in Louisiana;
  - b. On August 18, 2011, Respondent called the Recovering Nurse Program (RNP) reporting that on August 11, 2011, the Central Louisiana Surgical Hospital in Alexandria, Louisiana required that she submit a urine specimen "for-cause" drug screen, which resulted positive for Methadone. Respondent admits that she does not have a prescription for Methadone. Respondent refused to join RNP at this time.
  - c. On August 19, 2011, Respondent called the RNP to request a Voluntary Surrender of her Registered Nurse license.
  - d. On August 22, 2011, Respondent came to the LSBN office to confirm that she wanted to Voluntarily Surrender her license.
  - e. On August 29, 2011, the Investigations department received the formal complaint and a copy of the drug screen results from August 11, 2011, from Louise Barker, RN, CEO of Central Louisiana Surgical Hospital. Drug test report from Louisiana Occupational Health Services confirms positive result of Methadone at 566 ng/ml.



LOUISIANA STATE BOARD OF NURSING  
BATON ROUGE, LOUISIANA

IN THE MATTER OF  
DONNA HAIR FUTRELL,  
420 N BAYOU RAPIDES RD  
ALEXANDRIA, LA 71303

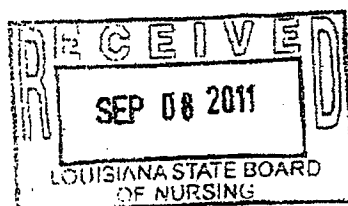
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Respondent

Voluntary Surrender of License

Terms Agreed to by Licensee

3. Cause Respondent's license to become invalidated and have an "inactive" status at the time of license surrender.
4. Cause ineligibility for licensure reinstatement for a minimum of two (2) years and until such time as the Respondent meets the requirements for reinstatement as described in Chapter 34 of the Board Rules.
5. Become public record as a suspension of license to be reported and distributed in the same manner as a final decision of the Board. This will be reported to the **Healthcare Integrity and Protection Data Bank (HIPDB)** as 1145. Voluntary Surrender. H1. Narcotics Violation or Other Violations of Drug Statutes. **The HIPDB Narrative will be:** On August 11, 2011, Respondent tested positive for Methadone at a level of 566 ng/ml; she did not have a valid prescription for this medication. On August 18, 2011, Respondent refused to join RNP after self-report. On August 19, 2011, Respondent requested Voluntary Surrender of her license to practice in LA.
6. Prohibit Respondent from practicing as an RN in Louisiana for a minimum period of two (2) years. Such illegal practice shall be subject to penalties provided in Chapter 34 of the Board Rules.
7. Will require that, prior to reinstatement, a hearing or conference shall be held before the Board or with Board staff to afford Respondent the opportunity to present evidence that the cause/condition that led to the voluntary surrender no longer exist and to afford the Board or Board staff the opportunity to evaluate changes in the person or condition. The burden of proof shall be for the Respondent to prove that conditions that led to the voluntary surrender of her license no longer exist and/or no longer affects her ability to practice safely.
8. Will require Respondent to submit to various evaluations (physical, psychological, psychiatric, and/or substance abuse) and follow recommendations of same. If any evaluations give any findings to warrant concern for patient safety, Respondent must demonstrate, to the satisfaction of the Board, that she poses no danger to the practice of nursing or to the public and that she can safely and competently perform the duties of a Registered Nurse.
9. Will result in a period of probation, in the event that Respondent resumes practice in Louisiana after the period of surrender is completed.
10. Will require that Respondent's license be reinstated by Consent Order or Board Order which would become public record published in the Examiner.



LOUISIANA STATE BOARD OF NURSING  
BATON ROUGE, LOUISIANA

IN THE MATTER OF  
DONNA HAIR FUTRELL,  
420 N BAYOU RAPIDES RD  
ALEXANDRIA, LA 71303

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Respondent

Voluntary Surrender of License

Terms Agreed to by Licensee

I further acknowledge that I have fully cooperated with the Louisiana State Board of Nursing in resolving these charges, and intend to comply with all stipulations of this order.

I, DONNA HAIR FUTRELL, understand that this agreement is effective immediately upon signature of the Executive Director and will become an ORDER of the Board.

Dated this 6 day of Sept, 2011

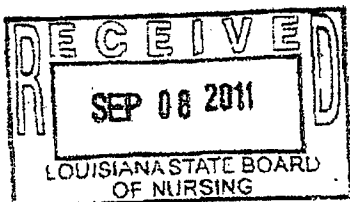
Donna Hair Futrell  
DONNA HAIR FUTRELL,

Connie H. Hillong  
Witness

Ruby Hill  
Witness

LOUISIANA STATE BOARD OF NURSING

Barbara L. Morvant 09/15/2011  
Barbara L. Morvant, MN RN Date  
Executive Director





November 4, 2011

Paul Longoria, Investigator

512-305-7666

Texas Board of Nursing

Mr. Longoria

I do not deny any of the charges against me with the Louisiana State Board. I have Voluntarily Surrendered my license in LA.

I am writing to inform you of my desire to Voluntarily Surrender My Texas Nursing license #550426.

I have never practiced nursing in the state of Texas. I obtained this license back in the 1980's when I started Locum tenens work and thought maybe I would find work in Texas.

I have no plans to ever practice in Texas and request a Voluntary Surrender of my license at this time.

*Donna Hair Futrell*

Donna Hair Futrell

420 N Bayou Rapides Rd.

Alexandria, LA 71303

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THIS DOCUMENT NOT PREPARED BY THE UNDERSIGNED NOTARY

ATTESTING TO SIGNATURES ONLY

*Clay A. Ray, Sr.*  
Clay A. Ray, Sr., Notary Public, No. 19079