

**ELIGIBILITY AND DISCIPLINARY COMMITTEE REPORT FOR
November 14, 2017 and December 12, 2017**

The Eligibility and Disciplinary Committee (Committee) convened on November 14, 2017 and December 12, 2017. This report collectively summarizes the matters and decisions made at the time of the meeting¹.

Petitioners for Licensure

The Committee considered two (2) petitions for licensure:

1. Petitioner filed a Petition for Declaratory Order and disclosed the following:
 - On or about July 8, 1996, Petitioner entered a plea of Guilty to and was convicted of UNLAWFULLY CARRYING A WEAPON, a Class A misdemeanor offense committed on May 25, 1996, in the County Court at Law No. 1, Wichita County, Texas, under Cause No. 01-40210-37615. As a result of the conviction, Petitioner was ordered to pay a fine and court costs.
 - On or about December 7, 1999, Petitioner was arrested by the Wichita Falls Police Department, Wichita Falls, Texas, for BURGLARY OF BUILDING, a State Jail felony offense.

Petitioner was subsequently charged under Cause No. 38, 598A for Count II & III. On or about September 6, 2002, Cause No. 38, 598A was dismissed in 30th District Court, Wichita County, Texas, for the reason: "The Court finds that such Motion should be granted."

On or about September 6, 2002, Petitioner entered a plea of Guilty to and was convicted of Count 1 BURGLARY OF A BUILDING, a State Jail felony offense committed on November , 1999, in the 30th District Court, Wichita County, Texas, under Cause No. 38, 598A. As a result of the conviction, Petitioner was sentenced to confinement in the State Jail for a period of two (2) years; however, imposition of the sentence of confinement was suspended, and Petitioner was placed on probation for a period of three (3) years, and ordered to pay a fine and court costs.

- On or about May 1, 2001, Petitioner was arrested by the Iowa Police Department, Iowa, Texas, for UNLAWFUL CARRYING WEAPON, a Class A misdemeanor offense.

¹ This report should be reviewed in order to keep apprised of issues and decisions so that the Board may remain consistent with precedent.

On or about June 25, 2001, Petitioner entered a plea of Guilty to and was convicted of UNLAWFULLY CARRYING A WEAPON, a misdemeanor offense committed on May 1, 2001, in the County Court at Law No. 1, Wichita County, Texas, under Cause No. 02-1185 15924-E. As a result of the conviction, Petitioner was sentenced to confinement in the Wichita County Jail for a period of two (2) days with one (1) days credit given for time already served, and ordered to pay a fine and court costs.

- On or about February 11, 2002, Petitioner was arrested by the Lawton Police Department, Lawton, Oklahoma, for BURGLARY, a 2nd Degree felony offense.

On or about September 26, 2002, Petitioner entered a plea of Guilty to and was convicted of BURGLARY, a 2nd Degree felony offense committed on February 11, 2002, in the District Court, Comanche County, Oklahoma, under Case No. CF-2002-66. As a result of the conviction, Petitioner was sentenced to confinement in the State Penitentiary for a period of two (2) years, and ordered to pay restitution in the amount of one hundred twenty-five dollars (\$125.00); along with a fine and court costs.

- On or about September 19, 2002, Petitioner entered a plea of Guilty to and was convicted of RESISTING ARREST, a Class A misdemeanor offense committed on June 29, 2002, in the County Court at Law No. 1, Wichita County, Texas, under Cause No. 01-69984-M02-19707-E. As a result of the conviction, Petitioner was sentenced to confinement in the Wichita County Jail for a period of one hundred forty eight (148) days with seventy-four (74) days credit given for time already served, and ordered to pay a fine and court costs.

On or about September 19, 2002, Petitioner entered a plea of Guilty to and was convicted of EVADING ARREST/DETENTION, a Class B misdemeanor offense committed on June 29, 2002, in the County Court at Law No. 1, Wichita County, Texas, under Cause No. 01-69985-19708-E. As a result of the conviction, Petitioner was sentenced to confinement in the Wichita County Jail for a period of one hundred forty eight (148) days with seventy-four (74) days credit given for time already served, and ordered to pay a fine and court costs.

- On or about July 18, 2003, Petitioner was arrested by the Lawton Police Department, Lawton, Oklahoma, for BURGLARY, a 2nd Degree felony offense.

On or about August 20, 2003, Petitioner entered a plea of Guilty to and was convicted of BURGLARY, a 2nd Degree felony offense committed on July 18, 2003, in the District Court, Comanche County, Oklahoma, under Case No. CF-2003-330. As a result of the conviction, Petitioner was sentenced to confinement in the State Penitentiary for a period of ten (10) years, and

ordered to pay restitution in the amount of two hundred ten dollars (\$210.00); along with a fine and court costs.

- On or about January 28, 2008, Petitioner was arrested by the Still water Police Department, Stillwater, Oklahoma, for POSS OF CONTROLLED SUBSTANCE, a misdemeanor offense.

On or about January 5, 2009, Petitioner entered a plea of Guilty to and was convicted of UNLAWFUL POSSESSION OF CDS WITHOUT A PRESCRIPTION, a felony offense committed on January 28, 2008, in the District Court, Payne County, Oklahoma, under Case No. CF-2008-65. As a result of the conviction, Petitioner was sentenced to confinement in the Oklahoma Department of Corrections for a period of two (2) years, and ordered to pay a fine and court costs.

Petitioner appeared by phone. The Committee voted to **continue** the petition pending the results of a forensic psychological evaluation with polygraph examination to be conducted within 6 months.

2. Petitioner submitted a Petitioner for Declaratory Order in which she disclosed the offense of PROHIB SUBSTANCE IN A CORRECTIONAL FACILITY (TOBACCO), a 3rd Degree felony, committed on or about May 11, 2014, in Anderson County, Texas. Petitioner entered a plea of Guilty on or about April 15, 2016. As a result of the plea, the proceedings against Petitioner were deferred without entering an adjudication of guilt and Petitioner was placed on probation for a period of six (6) years, and ordered to pay a fine and court costs.

The Petitioner appeared in person. The Committee voted to **deny** the petition.

Petitioners for an Exception to a Previous Board Order

The Committee considered fourteen (14) petitions for an exception to a previous board order:

1. Petitioner requested an Exception to a previous Board Order dated September 13, 2016, requesting an unencumbered license. It was the Committee's decision to **grant** the request for an unencumbered license.
2. Petitioner requested an Exception to a previous Board Order dated May 12, 2015, requesting an unencumbered license. It was the Committee's decision to **grant** a modification to require the following: Petitioner shall successfully complete a board approved course in nursing jurisprudence and ethics and complete the NCSBN course Critical Thinking; Petitioner shall notify present/future employers of the board order; shall submit notification of employment, be subject to incident reporting, and shall submit quarterly performance evaluation forms for a period of one year.
3. Petitioner requested an Exception to a previous Board Order dated October 27, 2016, requesting modification to allow her to work home health. It was the

Committee's decision to **continue** the request pending receipt of the job description and letter offering employment from prospective employer Providian Home Health.

4. Petitioner requested an Exception to a previous Board Order dated August 9, 2016, requesting an unencumbered license. It was the Committee's decision to **deny** the request for an unencumbered license.
5. Petitioner requested an Exception to a previous Board Order dated August 9, 2016, requesting a reduction of the probation period. It was the Committee's decision to **grant** the request.
6. Petitioner requested an Exception to a previous Board Order dated August 25, 2015, requesting early release from TPAPN. It was the Committee's decision to **grant** the request.
7. Petitioner requested an Exception to a previous Board Order May 12, 2015, requesting an unencumbered license. It was the Committee's decision to **grant** a modification requiring Petitioner to be subject to incident reporting for the remainder of the order.
8. Petitioner requested an Exception to a previous Board Order dated December 13, 2016, requesting an unencumbered license. It was the Committee's decision to **deny** the request.
9. Petitioner requested an Exception to a previous Board Order dated February 12, 2013, requesting an unencumbered license. It was the Committee's decision to **grant** request to lift limited license status with the following stipulations: Petitioner must successfully complete a refresher course, Nursing Jurisprudence with Ethics, Critical Thinking, notify employers, submit notification of employment forms, be subject to general supervision, submit notification of performance evaluation forms, abstain from drugs, alcohol, etc., and submit random drug screens for a period of two (2) years.
10. Petitioner requested an Exception to a previous Board Order dated October 27, 2016, requesting restrictions be lifted. It was the Committee's decision to **grant** a modification removing direct supervision and adding incident reporting.
11. Petitioner requested an Exception to a previous Board Order dated December 8, 2015, requesting restrictions be removed. It was the Committee's decision to **grant** the request to lift limited license status with the following stipulations: Petitioner must notify employers, submit notification of employment forms, be subject to incident reporting, submit notification of performance evaluation forms, abstain from drugs, alcohol, etc., and submit random drug screens for a period of one (1) year.
12. Petitioner requested an Exception to a previous Board Order dated February 14, 2017, requesting an unencumbered license. It was the Committee's decision to **deny** the request for an unencumbered license.

13. Petitioner requested an Exception to a previous Board Order dated February 9, 2016, requesting an unencumbered license. It was the Committee's decision to **deny** the request for an unencumbered license.
14. Petitioner requested an Exception to a previous Board Order dated September 26, 2016, requesting early release from TPAPN. It was the Committee's decision to **grant** the request for early release from TPAPN.

Motions for Rehearing

No motions for rehearing were considered by the Committee.

Orders Ratified:

Eighty (80) disciplinary agreed orders were approved.

Fifteen (15) reinstatement agreed orders were approved.

Five (5) eligibility agreed orders were approved.

Thirty (30) default revocation orders were approved.

Two (2) deferred disciplinary action agreed order was approved.

Six (6) KSTAR Pilot Program agreed orders were approved.