

**ELIGIBILITY AND DISCIPLINARY COMMITTEE REPORT FOR**  
**February 9, 2010**

This report is written to describe E&D Committee actions and trends. There were three (3) Eligibility Requests, two (2) Petitioners for Exception to a Previous Board Order, six (6) Motions for Rehearing, nine (9) Eligibility Agreed Orders, two (2) Reinstatement Agreed Orders, thirty-six (36) Disciplinary Agreed Orders, and thirty-three (33) Default Revocation Orders.

**NATURE OF ELIGIBILITY REQUESTS AND RESOLUTIONS**

**PETITIONER / APPLICANTS: (2)**

**Approved with Stipulations (1):**

1. Female Applicant was arrested on or about September 2, 2008, for the offense of Tamper with Government Record Defraud/Harm, a State Jail felony offense. On February 17, 2009, Applicant entered a plea of Guilty to the above-mentioned offense and as a result of the plea, proceedings against Applicant were deferred without entering an adjudication of guilt. Applicant was placed on probation for a period of two (2) years. Applicant was ordered to pay restitution in the amount of \$2,194.

**Denied (1):**

1. Female Applicant was arrested on or about August 19, 2008, for the offense of Secure Execution of Document by Deception >=\$1,500 <\$20K, a State Jail felony offense. On November 4, 2008, Applicant entered a plea of Guilty to offense committed on February 11, 2007. As a result of the plea, proceedings against Applicant were deferred without entering an adjudication of guilt, and Applicant was placed on probation for a period of three (3) years. Additionally, Applicant was assessed a fine in the amount of \$300.

**MOTIONS FOR REHEARING (6):** Three (3) Denied, three (3) Granted.

**PETITIONERS FOR EXCEPTION TO A PREVIOUS BOARD ORDER (2):** Two (2) Denied.

**ELIGIBILITY AGREED ORDERS (9):** Approved.

**REINSTATEMENT AGREED ORDERS (2):** Approved.

**DISCIPLINARY AGREED ORDERS (36):** Approved.

**DEFAULT REVOCATION ORDERS (33):** Approved.

**ELIGIBILITY AND DISCIPLINARY COMMITTEE REPORT FOR  
March 23, 2010**

This report is written to describe E&D Committee actions and trends. There were two (2) Eligibility Requests, four (4) Petitioners for Exception to a Previous Board Order, three (3) Motions for Rehearing, seven (7) Eligibility Agreed Orders, three (3) Reinstatement Agreed Orders, fifty-two (52) Disciplinary Agreed Orders, and forty-seven (47) Default Revocation Orders.

**NATURE OF ELIGIBILITY REQUESTS AND RESOLUTIONS**

**PETITIONER / APPLICANTS: (2)**

**Approved with Stipulations (1):**

1. Male Petitioner arrested on July 3, 1988, for Driving While Intoxicated and entered a plea of Nolo Contendere on October 5, 1988, to the reduced misdemeanor offense of Reckless Driving and was assessed a fine in the amount of \$400. On April 6, 1992, Petitioner entered a plea of guilty to the misdemeanor offense of Theft of Property <\$50. The charge was dismissed by deferred disposition. On August 13, 1993, Petitioner was arrested for Driving While Intoxicated, and on February 7, 1994, Petitioner entered a plea of guilty to the Class B misdemeanor offense of Driving While Intoxicated- 2<sup>nd</sup>. Petitioner was sentenced to 180 days confinement in Jail, with the imposition of sentence suspended, and Petitioner was placed on misdemeanor adult probation for 24 months. On February 29, 1996, Petitioner completed probation. On February 17, 2008, Petitioner was arrested for the felony offense of Aggravated Assault Causing Serious Bodily Injury. On March 2, 2009, Petitioner entered a plea of nolo contendere to the reduced misdemeanor offense of Assault - Family Violence. Petitioner was sentenced to 120 days confinement in County Jail, with the imposition of sentence suspended, and Petitioner was placed under supervision for a period of 18 months. Petitioner entered treatment with a Psychologist in March 2008, and continued until September 2008. Petitioner sought treatment to help him deal with anger and anxiety associated with stressful events. While in treatment, Petitioner attended sessions consistently and was actively engaged in the treatment process. At the conclusion of the therapy sessions, a recommendation for participation in an anger management group was made so that he could continue developing skills for dealing with angry emotions. Petitioner completed an 8 session Anger Management Group with a Clinical Psychologist. Petitioner was an active participant in the group and he reported finding the group helpful in learning new ways of coping with feelings of anger.

**Denied (1):**

1. Female Petitioner charged with the state jail felony offense of Unauthorized Use of a Motor Vehicle on December 11, 2002. Petitioner entered a plea of guilty, proceedings were deferred without adjudication of guilt, and Petitioner was placed on five (5) years probation.

On June 1, 2006, Petitioner was discharged from probation. In a written statement to the Board, Petitioner discloses a 1999 charge of Driving Under the Influence for which she received a fine. On December 27, 1999, Petitioner was charged with the Misdemeanor offense of Theft By Check. Petitioner did not disclose any information about this offense. In 2002, Petitioner was placed on a payment plan for the following misdemeanor offenses because the fees and fines had accrued into the thousands: Failure to Appear/Seatbelt, Theft by Check, Contempt/Failure to Appear, Contempt/Contempt, Possession of Marijuana/Fleeing, and Contempt/Fleeing. In July 2004, Petitioner fell behind on her payment plan and the judge reset the payments. On December 22, 2006, Petitioner was seen by a psychologist to undergo a forensic psychological evaluation and a polygraph examination. The results of the evaluation indicated that Petitioner will NOT be able to consistently behave in accordance with the requirements of Rules 213.27 - 213.30 at 22 TAC, as well as the minimum standards set by the Board's Rules 217.11 at 22 TAC and generally accepted nursing standards. Also, Petitioner will not be able to consistently avoid behaviors identified by the Board as constituting unprofessional conduct.

**MOTIONS FOR REHEARING (3):** One (1) Granted, Two (2) Denied.

**PETITIONERS FOR EXCEPTION TO A PREVIOUS BOARD ORDER (4):** Two (2) Granted, Two (2) Denied.

**ELIGIBILITY AGREED ORDERS (7):** Approved.

**REINSTATEMENT AGREED ORDERS (3):** Approved.

**DISCIPLINARY AGREED ORDERS (52):** Approved.

**DEFAULT REVOCATION ORDERS (47):** Approved.