



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 § AGREED ORDER
Vocational Nurse License Number 97590 §
issued to DONNA SUE SWIFT §
§

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of DONNA SUE SWIFT, Vocational Nurse License Number 97590, 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)(1)&(10), Texas Occupations Code.

Respondent waived notice and hearing and agreed to the entry of this Agreed Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on January 14, 2022.

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 Agreed Order.
3. Respondent's license to practice as a vocational nurse in the State of Texas is in current status.
4. Respondent received a Certificate in Vocational Nursing from Sid Peterson Memorial Hospital LVN School, Kerrville, Texas, on September 1, 1981. Respondent was licensed to practice vocational nursing in the State of Texas on December 13, 1982.
5. Respondent's nursing employment history includes:

12/1982 – 1/2010	Unknown	
2/2010 – 2012	LVN	Comfort Garden Home Unknown

Respondent's nursing employment history continued:

4/2011 – 9/2013	LVN	Texas Home Health Unknown
7/2012 – 3/2015	LVN	Knopps Nursing Fredericksburg, Texas
7/2014 – 5/2018	LVN	Hilltop Village Nursing and Rehab Center Kerrville, Texas
6/2018 – 2/2019	LVN	Brookdale Guadalupe River Plaza Kerrville, Texas
2/2019 – Present	LVN	Waterside Nursing and Rehabilitation Kerrville, Texas

6. On or about January 9, 2020, Respondent was issued the sanction of Remedial Education through an Order of the Board. A copy of the January 9, 2020, Order is attached and incorporated herein by reference as part of this Agreed Order.
7. On or about October 1, 2020, through August 12, 2021, while employed with Waterside Nursing and Rehabilitation, Kerrville, Texas Respondent continued practice nursing on a delinquent, expired license. Board records indicate Respondent's license became delinquent on October 1, 2020, and was not renewed into current, active status until August 18, 2021. Respondent's conduct mislead patients, coworkers, the public, and her employer into believing that she met all Board requirements for continued practice as a nurse.
8. On or about July 28, 2021, Respondent successfully completed the course "Sharpening Critical Thinking Skills," which would have been a requirement of this Order.
9. On or about January 29, 2022, Respondent successfully completed a Board-approved course in Texas nursing jurisprudence and ethics, which would have been a requirement of this Order.
10. In response to Findings of Fact Number (7), Respondent states she renewed her license in August 2020 using her phone, but did not recheck license status. Respondent states she does not know what happened, but when she learned her license was delinquent she went online. Respondent states when she renewed her license in 2020 she continued working and doing the job she was hired to do. This incident has made her aware to double check anything in the future.

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 Vocational Nurse License Number 97590, heretofore issued to DONNA SUE SWIFT.
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.

TERMS OF ORDER

I. SANCTION AND APPLICABILITY

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL receive the sanction of **REMEDIAL EDUCATION WITH FINE** in accordance with the terms of this Order.

- A. This Order SHALL apply to any and all future licenses issued to RESPONDENT to practice nursing in the State of Texas.
- B. This Order SHALL be applicable to RESPONDENT'S nurse licensure compact privileges, if any, to practice nursing in the State of Texas.
- C. Until successfully completed, RESPONDENT may not practice nursing in the State of Texas except in accordance with the terms of this Order.
- D. As a result of this Order, RESPONDENT'S license(s) will be designated "single state" as applicable and RESPONDENT may not work outside the State of Texas in another nurse licensure compact party state using a Texas compact license.

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 Agreed Order.

III. MONETARY FINE

RESPONDENT SHALL pay a monetary fine in the amount of two hundred fifty dollars (\$250.00) within forty-five (45) days of the effective date 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.

IV. RESTORATION OF UNENCUMBERED LICENSE(S)

Upon full compliance with the terms of this Agreed Order, 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.

BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK.

CONTINUED ON NEXT PAGE.

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. 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 is subject to ratification by the Texas Board of Nursing and a copy of this Order will be mailed to me once the Order becomes effective. 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 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 27 day of May, 2022.

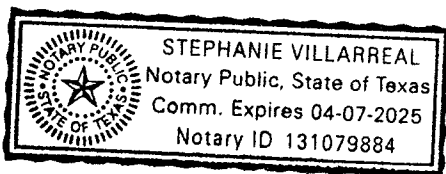
Donna Sue Swift
DONNA SUE SWIFT, RESPONDENT

Sworn to and subscribed before me this 27 day of May, 2022.

SEAL

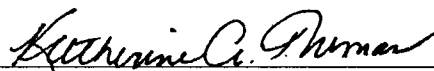
[Signature]

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 Agreed Order that was signed on the 27th day of May, 2022, by DONNA SUE SWIFT, Vocational Nurse License Number 97590, and said Agreed Order is final.

Effective this 3rd day of June, 2022.



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



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 License Number 97590
issued to DONNA SUE SWIFT

§
§
§
§

AGREED ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of DONNA SUE SWIFT, Vocational Nurse License Number 97590, 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)(10), Texas Occupations Code.

Respondent waived notice and hearing and agreed to the entry of this Agreed Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on September 5, 2019.

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 Agreed Order.
3. Respondent's license to practice as a vocational nurse in the State of Texas is in current status.
4. Respondent received a Certificate in Vocational Nursing from Sid Peterson Memorial Hospital LVN School, Kerrville, Texas, on September 1, 1981. Respondent was licensed to practice vocational nursing in the State of Texas on December 13, 1982.
5. Respondent's nursing employment history includes:

12/1982 – 1/2010 Unknown

Respondent's nursing employment history continued:

2/2010 – 2012	LVN	Comfort Garden Home Unknown
4/2011 – 9/2013	LVN	Texas Home Health Unknown
7/2012 – 3/2015	LVN	Knopps Nursing Fredericksburg, Texas
7/2014 – 5/2018	LVN	Hilltop Village Nursing and Rehab Center Kerrville, Texas
6/2018 – 2/2019	LVN	Brookdale Guadalupe River Plaza Kerrville, Texas
2/2019 – Present	LVN	Edgewater Care Center Kerrville, Texas

6. At the time of the initial incident, Respondent was employed as a licensed vocational nurse with Brookdale Guadalupe River Plaza, Kerrville, Texas, and had been in that position for eight (8) months.
7. On or about February 17, 2019, while employed with Brookdale Guadalupe River Plaza, Kerrville, Texas, Respondent was verbally abusive to Resident DL's husband in that she said, "What the hell were you thinking? I've told you not to do that. This is what you get. I'm so mad." Additionally, Respondent was observed screaming at the resident's husband and stating it was his fault his wife fell. Respondent's conduct was likely to cause emotional injury to the resident and her husband.
8. On or about February 17, 2019, while employed with Brookdale Guadalupe River Plaza, Kerrville, Texas, Respondent was verbally abusive to Resident WZ in that she was cursing at him and told him to shut up. Respondent's conduct was likely to cause emotional injury to the resident and could have interfered or disrupted this resident's treatment.

CONCLUSIONS OF LAW

- I. 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)&(6)(C).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 97590, heretofore issued to DONNA SUE SWIFT.
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.

TERMS OF ORDER

I. SANCTION AND APPLICABILITY

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL receive the sanction of REMEDIAL EDUCATION in accordance with the terms of this Order.

- A. This Order SHALL apply to any and all future licenses issued to RESPONDENT to practice nursing in the State of Texas.
- B. This Order SHALL be applicable to RESPONDENT'S nurse licensure compact privileges, if any, to practice nursing in the State of Texas.
- C. 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 Agreed Order.

III. UNDERSTANDING BOARD ORDERS

Within thirty (30) days of entry of this Order, RESPONDENT must successfully complete the Board's online course, "Understanding Board Orders", which can be accessed on the Board's website from the "Discipline & Complaints" drop-down menu or directly at: <http://www.bon.texas.gov/UnderstandingBoardOrders/index.asp>. Upon successful completion, RESPONDENT must submit the course verification at the conclusion of the course, which automatically transmits the verification to the Board.

IV. 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. 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.
- B. The course "Sharpening Critical Thinking Skills," a 3.6 contact hour online program provided by the National Council of State Boards of Nursing (NCSBN) Learning Extension.

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.

V. SUBSEQUENT CRIMINAL PROCEEDINGS

IT IS FURTHER AGREED, should the RESPONDENT'S conduct, as outlined in the findings of fact of this Agreed Order, 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.

VI. RESTORATION OF UNENCUMBERED LICENSE(S)

Upon full compliance with the terms of this Agreed Order, 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.

BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK.

CONTINUED ON NEXT PAGE.

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. 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 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 possible revocation of my license(s) and/or privileges to practice nursing in the State of Texas, as a consequence of my noncompliance.

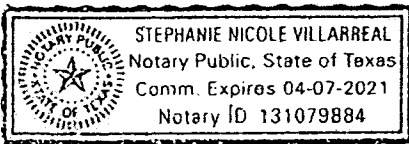
Signed this 27 day of Dec, 2019
Donna Sue Swift
DONNA SUE SWIFT, RESPONDENT

Sworn to and subscribed before me this 27 day of December, 2019.

SEAL

Stephanie Nicole Villarreal

Notary Public in and for the State of Tx



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 27th day of December, 2019, by DONNA SUE SWIFT, Vocational Nurse License Number 97590, and said Agreed Order is final.

Effective this 9th day of January, 2020.



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