

**ELIGIBILITY AND DISCIPLINARY COMMITTEE REPORT FOR
March 8, 2022 and May 10, 2022**

The Eligibility and Disciplinary Committee (Committee) convened on **March 8, 2022** and **May 10, 2022**. This report collectively summarizes the matters and decisions made at the time of the meeting¹.

Petitions for an Exception to a Previous Board Order

The Committee considered eight (9) petitions for an exception to a previous board order:

1. The Committee met to review the material submitted by Petitioner and Staff. Petitioner requested an Exception to a previous Board Order dated September 14, 2021, requesting that the enforced suspension be lifted. It was the Committee's decision to **grant** APRN & Prescriptive Authority license Inactive through Order allowing RN practice with Indirect Supervision for the remainder of the Order.
2. The Committee met to review the material submitted by Petitioner and Staff. Petitioner requested an Exception to a previous Board Order dated July 18, 2013, requesting an unencumbered license. It was the Committee's decision to **deny** the request and grant Indirect Supervision by physician.
3. The Committee met to review the material submitted by Petitioner and Staff. Petitioner requested an Exception to a previous Board Order dated April 30, 2019, requesting to allowance to work for Devinity Hospice. It was the Committee's decision to **deny** the request and grant physician supervision.
4. The Committee met to review the material submitted by Petitioner and Staff. Petitioner requested an Exception to a previous Board Order dated January 11, 2021, requesting allowance to work agency in 3 to 6 month increments and early release from his Board Order 3 to 6 months. It was the Committee's decision to **grant** the request to allow him to accept agency work in 3 to 6 month increments and deny early release from the Board Order.
5. The Committee met to review the material submitted by Petitioner and Staff. Petitioner requested an Exception to a previous Board Order dated February 8, 2022, requesting allowance to work for Texas Health Arlington Memorial Hospital through Advantage Medical Professionals. It was the Committee's decision to **grant** the request with a minimum of three-month assignments.

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

Petitions for an Exception to a Previous Board Order (cont.)

6. The Committee met to review the material submitted by Petitioner and Staff. Petitioner requested an Exception to a previous Board Order dated November 14, 2019, requesting early termination of her Texas Peer Assistance Program for Nurses participation. It was the Committee's decision to **deny** the request.
7. The Committee met to review the material submitted by Petitioner and Staff. Petitioner requested an Exception to a previous Board Order dated January 23, 2014, requesting allowance to work for Salud Health Care Services as an Intake Nurse Coordinator. It was the Committee's decision to **grant** the request.
8. The Committee met to review the material submitted by Petitioner and Staff. Petitioner requested an Exception to a previous Board Order dated October 27, 2016, requesting an unencumbered license. It was the Committee's decision to **deny** the request and grant reduced monitoring to one year.
9. The Committee met to review the material submitted by Petitioner and Staff. Petitioner requested an Exception to a previous Board Order dated July 22, 2021, requesting an unencumbered license. It was the Committee's decision to **deny** the request.

Motions for Rehearing:

The Committee considered three (3) Motions for Rehearing.

1. The Board issued a default order against the Respondent's license on January 20, 2022, based upon a default dismissal issued by the State Office of Administrative Hearings on September 16, 2021. Respondent, through counsel, filed a timely Motion for Rehearing. Additionally, Respondent provided a record that negated a portion of the allegations against the Respondent. The record were not included in the records provided by the facility to the Board during its investigation. Staff verified with the facility's director of nursing that the record was in fact of the facility archived records. The director of nursing could not explain why it had not been provided to the Board during its original investigation. It was the Committee's decision to **grant** the motion, which vacated the Order of the Board issued on January 20, 2022 and approved the signed Agreed Order provided by Board Staff.
2. Movant failed to answer the Formal Charges filed or appear at the Eligibility and Disciplinary Committee Meeting on February 8, 2022. Therefore, Movant was revoked by default. Movant filed a Motion for Rehearing thirty (30) days after the Order of the Board was entered. During the open meeting, Movant provided information sufficient to comply with Board Rule 213.16(j) and it was the Committee's decision to **grant** the motion, which vacated the Order of the Board issued on February 8, 2022.

Motions for Rehearing (cont.)

3. Movant failed to answer the Formal Charges filed or appear at the Eligibility and Disciplinary Committee Meeting on March 8, 2022. Therefore, Movant was revoked by default. Movant filed a Motion for Rehearing thirty (30) days after the Order of the Board was entered. During the open meeting, Movant did not provide sufficient information to comply with Board Rule 213.16(j) and it was the Committee's decision to **deny** the motion. The Order of the Board issued on March 8, 2022 remains in effect.

Petitions for Licensure:

There were no Petitions for Licensure.

Orders Ratified:

Fifty-two (52) Disciplinary Agreed Orders were approved.

Six (6) Reinstatement Agreed Orders were approved.

Eight (8) Eligibility Agreed Orders were approved.

Nine (9) K-STAR Pilot Program Agreed Orders were approved.

One (1) Deferred Disciplinary Action Agreed Orders were approved.

Thirty-three (33) Default Revocation Orders were approved.