

**ELIGIBILITY AND DISCIPLINARY COMMITTEE REPORT FOR**  
**February 10, 2009**

This report is written to describe E&D Committee actions and trends. There were two (2) Eligibility Requests, three (3) Petitioners for Exception to a Previous Board Order, two (2) Motions for Rehearing, seven (7) Eligibility Agreed Orders, four (4) Reinstatement Agreed Orders, twenty-seven (27) Disciplinary Agreed Orders, thirty-six (36) Default Revocation Orders, and one (1) Proposal for Decision.

**NATURE OF ELIGIBILITY REQUESTS AND RESOLUTIONS**

**PETITIONER / APPLICANTS: (2)**

**Approved with Stipulations (1):**

1. Female Applicant was arrested Oct. 27, 2000 for the offense of Assault Causing Bodily Injury - Family Member (Class A misdemeanor) by the Commerce Police Depart. Applicant pled guilty and proceedings were deferred w/o adjudication of guilt. Applicant was placed on six (6) months probation and assessed a fine and courts costs in the amount of \$501. Applicant arrested for 2<sup>nd</sup> degree felony offense of Burglary of Habitation in Angelina County on Nov. 11, 2003. Applicant entered a plea of guilty to reduced Class A misdemeanor Criminal Trespass and proceedings were deferred w/o adjudication of guilt. Applicant was placed on six (6) months probation and assessed a fine and court costs in the amount of \$635. On April 22, 2004, Applicant entered plea of nolo contendere to misdemeanor Theft and was fined \$295. Applicant arrested June 23, 2005 for Driving While License Invalid in Angelina County, Texas and entered a plea of guilty and was fined \$362. Applicant arrested Jan. 12, 2006 for Theft of Property  $\geq$ \$20<\$500 by Check by Lufkin Police Depart. and was ordered to make full restitution.

**Approved without Stipulations (1):**

1. Male Petitioner arrested on January 31, 2000 for the offense of Theft of Property, > \$1,500 < 20K, for theft which took place in Odessa, Texas, on or about Nov. 27, 1999. Petitioner entered a plea of guilty in the District Court of Ector County, Texas, and was placed on deferred adjudication beginning July 26, 2000 for three (3) years, plus fine and court costs totaling \$3,500. Petitioner released from probation August 11, 2003.

**MOTIONS FOR REHEARING (2):** Denied.

**PETITIONERS FOR EXCEPTION TO A PREVIOUS BOARD ORDER (3):**

1. One (1) Request *Denied*.
2. One (1) Request *Granted*.
3. One (1) part *Granted* and one (1) part *Denied*. Female Petitioner was Granted her request to work 20 hours per month instead of 64 hours. Petitioner's request that she be allowed to work with any nursing agency, home health agency, or other hospice agency, other than with the facility she is now employed was Denied.

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

**REINSTATEMENT AGREED ORDERS (4):** Approved.

**DISCIPLINARY AGREED ORDERS (27):** Approved.

**DEFAULT REVOCATION ORDERS (36):** Approved.

**PROPOSAL FOR DECISION (1):** Approved.

**ELIGIBILITY AND DISCIPLINARY COMMITTEE REPORT FOR  
March 10, 2009**

This report is written to describe E&D Committee actions and trends. There were two (2) Eligibility Requests, three (3) Petitioners for Exception to a Previous Board Order, two (2) Motions for Rehearing, five (5) Eligibility Agreed Orders, five (5) Reinstatement Agreed Orders, fifty-five (55) Disciplinary Agreed Orders, and twenty-six (26) Default Revocation Orders.

**NATURE OF ELIGIBILITY REQUESTS AND RESOLUTIONS**

**PETITIONER / APPLICANTS: (2)**

**Approved with Stipulations (2):**

1. Male Petitioner entered a plea of no contest to the Class B Misdemeanor offense of Possession of Alcohol by a Minor in the County Court at Law of Blanco County, Texas, on March 21, 2000. On January 23, 2003, Petitioner entered a plea of guilty to the Class B Felony offense of Conspiracy to Possess Marijuana with Intent to Distribute in the United States District Court, Western District of Texas. Petitioner was committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of thirty (30) months. Upon release from imprisonment, Petitioner shall be on supervised release for a term of five (5) years. In addition to the imprisonment and supervised release terms, the Court imposes a \$100 special assessment, substance abuse treatment, random drug testing, and abstain from alcohol. On June 2, 2005, Petitioner started his term of supervised release in the Western District of Texas, Austin Division, after his release from McCade Halfway House in Austin, Texas. On January 13, 2006, Petitioner was arrested for Driving While Intoxicated and his conditions of supervision were modified to include the Home Confinement Program with electronic monitoring and participation in an intensive drug and alcohol release program. Petitioner has completed three (3) years and six (6) months of his term of supervised release. On August 3, 2006, Petitioner entered a plea of no contest and was convicted of the Class B Misdemeanor offense of Driving While Intoxicated, in the County Court at Law of Hays County, Texas. On April 4, 2008, Petitioner completed all terms of probation and was discharged.
2. Female Applicant on June 13, 2008, was issued a Decision and Order by the Board of Registered Nursing Department of Consumer Affairs, State of California, placing her license on three (3) years probation.

**MOTIONS FOR REHEARING (2):** Approved.

**PETITIONERS FOR EXCEPTION TO A PREVIOUS BOARD ORDER (3):** Approved.

**ELIGIBILITY AGREED ORDERS (5):** Approved.

**REINSTATEMENT AGREED ORDERS (5):** Approved.

**DISCIPLINARY AGREED ORDERS (55):** Approved.

**DEFAULT REVOCATION ORDERS (26):** Approved.