

**LVN Reference Resources -
Former Chapter 302. Licensed Vocational Nurses (Texas Occupations Code)**

Former Chapter 302 of the Texas Occupations Code (TOC) relating to Licensed Vocational Nurses was repealed on February 1, 2004. Former § 302.402. Grounds for Disciplinary Action has been requested frequently by nurses. The excerpts below from former Chapter 302 are for reference purposes only. Regulation of licensed vocational nurses is now located in Chapters 301, 303 and 304 of the Texas Occupations Code following passage of HB 1483 during the 78th Regular Texas Legislative Session (2003).

Former Sec. 302.402. Grounds for Disciplinary Action.

- (a) a person is subject to disciplinary action under section 302.403 for:
- (1) a violation of this chapter or a rule or order issued under this chapter;
 - (2) fraud or deceit in obtaining or attempting to obtain a license to practice vocational nursing;
 - (3) a conviction for:
 - (A) a felony; or
 - (B) a misdemeanor that involves moral turpitude;
 - (4) use of a nursing license, certificate, diploma, or permit or a transcript of such a document that has been fraudulently purchased, issued, counterfeited, or materially altered;
 - (5) impersonating or acting as a proxy for another person in an examination required by law to obtain a license to practice vocational nursing;
 - (6) knowingly aiding or abetting an unlicensed person in connection with the unauthorized practice of vocational nursing;
 - (7) revocation, suspension, or denial of the person's license to practice vocational or practical nursing in another jurisdiction;
 - (8) revocation, suspension, or denial of a license or privilege to practice professional nursing in this state or in another jurisdiction;
 - (9) intemperate use of alcohol or drugs;
 - (10) unprofessional or dishonorable conduct that, in the board's opinion, is likely to deceive, defraud, or injure the public;
 - (11) adjudication of mental incompetency; or
 - (12) lack of fitness to practice because of a mental or physical health condition that could result in injury to a patient or the public.
- (b) For purposes of Subsections (a)(7) and (a)(8), a certified copy of an order of denial, suspension, or revocation is conclusive evidence of that fact.

Former §302.402 was effective September 1, 2001 through February 1, 2004.