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4. The staff of the Board of Nurse Examiners reviewed the application and supporting documentation provided by the APPLICANT; and, on or about May 24, 1995, recommended that APPLICANT's eligibility be considered by the Eligibility and Disciplinary Committee of the Board.
5. On or about May 21, 1979, in the County Court in and for Randall County, Texas, in Cause Number 8789, APPLICANT was convicted of the offense of theft of property of the value of \$20 or more but less than \$200 and was assessed a fine of \$25.00.
6. The offense described in Finding of Fact Number 5 was committed on or about October 8, 1975.
7. APPLICANT paid said fine on May 21, 1979.
8. There is no evidence of any subsequent conviction.
9. On or about June 13, 1995, the Eligibility and Disciplinary Committee of the Board considered the evidence, including the nature and seriousness of the offense, and the absence of any subsequent conviction.
10. Ten letters of support/recommendation were received at the Board in favor of the APPLICANT.
11. The Board's review of the grounds for potential ineligibility has been made on the basis of APPLICANT's disclosures.
12. APPLICANT has been advised by the Board that incomplete or incorrect disclosures or subsequent acquisition of a basis for ineligibility will be considered by the Board and may result in an ultimate determination of ineligibility.

CONCLUSIONS OF LAW

1. The Board of Nurse Examiners has jurisdiction over this matter pursuant to Texas Revised Civil Statutes, Annotated, as amended, Article 4525(a).
2. APPLICANT has submitted an application in compliance with TEX. REV. CIV. STAT. ANN., as amended, Article 4519.
3. APPLICANT's criminal history reflects a felony or misdemeanor involving moral turpitude which is a ground for denial of a license under Article 4525(b)(3), TEX. REV. CIV. STAT. ANN., as amended.

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4. The Board may license an individual who has a previous conviction upon consideration of the factors set out in 22 Texas Administrative Code, Section 213.29.

NOW, THEREFORE, IT IS ORDERED that JAMES DALE LONG, is declared conditionally eligible to sit for the National Council Licensure Examination for Registered Nurses and shall be issued a Graduate Nurse Permit subject to the reservations set out above. Upon attaining a passing grade on the NCLEX-RN and payment of necessary fees, APPLICANT shall be issued a license to practice nursing in the State of Texas.

Entered this 13th day of June, 1995.

BOARD OF NURSE EXAMINERS  
FOR THE STATE OF TEXAS

BY:

  
Louise Waddill, Ph.D., R.N.  
Executive Director on behalf  
of said Board