



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 Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of § AGREED
Registered Nurse License Number 229255 §
issued to DIANA RUTH HUNT, §
AKA DIANA RUTH BRYSON § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of DIANA RUTH HUNT, AKA DIANA RUTH BRYSON, Registered Nurse License Number 229255, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived 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 served on 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 notice and hearing, and agreed to the entry of this Order.
3. Respondent's license to practice as a professional nurse in the State of Texas is in current status.
4. Respondent received a Diploma in Nursing from John Peter Smith Hospital, Fort Worth, Texas, on May 4, 1973. Respondent was licensed to practice professional nursing in the State of Texas on September 6, 1973.
5. Respondent's professional nursing employment history includes:

5/1973 - 1981	RN	John Peter Smith Hospital Fort Worth, Texas
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Respondent's professional nursing employment history continued:

1981 - 1982	RN	Arlington Medical Center Arlington, Texas
1982 - 1986	RN	Methodist Medical Center Dallas, Texas
1986 - 1993	RN	California Pacific Medical Center San Francisco, California
1993 - 1994	RN	Total Home Health Care Fort Worth, Texas
1994 - 1996	RN	Mercy Medical Center Merced, California
1996 - 2000	Medical Consultant	Medic - Alert Foundation Turlock, California
2000 - 2009	RN	California Pacific Medical Center San Francisco, California
6/2009 - 11/2010	RN	Hillcrest Baptist Medical Center Waco, Texas
12/2010 - 6/2011	Unknown	
7/2011 - Present	Dialysis Nurse	Fresenius Medical Center Waco, Texas

6. At the time of the initial incident, Respondent was employed as a Registered Nurse (RN) with Hillcrest Baptist Medical Center, Waco, Texas, and had been in this position for one (1) year and three (3) months.
7. On or about October 29, 2010, while employed as a Registered Nurse with Hillcrest Baptist Medical Center, Waco, Texas, Respondent lacked fitness to practice professional nursing in that she was observed to have slurred speech, slow movements, illegible handwriting, red eyes, an unsteady gait, and hid a wine bottle at the facility's concierge desk, where she had been sitting. Respondent's condition could have affected her ability to recognize subtle signs, symptoms, or changes in patients' conditions, and could have affected her ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patients in potential danger.

8. On or about October 29, 2010, while employed as a Registered Nurse with Hillcrest Baptist Medical Center, Waco, Texas, Respondent engaged in the intemperate use of Alcohol in that she admitted to drinking Alcohol. The use of Alcohol 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.
9. On or about December 12, 2011, while employed as a Registered Nurse with Fresenius Medical Center, Waco, Texas, and while participating in the Texas Peer Assistance Program for Nurses (TPAPN), Respondent engaged in the intemperate use of Alcohol in that she submitted a specimen for a random drug screen which resulted positive for Ethyl Glucuronide and Ethyl Sulfate, metabolites of Alcohol. The use of Alcohol 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.
10. On or about December 26, 2012, while employed with Fresenius Medical Center, Waco, Texas, and while participating in the Texas Peer Assistance Program for Nurses (TPAPN), Respondent engaged in the intemperate use of Alcohol in that she submitted a specimen for a random drug screen which resulted positive for Ethyl Glucuronide and Ethyl Sulfate, metabolites of Alcohol. On or about January 14, 2013, Respondent's TPAPN case was closed and referred to the Board per her request. The use of Alcohol 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.
11. In response to the incident in Finding of Fact Number Eight (8), Respondent states that in November 2010, she enrolled in and completed an out-patient program at The Freeman Center for alcohol and drug issues. On January 3, 2011, she self-reported to TPAPN. In response to the incident in Finding of Fact Number Nine (9), Respondent states that in the process of moving she stayed with relatives and used Listerine. She did not know that only two days would result in a positive test. In response to the incident in Finding of Fact Number Ten (10), Respondent states that she was sick with the flu and, while using the guide for over-the-counter cold/flu products, she believed that she purchased an alcohol-free product. Respondent adds that her last consumption of an alcoholic beverage was December 13, 2010. Respondent states that she has never consumed alcohol at any time before, during, or when on call/stand-by for work.
12. Formal Charges were filed on September 24, 2014.

13. Formal Charges were mailed to Respondent on September 24, 2014.
14. Respondent, by her signature to this Order, expresses her desire to voluntarily surrender her license(s) to practice nursing in the State of Texas.
15. 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.
16. 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 violation(s) of 22 TEX. ADMIN. CODE §217.11(1)(A),(1)(B)&(1)(T) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(4),(5)&(10)(A).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(9),(10),(12)&(13), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 229255, heretofore issued to DIANA RUTH HUNT, AKA DIANA RUTH BRYSON, 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.

TERMS OF ORDER

NOW, THEREFORE, IT IS AGREED and ORDERED that the **VOLUNTARY SURRENDER** of Registered Nurse License Number 229255, heretofore issued to DIANA RUTH HUNT, AKA DIANA RUTH BRYSON, 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 NOT practice professional/registered nursing, use the title "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:
 - A. One (1) year has elapsed from the date of this Order; and
 - B. RESPONDENT has obtained objective, verifiable proof of twelve (12) consecutive months of sobriety immediately preceding the petition for reinstatement.
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 nursing in the State of Texas.

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RESPONDENT'S CERTIFICATION

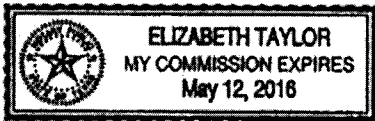
I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the entry of this Order, and any conditions of said Order, to avoid further disciplinary 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 20 day of October 2015

Diana Ruth Hunt
DIANA RUTH HUNT, AKA DIANA RUTH BRYSON,
Respondent

Sworn to and subscribed before me this 20th day of October, 2015.

SEAL



Elizabeth Taylor

Notary Public in and for the State of Texas

Approved as to form and substance.

Oscar San Miguel
Oscar San Miguel, Attorney for Respondent

Signed this 20th day of October, 2015

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 229255, previously issued to DIANA RUTH HUNT, AKA DIANA RUTH BRYSON.

Effective this 23rd day of October, 2015.



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