



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.
Stephanie A. Johnson
Executive Director of the Board

IN THE MATTER OF
PERMANENT VOCATIONAL NURSE
LICENSE NUMBER 142886
ISSUED TO DONNA RUTH DETHLEFSEN,
RESPONDENT

§ BEFORE THE TEXAS
§ BOARD OF NURSING
§
§ ELIGIBILITY AND
§ DISCIPLINARY COMMITTEE

ORDER OF THE BOARD

TO: Donna Ruth Dethlefsen
211 Cumberland Circle
Murchison, Texas 75778

During open meeting held in Austin, Texas, on **Tuesday, February 9, 2016**, the Texas Board of Nursing 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 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(s) to practice 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 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.

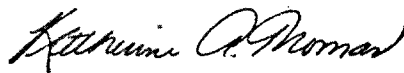
All proposed findings of fact and conclusions of law filed by any party not specifically adopted herein are hereby denied.

NOW, THEREFORE, IT IS ORDERED that Permanent Vocational Nurse License Number 142886, previously issued to DONNA RUTH DETHLEFSEN, to practice nursing in the State of Texas be, and the same is/are hereby, REVOKED.

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

Entered this 9th day of February, 2016.

TEXAS BOARD OF NURSING



BY:

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

Attachment: Formal Charge filed October 21, 2015.

d17r(2014.12.05)

Re: Permanent Vocational Nurse License Number 142886
Issued to DONNA RUTH DETHLEFSEN
DEFAULT ORDER - REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 12 day of February, 2016, a true and correct copy of the foregoing DEFAULT ORDER was served and addressed to the following person(s), as follows:

Via USPS Certified Mail, Return Receipt Requested

Donna Ruth Dethlefsen
211 Cumberland Circle
Murchison, Texas 75778

Via USPS First Class Mail



BY:

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

In the Matter of § **BEFORE THE TEXAS**
Permanent Vocational Nurse §
License Number 142886 §
Issued to DONNA RUTH DETHLEFSEN, §
Respondent § **BOARD OF NURSING**

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, DONNA RUTH DETHLEFSEN, is a Vocational Nurse holding License Number 142886, 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 October 6, 2012, Respondent failed to comply with the Order of REMEDIAL EDUCATION AND A FINE, issued to Respondent on October 5, 2011, by the Texas Board of Nursing. Non-compliance is the result of Respondent's failure to comply with Stipulation Number One (1) of the Order which states, in pertinent part:

(1) "RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in Texas nursing jurisprudence and ethics..."

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(1)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(11)(B).

CHARGE II.

On or about November 21, 2011, Respondent failed to comply with the Order of REMEDIAL EDUCATION AND A FINE, issued to Respondent on October 5, 2011, by the Texas Board of Nursing. Non-compliance is the result of Respondent's failure to comply with Stipulation Number Two (2) of the Order which states, in pertinent part:

(2) RESPONDENT SHALL pay a monetary fine in the amount of two hundred fifty (\$250) dollars. RESPONDENT SHALL pay this fine within forty-five (45) days of entry of this order.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(1)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(11)(B).

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.

NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, located at 22 TEX. ADMIN. CODE §213.33(b), which can be found under the "Discipline & Complaints; Board Policies & Guidelines" section of the Board's website, www.bon.texas.gov.

NOTICE IS ALSO GIVEN that Respondent's past disciplinary history, as set out below and described in the Order(s) which is/are attached and incorporated by reference as part of these charges, will be offered in support of the disposition recommended by staff: Order dated October 5, 2011.

Filed this 21st day of October, 2015.

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

John R. Griffith, Assistant General Counsel
State Bar No. 24079751

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

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

John Vanderford, Assistant General Counsel
State Bar No. 24086670

333 Guadalupe, Tower III, Suite 460
Austin, Texas 78701
P: (512) 305-8657
F: (512) 305-8101 or (512)305-7401

Attachments: Order of the Board dated October 5, 2011

D(2015.08.28)



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 Vocational Nurse § AGREED
License Number 142886 §
issued to DONNA RUTH DETHLEFSEN § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of DONNA RUTH DETHLEFSEN, Vocational Nurse License Number 142886, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated TEX. REV. CIV. STAT. ART. 4528c, Sec. 10(a) (9)(eff. date 9/1/1985), Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on March 27, 2011, 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(s).
2. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice vocational nursing in the State of Texas.
4. Respondent received a Certificate in Vocational Nursing from Alvin Community College, Alvin, Texas, on May 18, 1993. Respondent was licensed to practice vocational nursing in the State of Texas on August 30, 1993
5. Respondent's vocational nursing employment history is unknown.

6. On or about April 5, 1993, Respondent submitted an Application for Licensure By Examination to the Board of Vocational Nurse Examiners for the State of Texas in which Respondent provided false, deceptive, and/or misleading information, in that Respondent answered "No" to the question: "Have you ever been convicted and/or pled guilty to a felony or misdemeanor other than a minor traffic violation? (If yes, attach certified copies of the charges and disposition papers, and your explanation of the circumstances.)"

Respondent failed to disclose that on or about September 14, 1982, Respondent entered a plea of Guilty and was convicted of NEGOTIATING WORTHLESS INSTRUMENT. As a result, Respondent was ordered to pay a fine and court costs.

Respondent failed to disclose that on or about April 4, 1983, Respondent entered a plea of Guilty and was convicted of ATTEMPT TO POSSESS A FORGED INSTRUMENT, SECOND DEGREE (a Class A misdemeanor offense committed on July 7, 1982), in the Circuit Court, Clarke County, Alabama, under Case No. CC-82-199. As a result of the conviction, Respondent was sentenced to confinement in the County Jail for a period of one (1) year; however, the imposition of the sentence of confinement was suspended, and Respondent was placed on probation for a period of three (3) years. Additionally, Respondent was ordered to pay restitution in the amount of one hundred seventy nine dollars and eighty three cents (\$179.83), along with a fine and court costs.

Respondent failed to disclose that on or about March 25, 1986, Respondent entered a plea of Guilty to NEGOTIATING WORTHLESS INSTRUMENT. As a result, Respondent was ordered to pay a fine, court costs and restitution.

7. In response to Finding of Fact Number Six (6), Respondent states: When she applied for her license in May of 1993, she asked her instructors about reporting misdemeanors and they said only report felony charges.

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 TEX. REV. CIV. STAT. ART. 4528c, Sec. 10(9)(a)(eff. date 9/1/1985), Texas Occupations Code, and 22 TEX. ADMIN. CODE §231.81(6)(eff. date 1/1/1985).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations

Code, to take disciplinary action against Vocational Nurse License Number 142886, heretofore issued to DONNA RUTH DETHLEFSEN, including revocation of Respondent's license(s) to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL receive the sanction of REMEDIAL EDUCATION AND 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 Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.1 *et seq.* and this Order.

IT IS FURTHER AGREED and ORDERED that, while under the terms of this Order, this Order SHALL apply to any and all future licenses issued to Respondent to practice nursing in the State of Texas.

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.

IT IS FURTHER AGREED and ORDERED that while Respondent's license(s) is/are encumbered by this Order, Respondent may not work outside the State of Texas pursuant to a nurse licensure compact 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, 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) 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/disciplinaryaction/stipscourses.html>.

(2) RESPONDENT SHALL pay a monetary fine in the amount of two hundred fifty (\$250) dollars. 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, all encumbrances will be removed from RESPONDENT'S license(s) to practice nursing in the State of Texas and RESPONDENT shall be eligible for nurse licensure compact privileges, if any.

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CONTINUED ON NEXT PAGE.

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(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 30 day of Sept, 2011.

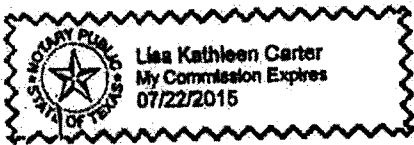
Donna Ruth Dethlefsen
DONNA RUTH DETHLEFSEN, Respondent

Sworn to and subscribed before me this 30th day of September, 2011.

Lisa K. Carter

Notary Public in and for the State of Texas

SEAL



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 30th day of September, 2011, by DONNA RUTH DETHLEFSEN, Vocational Nurse License Number 142886, and said Order is final.

Effective this 5th day of October, 2011.



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