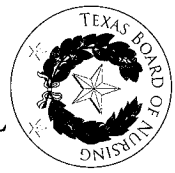
IN THE MATTER OF	§	BEFORE THE ELIGIBIL
	§	
PERMANENT CERTIFICATE	§	AND DISCIPLINARY
	§	
NUMBER 600728	§	COMMITTEE
	§	
ISSUED TO	§	OF THE TEXAS
	§	
RICK DONALD CROY	§	BOARD OF NURSING



I do hereby certify this to be a complete, accurate, and true copy of the document which is on file or is of record in the offices of the Texas Board of Nursing.

Executive Director of the Board

ORDER OF THE BOARD

TO: Rick Donald Croy
724 Sleepy Hollow Dr.
Cedar Hill, TX 75104

During open meeting held in Austin, Texas, on Tuesday, March 23, 2010, the Eligibility and Disciplinary Committee (hereinafter "Committee") heard the above-styled case. This case was heard, and based on the failure of the Respondent to appear as required by 22 TEX. ADMIN. CODE Ch. 213.

The Committee of the Texas Board of Nursing finds that notice of the facts or conduct alleged to warrant disciplinary action has been provided to Respondent in accordance with Texas Government Code § 2001.054(c) and Respondent has been given an opportunity to show compliance with all the requirements of the Nursing Practice Act, chapter 301 of the Texas Occupations Code, for retention of Respondent's license to practice professional nursing in the State of Texas.

The Committee finds that the Formal Charges were properly initiated and filed in accordance with section 301.458, Texas Occupations Code.

The Committee finds that after proper and timely Notice regarding the violations alleged in the Formal Charges was given to Respondent in this matter, Respondent has failed to appear in accordance with 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that the Board is authorized to enter a default order pursuant to Texas Government Code § 2001.056.

The Eligibility and Disciplinary Committee, after review and due consideration, adopts the proposed findings of fact and conclusions of law as stated in the Formal Charges which are attached hereto and incorporated by reference for all purposes and the Staff's recommended sanction of revocation by default. This Order will be properly served on all parties and all parties will be given an opportunity to file a motion for rehearing (22 TEX. ADMIN.CODE § 213.2(j)). All parties have a right to judicial review of this Order.

All proposed findings of fact and conclusions of law filed by any party not specifically adopted herein are hereby denied.

NOW, THEREFORE, IT IS ORDERED that Permanent Certificate Number 600728, previously issued to RICK DONALD CROY, to practice professional nursing in the State of Texas be, and the same is hereby, REVOKED.

IT IS FURTHER ORDERED that Permanent Certificate Number 600728, previously issued to RICK DONALD CROY, upon receipt of this Order, be immediately delivered to the office of the Texas Board of Nursing.

IT IS FURTHER ORDERED that this Order SHALL be applicable to Respondent's multi-state privilege, if any, to practice professional nursing in the State of Texas.

Entered this 23rd day of March, 2010.

TEXAS BOARD OF NURSING

BY: _____
KATHERINE A. THOMAS, MN, RN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

Re: Permanent Certificate Number 600728
Issued to Rick Donald Croy
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 24th day of March, 2010, a true and correct copy of the foregoing DEFAULT ORDER was served by placement in the U.S. Mail via certified mail, and addressed to the following person(s):

Rick Donald Croy
724 Sleepy Hollow Dr.
Cedar Hill, TX 75104

BY: Katherine A. Thomas
KATHERINE A. THOMAS, MN, RN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

In the Matter of Permanent License	§	**BEFORE THE TEXAS**
Number 600728, Issued to	§	
RICK DONALD CROY, Respondent	§	**BOARD OF NURSING**

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, RICK DONALD CROY, is a Registered Nurse holding license number 600728, which is in delinquent status at the time of this pleading.

Written notice of the facts and conduct alleged to warrant adverse licensure action was sent to Respondent at Respondent's address of record and Respondent was given opportunity to show compliance with all requirements of the law for retention of the license prior to commencement of this proceeding.

CHARGE I.

On or about March 23, 1992, Respondent entered a plea of Guilty and was convicted of UNLAWFUL CARRYING WEAPON (a Class A misdemeanor offense committed on February 14, 1992), in the Criminal Court 3, Dallas County, Texas, under Cause No. MA9222124. As a result of the conviction, Respondent was sentenced to confinement in the Dallas County Jail for a period of sixty (60) days; however, the imposition of sentence of confinement was suspended, and Respondent was placed on probation for a period of twelve (12) months. Additionally, Respondent was ordered to pay a fine and court costs.

The above action constitutes grounds for disciplinary action in accordance with Article 4525(a)(9), TEX. REV. CIV. STAT. ANN.(eff. 09/01/1991).

CHARGE II.

On or about March 23, 1992, Respondent entered a plea of No Contest/Nolo Contendere/Guilty to POSSESSION OF MARIJUANA (a Class B misdemeanor offense committed on February 14, 1992), in the Criminal Court 3, Dallas County, Texas, under Cause No. MA9222125. As a result of the plea, the proceedings against Respondent were deferred without entering an adjudication of guilt and Respondent was placed on probation for a period of six (6) months. Additionally, Respondent was ordered to pay a fine and court costs. On or about September 23, 1992, Respondent's probation was dismissed with No Finding of Guilt.

The above action constitutes grounds for disciplinary action in accordance with Article 4525(a)(9), TEX. REV. CIV. STAT. ANN.(eff. 09/01/1991).

CHARGE III.

On or about July 6, 2000, Respondent entered a plea of Guilty to UNLAWFUL POSSESSION OF A CONTROLLED SUBSTANCE TO WIT COCAINE (a State Jail felony offense committed on February 10, 2000), in the 265th Judicial District Court of Dallas County, Texas, under Cause No. F-0045567-PR. As a result of the plea, the proceedings against Respondent were deferred without entering an adjudication of guilt and Respondent was placed on probation for a period of five (5) years. Additionally, Respondent was ordered to pay a fine and court costs.

On or about April 13, 2001, a Motion to Proceed with an Adjudication of Guilt was filed in the 265th Judicial District Court for the reason: "Richard Donald Croy did violate condition (b) in that he did use Cocaine on or about March 26, 2001, without first obtaining a prescription for said substance from a licensed physician."

On or about April 25, 2001, an order of Continuation and Modification Special Condition was filed in the 265th Judicial District Court requiring Respondent to serve a term of confinement and treatment in a substance abuse treatment facility for a term of not less than 90 days or more than 1 year.

On or about October 9, 2001, an Order Modifying The Conditions of Community Supervision was entered in the 265th Judicial District Court requiring Defendant to remain in the substance abuse felony punishment facility for no more than one (1) year.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10), Texas Occupations Code, (eff. 09/01/1999) and Section 301.452(b)(10), Texas Occupations Code, (eff. 09/01/2001).

NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of up to revocation of Respondent's license to practice nursing in the State of Texas pursuant to the Board's rules, 22 TEX. ADMIN. CODE §§ 213.27 - 213.33. Additionally, staff will seek to impose on Respondent the administrative costs of the proceeding pursuant to § 301.461, TEX. OCC. CODE ANN. The cost of proceedings shall include, but is not limited to, the cost paid by the Board to the State Office of Administrative Hearings and the Office of the Attorney General or other Board counsel for legal and investigative services, the cost of a court reporter and witnesses, reproduction of records, Board staff time, travel, and expenses. These shall be in an amount of at least one thousand two hundred dollars ($1200.00).

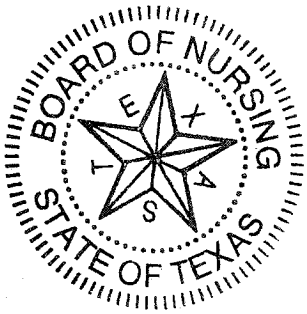
NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, www.bon.state.tx.us.

NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Guidelines for Criminal Conduct and on Adopted Disciplinary Sanction Policies for Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder, which can be found at the Board's website, www.bon.state.tx.us.

NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, which can be found at www.bon.state.tx.us/disciplinaryaction/discp-matrix.html.

Filed this 29th day of January, 20 10.

TEXAS BOARD OF NURSING



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