

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 P. Plummer
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of §
LISA LADONNA HARLEY, §
Registered Nurse License Number 655403 §
& Vocational Nurse License Number 126936 §
§

ORDER OF THE BOARD

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of LISA LADONNA HARLEY, Registered Nurse License Number 655403, and Vocational Nurse License Number 126936, 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. Respondent's license to practice as a vocational nurse in the State of Texas is in inactive status. Respondent's license to practice as a professional nurse in the State of Texas is in current status.
2. Respondent waived notice and hearing, and agreed to the entry of this Order.
3. Respondent received a Certificate in Vocational Nursing from Weatherford College, Weatherford, Texas, on September 1, 1989. Respondent received a Baccalaureate Degree in Nursing from Australia, on May 1, 1997. Respondent was licensed to practice vocational nursing in the State of Texas on December 7, 1989. Respondent was licensed to practice professional nursing in the State of Texas on September 28, 1998.
4. Respondent's nursing employment history includes:

12/1989 – 10/1990	LVN	Osteopathic Medical Center of Texas – Fort Worth, Texas
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Respondent's nursing employment history continued:

11/1990 – 1/1992	LVN	Austin Regional Clinic Austin, Texas
2/1992		Unknown
3/1992 – 7/1997	LVN	State Nurse Australia
8/1997 – 12/1998		Unknown
1/1998 – 7/1998	LVN	GYN and Fertility Specialists Atlanta, Georgia
8/1998		Unknown
9/1998 – 5/2000	RN	Michelle Irvin, MD Obstetrics and Gynecology Austin, Texas
6/2000 – 8/2002		Unknown
9/2002 – 9/2003	RN	Seton Medical Center Austin, Texas
10/2003 – 4/2005		Unknown
5/2005 – 11/2007	RN	Renaissance Women's Group Austin, Texas
11/2007 – 12/2015	RN	Pflugerville Independent School District Pflugerville, Texas
1/2016 – 6/2017	RN	Rockdale Independent School District Rockdale, Texas
7/2017		Unknown
8/2017 – 7/2018	RN	Manor Independent School District Manor, Texas
8/2018 – 10/2019	RN	Hutto Independent School District Hutto, Texas

Respondent's nursing employment history continued:

Unknown – 4/2020	RN	MGA Homecare Austin, Texas
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5/2020 – Present		Not employed in nursing
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5. On or about April 13, 2020, Respondent was required to successfully complete the Texas Peer Assistance Program for Nurses (TPAPN) through a Confidential Order of the Board. A copy of the April 13, 2020, Confidential Order is attached and incorporated herein by reference as part of this Order.
6. On June 2, 2020, the Board received a notarized statement from Respondent voluntarily surrendering the right to practice nursing in Texas in lieu of completing the Order. A copy of Respondent's statement, dated June 2, 2020, 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(11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(1)&(10), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 655403, and Vocational Nurse License Number 126936, heretofore issued to LISA LADONNA HARLEY, 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 ORDERED that the VOLUNTARY SURRENDER of Registered Nurse License Number 655403, and Vocational Nurse License Number 126936 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/himself 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 practice vocational nursing, use the title "vocational nurse" or the abbreviation "LVN" or wear any insignia identifying herself/himself as a vocational nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a vocational nurse during the period in which the license is surrendered.
3. RESPONDENT SHALL NOT petition for reinstatement of licensure until:
 - A. At least one (1) year has elapsed from the date of this Order; and
 - B. RESPONDENT has 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 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 2nd day of June, 2020



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

Lisa Ladonna Harley
10401 Kirken St.
Manor, Texas 78653
RN License # 655403

June 2, 2020

Tosha Rocuemore

Dear Ms. Rocuemore,

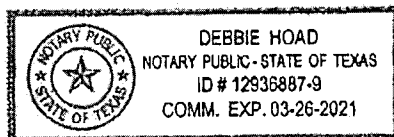
I am writing to you in regards to my recent order from the Board of Nurses to complete the Texas Peer Assistance Program for Nurses. Unfortunately, I can no longer work for my current employer while enrolled in this program (MGA Homecare). I have submitted many applications for alternate employment but have not received any calls back. I have however, received letters of denial of employment. I fear this is likely due to the fact that I do not have any recent acute care experience, I am 57 years old, have been working autonomously for the last 15 years and under an order from the BON to complete the TPAPN program. In these unsettled times I can understand the reluctance of employers "taking a chance" on me. Fortunately, I am in a position to hopefully fulfil a dream of opening my own business. At this time, I see that as my only real option. I so regret the minor incident that placed me in this position but I have done everything I can to make this right. I hope that in the future, if I would like to return to nursing, I can petition the BON at that time to allow me to reinstate my license. I appreciate your time and understanding in this difficult decision.

Therefore, in lieu of completing the order to enroll in the Texas Peer Assistance Program for Nurses I am voluntarily surrendering my license # 655403 as a Registered Nurse in the state of Texas.

Respectfully,

Lisa L. Harley RN, BSN
Lisa L. Harley, RN BSN

Debbie Hoad



BEFORE THE TEXAS BOARD OF NURSING

In the Matter of	§	CONFIDENTIAL
Registered Nurse License Number 655403	§	AGREED ORDER
& Vocational Nurse License Number 126936	§	FOR
issued to LISA LADONNA HARLEY	§	PEER ASSISTANCE
	§	

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of LISA LADONNA HARLEY, Registered Nurse License Number 655403, and Vocational Nurse License Number 126936, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may be subject to discipline pursuant to Section 301.452(b)(9)&(10), Texas Occupations Code.

Respondent waived notice and hearing and agreed to the entry of this Confidential Agreed Order for Peer Assistance approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on March 13, 2020.

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 Confidential Agreed Order for Peer Assistance.
3. Respondent's license to practice as a vocational nurse in the State of Texas is in inactive status. Respondent's license to practice as a professional nurse in the State of Texas is in current status.
4. Respondent received a Certificate in Vocational Nursing from Weatherford College, Weatherford, Texas, on September 1, 1989. Respondent received a Baccalaureate Degree in Nursing from Australia, on May 1, 1997. Respondent was licensed to practice vocational nursing in the State of Texas on December 7, 1989. Respondent was licensed to practice professional nursing in the State of Texas on September 28, 1998.

5. Respondent's nursing employment history includes:

12/1989 – 10/1990	LVN	Osteopathic Medical Center of Texas – Fort Worth, Texas
11/1990 – 01/1992	LVN	Austin Regional Clinic Austin, Texas
02/1992	Unknown	
03/1992 – 07/1997	LVN	State Nurse located in Australia
08/1997 – 12/1998	Unknown	
01/1998 – 07/1998	LVN	GYN and Fertility Specialists Atlanta, Georgia
08/1998	Unknown	
09/1998 – 05/2000	RN	Michelle Irvin, MD, Obstetrics and Gynecology – Austin, Texas
06/2000 – 08/2002	Unknown	
09/2002 – 09/2003	RN	Seton Medical Center Austin, Texas
10/2003 – 04/2005	Unknown	
05/2005 – 11/2007	RN	Renaissance Women's Group Austin, Texas
11/2007 – 12/2015	RN	Pflugerville Independent School District, Pflugerville, Texas
01/2016 – 06/2017	RN	Rockdale Independent School District, Rockdale, Texas
07/2017	Unknown	
08/2017 – 07/2018	RN	Manor Independent School District, Manor, Texas

07/2018	Unknown	
08/2018 – 10/2019	RN	Hutto Independent School District, Hutto, Texas
11/2019 – Present	Unknown	

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with Hutto Independent School District, Hutto, Texas, and had been in that position for one (1) year and two (2) months.
7. On or about October 25, 2019, while employed as a Registered Nurse with Hutto Independent School District, Hutto, Texas, Respondent engaged in the intemperate use of Alcohol in that her reasonable suspicion breathalyzer screen resulted positive for Alcohol. The use of alcohol by a nurse, while subject to call or duty, could impair the nurse's ability to recognize subtle signs, symptoms, or changes in a patient's condition, and could impair the nurse's ability to make rational, accurate, and appropriate assessments, judgements, and decisions regarding patient care, thereby placing a patient in potential danger.
8. In response to Finding of Fact Number Seven (7), Respondent states she thoughtlessly ordered an alcoholic beverage at lunch. She states upon returning to the office, she was told by one of her associates they smelled alcohol on her breath and was reported. She states she admitted to the Director of Health Services, that she had consumed a single drink at lunch. She was asked to take a breathalyzer to which she blew a BAC of .03. Respondent states this is consistent with a single drink. Respondent states her mother had recently passed and in combination with a shoulder surgery that was worse than anticipated, she began to drink more than she normally would. She states she didn't believe she had a problem but want to "nip it in the butt" and she immediately checked into a rehab clinic that specializes in grief and substance abuse treatment.
9. Respondent's compliance with the terms of a Board approved peer assistance program should be sufficient to protect patients and the public.

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(1)(B),(1)(E),(4),(5).(10)(A),(10)(D)&(11)(B).

4. The evidence received is sufficient cause pursuant to Section 301.452(b)(9)&(10), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 655403, and Vocational Nurse License Number 126936, heretofore issued to LISA LADONNA HARLEY.
5. Pursuant to Section 301.463(d), Texas Occupations Code, this Agreed Order is a settlement agreement under Rule 408, Texas Rules of Evidence, in civil or criminal litigation.
6. The Board may, in its discretion, order a nurse to participate in a peer assistance program approved by the Board if the nurse would otherwise have been eligible for referral to peer assistance pursuant to Section 301.410, Texas Occupations Code.

TERMS OF ORDER

I. PEER ASSISTANCE PROGRAM REQUIREMENTS

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL comply with the following conditions for such a time as is required for RESPONDENT to successfully complete the **Texas Peer Assistance Program for Nurses (TPAPN)**:

- A. Within forty-five (45) days following the effective date of this Order, RESPONDENT SHALL apply to TPAPN.
- B. Within ninety (90) days following the effective date of this Order, RESPONDENT SHALL sign and execute the TPAPN participation agreement and complete the enrollment process, which SHALL include payment of a non-refundable participation fee payable to TPAPN in the amount of five hundred dollars (\$500.00), if licensed as a registered nurse, or in the amount of three hundred fifty dollars (\$350.00), if licensed as a vocational nurse.
- C. Upon acceptance into the TPAPN, RESPONDENT SHALL waive confidentiality and provide a copy of the executed TPAPN participation agreement to the Texas Board of Nursing.
- D. RESPONDENT SHALL comply with all requirements of the TPAPN participation agreement during its term and SHALL keep all applicable license(s) to practice nursing in the State of Texas in current status.
- E. RESPONDENT SHALL CAUSE the TPAPN to notify the Texas Board of Nursing of any violation of the TPAPN participation agreement.

- F. This Order SHALL apply to any and all future licenses issued to RESPONDENT to practice nursing in the State of Texas.
- G. This Order SHALL be applicable to RESPONDENT'S nurse licensure compact privileges, if any, to practice nursing in the State of Texas.
- H. As a result of this Order, RESPONDENT'S license(s) will be designated "single state" and Respondent may not work outside the State of Texas in another nurse licensure compact party state.

II. COMPLIANCE WITH LAW

While under the terms of this Order, RESPONDENT agrees to comply in all respects with the Nursing Practice Act, Texas Occupations Code, §§301.001 *et seq.*, the Rules and Regulations Relating to Nursing Education, Licensure and Practice, 22 TEX. ADMIN. CODE §§211.1 *et seq.*, and this Confidential Agreed Order for Peer Assistance.

III. REMEDIAL EDUCATION COURSE(S)

In addition to any continuing education requirements the Board may require for licensure renewal, RESPONDENT SHALL successfully complete the following remedial education course(s) within one (1) year of the effective date of this Order, unless otherwise specifically indicated:

A Board-approved course in Texas nursing jurisprudence and ethics that 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. Home study and video programs will not be approved.

In order to receive credit for completion of this/these course(s), RESPONDENT SHALL CAUSE the instructor to submit a Verification of Course Completion form or SHALL submit the continuing education certificate, as applicable, to the attention of Monitoring at the Board's office. RESPONDENT SHALL first obtain Board approval of any course prior to enrollment if the course is not being offered by a pre-approved provider.

Information about Board-approved courses and Verification of Course Completion forms are available from the Board at www.bon.texas.gov/compliance.

IV. SUBSEQUENT CRIMINAL PROCEEDINGS

IT IS FURTHER AGREED, should the RESPONDENT'S conduct, as outlined in the findings of fact of this Confidential Agreed Order for Peer Assistance, result in subsequent judicial action, including a deferred disposition, RESPONDENT may be subject to further disciplinary action, up to, and including, revocation of RESPONDENT'S license(s) to practice nursing in the State of Texas.

V. CONFIDENTIALITY REQUIREMENTS

While RESPONDENT remains in compliance with the terms of this Order, this Order shall remain confidential in accordance with the authority outlined in Section 301.466(d), Texas Occupations Code. However, should RESPONDENT fail to successfully complete the terms of this Order or should RESPONDENT commit a subsequent violation of the Nursing Practice Act or Board Rules, this Order shall be treated as prior disciplinary action and will become public information.

VI. EFFECT OF NONCOMPLIANCE

SHOULD RESPONDENT fail to comply with this Order or the terms of the participation agreement with the TPAPN, such noncompliance will result in further disciplinary action including TEMPORARY SUSPENSION pursuant to Section 301.4551, Texas Occupations Code, or REVOCATION of RESPONDENT'S license(s) and nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

VII. RESTORATION OF UNENCUMBERED LICENSE(S)

Upon full compliance with the terms of this Confidential Agreed Order for Peer Assistance, all encumbrances will be removed from RESPONDENT'S license(s) and/or privilege(s) to practice nursing in the State of Texas and, subject to meeting all existing eligibility requirements in Texas Occupations Code Chapter 304, Article III, RESPONDENT may be eligible for nurse licensure compact privileges, if any.

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RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. I do acknowledge possessing a diagnosis that deems me eligible to participate in the Texas Peer Assistance Program for Nurses. By my signature on this Order, I agree to the entry of this Order and all conditions of said Order to obtain disposition of the allegations through peer assistance and to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that this Order becomes effective upon acceptance by the Executive Director on behalf of the Texas Board of Nursing and 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 TEMPORARY SUSPENSION pursuant to Section 301.4551, Texas Occupations Code, and/or possible revocation of my license(s) and/or privileges to practice nursing in the State of Texas, as a consequence of my noncompliance.

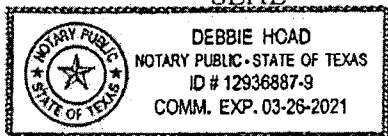
Signed this 9 day of April, 2020

Lisa Ladonna Harley
LISA LADONNA HARLEY, RESPONDENT

Sworn to and subscribed before me this 9 day of April, 2020.

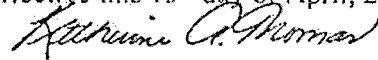
Debbie Hoad

Notary Public in and for the State of Texas



WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing does hereby ratify and adopt the Confidential Agreed Order for Peer Assistance that was signed on the 9th day of April, 2020, by LISA LADONNA HARLEY, Registered Nurse License Number 655403, and Vocational Nurse License Number 126936, and said Confidential Agreed Order for Peer Assistance is final.

Effective this 13th day of April, 2020.



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