



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. Johnson
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of
Registered Nurse License Number 665041
& Vocational Nurse License Number 164578
issued to DONNA SMITH

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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 665041, and Vocational Nurse License Number 164578, issued to DONNA SMITH, 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 is currently licensed to practice professional nursing in the State of Texas. Respondent holds a license to practice vocational nursing in the State of Texas which is in delinquent status.
2. Respondent waived representation by counsel, informal proceedings, notice and hearing.
3. Respondent received a Certificate in Vocational Nursing from Paris Junior College, Paris, Texas, on August 13, 1997, and received an Associate Degree in Nursing from Paris Junior College, Paris, Texas, on May 1, 1999. Respondent was licensed to practice vocational nursing in the State of Texas on September 25, 1997, and was licensed to practice professional nursing in the State of Texas on November 16, 1999.
4. Respondent's nursing employment history includes:

09/97 -11/97	Unknown
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Respondent's nursing employment history continued:

11/97 - 11/99	LVN	Hopkins County Memorial Hospital Sulphur Springs, Texas
11/99 - 10/15	RN	Hopkins County Memorial Hospital Sulphur Springs, Texas
11/15 - Present	Unknown	

5. On or about October 2015, while employed as a Registered Nurse with Hopkins County Memorial Hospital, Sulphur Springs, Texas, Respondent falsified time cards for two other employees in that she manually entered their badge numbers into the computer to clock them in and out when the employees were not at work. Respondent's conduct created an inaccurate record, and was likely to defraud and deceive the facility of monies paid to the employees for hours not actually worked.
6. On or about October 2015, while employed as a Registered Nurse with Hopkins County Memorial Hospital, Sulphur Springs, Texas, Respondent financially defrauded the facility in that she submitted time cards, and/or had two other employees manually clock her in and out using her badge number, and received payment for hours she did not work. Respondent's conduct created an inaccurate medical record, and was likely to defraud and deceive the facility of monies paid to Respondent for hours not actually worked.
7. On August 1, 2016, 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 July 22, 2016, is attached and incorporated herein by reference as part of this Order.

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 §217.12(4),(6)(A),(6)(G)&(6)(H).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 665041, and Vocational Nurse License Number 164578, heretofore issued to DONNA SMITH, 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, 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 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 665041, and Vocational Nurse License Number 164578, heretofore issued to DONNA SMITH, to practice nursing in the State of Texas, is/are 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 or vocational nursing, use the title of “registered nurse/vocational nurse” or the abbreviation “RN/LVN” or wear any insignia identifying herself as a “registered/vocational nurse” or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a/an registered/vocational nurse during the period in which the license/s is/are surrendered.
2. RESPONDENT SHALL NOT petition for reinstatement of licensure until: at least one (1) year has elapsed from the date of this Order.
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.

Effective this 1st day of August, 2016.

TEXAS BOARD OF NURSING

By: 

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

DONNA SMITH
3982 FM 2653 SOUTH
CUMBY, TX 75433

Registered Nurse License Number 665041, and Vocational Nurse License Number 164578

Voluntary Surrender Statement

Dear Texas Board of Nursing:

I no longer desire to be licensed as a nurse. Accordingly, I voluntarily surrender my license(s) to practice in Texas. I waive representation by counsel and consent to the entry of an Order which outlines requirements for reinstatement of my license. I understand that I may not petition for reinstatement until one (1) year from the effective date of the Order. I understand that I will be required to comply with the Board's Rules and Regulations in effect at the time I submit any petition for reinstatement.

Signature Donna Smith

Date July 22, 2016

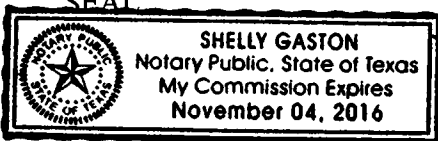
Registered Nurse License Number 665041, and Vocational Nurse License Number 164578

The State of Texas

Before me, the undersigned authority, on this date personally appeared DONNA SMITH who, being duly sworn by me, stated that he or she executed the above for the purpose therein contained and that he or she understood same.

Sworn to before me the 22nd day of July, 2016.

SEAL



Shelly Gaston
Notary Public in and for the State of Texas