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*Patricia A. Thomas*  
Executive Director of the Board

## BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of  
DONNA DEFOOR EVANS,  
Vocational Nurse License Number 112677

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## ORDER OF THE BOARD

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of DONNA DEFOOR EVANS, Vocational Nurse License Number 112677, 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 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 Tyler Jr College - Jacksonville, Jacksonville, Texas, on August 23, 1985. Respondent was licensed to practice vocational nursing in the State of Texas on December 4, 1985.
4. Respondent's nursing employment history includes:

12/1985 – 06/1986

LVN

Gardendale Nursing Home  
Jacksonville, Texas

Respondent's nursing employment history continued:

04/1986 – 12/1987	LVN	Toen Hall Estates Nursing Home Rusk, Texas
12/1987 – 10/1993	LVN	Texas Department of Corrections Beto Unit Tennessee Colony, Texas
06/1992 – 09/2003	LVN	ResCare Inc. Lufkin, Texas
10/2003 – 12/2004	LVN	Elite Nursing Agency Palestine, Texas
12/2004 - Present	LVN	UTMB Correctional Managed Care Conroe, Texas

5. On or about January 5, 2021, the Board provided notice to Respondent that an investigation was being initiated into alleged violations of the Nursing Practice Act and/or the Board's Rules and Regulations Relating to Nurse Education, Licensure, and Practice, as follows:

On or about July 18, 2019, while employed as a Licensed Vocational Nurse at UTMB Correctional Managed Care, Conroe, Texas, Respondent failed to assess and collaborate with the registered nurse and/or physician regarding the plan of care for Patient Number 1198298, who notified you of his history of being exposed to and treated for tuberculosis in the past, and has been coughing at night for three (3) weeks straight. Instead, you stated that the cough was related to another problem other than tuberculosis. On October 31, 2019 the patient was admitted to the hospital for military pulmonary tuberculosis, acute kidney injury, acute respiratory failure requiring ventilation, and septic shock. He died 3 days later. Respondent's conduct may have caused a delay in medical care that was needed to prevent further complications including his demise.

6. On July 16, 2021, the Board received a 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 July 13, 2021, 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 §217.11 (1)(A),(1)(B), (1)(D), (1)(M), (1)(O), (1)(P), and (2)(A) and 22 TEX. ADMIN. CODE §217.12 (1)(A),(1)(B), and (4).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10)&(13), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 112677, heretofore issued to DONNA DEFOOR EVANS, 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 Vocational Nurse License Number 112677 is accepted by the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. 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.
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 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 16<sup>th</sup> day of July, 2021

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

7-13-2021

RE: Vocational License Number 112677  
ISSUED to Donna DeFoor EVANS

I REQUEST LVN LICENSE #112677 ISSUED to Donna DeFoor EVANS  
be voluntarily SURRENDERED.

I RETIRED FROM Nursing 6-25-2021 AND HAVE NO  
INTENT TO RETURN to Nursing.

Thank You  
DONNA D EVANS (Donna DeFoor)  
PO Box 371  
Palestine TX 75802