

state, territory or country, whether or not a sentence was imposed, including any pending criminal charges or unresolved arrest (excluding minor traffic violations)? This includes expunged offenses and deferred adjudications with or without prejudice of guilt. Please note that DUI's, DWI's, PI's must be reported and are not considered minor traffic violations. (One time minor in possession [MIP] or minor in consumption [MIC] do not need to be disclosed, therefore, you may answer "No". If you have two or more MIP's or MIC's, you must answer "Yes"."

5. On or about August 11, 1997, Applicant entered a plea of guilty to DEST/REM/CONCEAL WRITING (a Class A misdemeanor offense committed on March 16, 1997), in the County Criminal Court No. 1, of Tarrant County, Texas, under Cause No. 0650557. As a result of the guilty plea, the proceedings against Applicant were deferred without entering an adjudication of guilt, and Applicant was placed on probation for a period of twelve (12) months. Additionally, Applicant was ordered to pay a five hundred dollar (\$500) fine and court costs. Furthermore, Applicant was ordered to complete eighty (80) hours of Community Service Restitution, and to successfully complete the Probation Assistance, Guidance and Evaluation (PAGE) program.
6. On or about October 3, 1997, Applicant entered a plea of guilty to THEFT OF PROPERTY OF THE VALUE OF \$1,500 OR MORE BUT LESS THAN \$20,000 (a State Jail Felony offense committed on April 27, 1997), in the 292nd Judicial District Court of Dallas County, Texas, under Cause No. F-9776061. As a result of the guilty plea, the proceedings against Applicant were deferred without entering an adjudication of guilt, and Applicant was placed on probation for a period of four (4) years. Additionally, Applicant was ordered to pay a four dollar (\$4.00) fine and court costs. Furthermore, Applicant was ordered to complete one hundred twenty hours (120) of Community Service Restitution.
7. On or about November 12, 1999, Applicant entered a plea of guilty to THEFT BY CHECK \$20 - \$500 (a Class B Misdemeanor offense committed on March 29, 1999), in the County Criminal Court at Law No. 6, of Harris County, Texas, under Cause No. 9937274. As a result of the guilty plea, the proceedings against Applicant were deferred without entering an adjudication of guilt, and Applicant was placed on Community Supervision for a period of one (1) year. Additionally, Applicant was ordered to pay a five hundred dollar (\$500) fine and court costs. Furthermore, Applicant was ordered to complete thirty (30) hours of Community Service Restitution.

On or about April 12, 2000, an Order Modifying Conditions of Community Supervision was entered in the County Criminal Court at Law No. 6, of Harris County, Texas, under Cause No. 9937274. As a result, Applicant was ordered to serve ten (10) days in the Harris County Jail (with two (2) days credit given), beginning April 12, 2000, and Applicant's fine and court cost schedule was modified.

On or about December 1, 2000, a Second Order Modifying Conditions of Community Supervision was entered in the County Criminal Court at Law No. 6 of Harris County, Texas,

under Cause No. 9937274. As a result, the Court ordered a four (4) month extension of Applicant's Community Supervision, with a new expiration date of March 11, 2001.

8. On or about May 4, 2004, Applicant entered a plea of guilty and was convicted of PROHIBITED WEAPONS (a Class A Misdemeanor offense committed on March 4, 2004), in the County Criminal Court at Law No. 6, of Harris County, Texas, under Cause No. 1223272. As a result of the conviction, Applicant was sentenced to serve two (2) days confinement in the Harris County Jail (with two (2) days credit given for time already spent in jail), and Applicant was ordered to pay a four hundred dollar (\$400) fine and courts costs.
9. On or about October 18, 2005, Applicant submitted a Texas Online Renewal Document for Licensed Vocational Nurses to the Board of Nurse Examiners for the State of Texas in which he provided false, deceptive and/or misleading information, in that he answered "No" to the question: *"Have you been convicted, adjudged guilty by a court, plead guilty, no contest or nolo contendere to any crime in any state, territory or country, whether or not a sentence was imposed, including any pending criminal charges or unresolved arrest (excluding minor traffic violations) since the last renewal? This includes expunged offenses and deferred adjudications with or without prejudice of guilt. Please note that DUI's, DWI's, PI's must be reported and are not considered minor traffic violations. (one time minor in possession [MIP] or minor in consumption [MIC] do not need to be disclosed, therefore, you may answer "No". If you have two or more MIP's or MIC's, you must answer "Yes".)"*
10. Applicant has sworn that with the exception of matters disclosed in connection with the Temporary License/Endorsement Application his past behavior conforms to the Board's professional character requirements.
11. On May 6, 2007, the Executive Director considered evidence of Applicant's behavior in light of the character factors set out in 22 Texas Administrative Code, §213.27 and determined that Applicant currently demonstrates the criteria required for good professional character.
12. Applicant presented sufficient evidence that he would not pose a direct threat to the health and safety of patients and the public.
13. The Executive Director's review of the grounds for potential ineligibility has been made on the basis of Applicant's disclosures.
14. Applicant has been advised by the Board that any information found to be incomplete, incorrect or misleading to the Board or a subsequent discovery of a basis of ineligibility will be considered by the Board and may result in an ultimate determination of ineligibility or the later revocation of a license obtained through fraud or deceit.

CONCLUSIONS OF LAW

1. The Board of Nurse Examiners has jurisdiction over this matter pursuant to Section 301.453 *et seq.*, Texas Occupations Code.
2. Applicant has submitted a Temporary License/Endorsement Application in compliance with 301.260 *et seq.*, Texas Occupations Code.
3. The evidence is sufficient cause to take disciplinary action under Section 301.452 *et seq.*, Texas Occupations Code, and, therefore, sufficient cause to deny licensure.
4. The action taken by another jurisdiction is grounds for denial of a license under Section 301.452 *et seq.*, Texas Occupations Code.
5. Applicant shall immediately notify the Board of any fact or event that could constitute a ground of ineligibility for licensure under Section 301.452 *et seq.*, Texas Occupations Code.
6. The Board may license an individual with prior behaviors inconsistent with the Board's character requirements if, upon evaluation of the factors in 22 Texas Administrative Code §213.27, the Board is satisfied that the individual is able to consistently conform his conduct to the requirements of the Nursing Practice Act, the Board's Rules and Regulations, and generally accepted standards of nursing practice.

ORDER

IT IS THEREFORE AGREED that the application of RAYMOND BRISCOE, APPLICANT, is hereby CONDITIONALLY GRANTED and shall be subject to the following conditions:

(1) APPLICANT SHALL obtain and read the Texas Nursing Practice Act, and the Rules and Regulations Relating to Nurse Education, Licensure and Practice.

(2) Upon payment of the necessary fees, APPLICANT SHALL be issued a license to practice nursing in the State of Texas, which shall bear the appropriate notation.

(3) Upon receiving authorization to practice nursing in Texas, APPLICANT SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas as amended,

Texas Occupations Code, §§301.001 *et seq.*, the Rules and Regulations Relating to Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.01 *et seq.* and this Order.

(4) APPLICANT SHALL, within one (1) year of initial licensure in the State of Texas, successfully complete a course in Texas nursing jurisprudence and ethics. APPLICANT SHALL obtain Board approval of the course prior to enrollment only if the course is not being offered by a pre-approved provider. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include nurses. It shall be a minimum of six (6) contact hours in length. The course's content shall include the Nursing Practice Act, standards of practice, documentation of care, principles of nursing ethics, confidentiality, professional boundaries, and the Board's Disciplinary Sanction Policies regarding Sexual Misconduct, Fraud, Theft and Deception, Nurses with Chemical Dependency, and Lying and Falsification. Courses focusing on malpractice issues will not be accepted. APPLICANT SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to the Office of the Board to verify APPLICANT's successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure. *Board-approved courses may be found at the following Board website address:*
<http://www.bne.state.tx.us/about/stipscourses.html>

(5) APPLICANT SHALL pay a monetary fine in the amount of five hundred dollars (\$500.00). APPLICANT SHALL pay this fine within forty-five (45) days of entry of this Order. Payment is to be made directly to the Board of Nurse Examiners in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to APPLICANT's multistate licensure privilege, if any, to practice nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that while APPLICANT's license is encumbered by this Order the APPLICANT may not work outside the State of Texas pursuant to a multistate licensure privilege without the written permission of the State of Texas and the Board of Nursing in the party state where APPLICANT wishes to work.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, APPLICANT SHALL be issued unencumbered licenses and multistate licensure privileges, if any, to practice nursing in the State of Texas.

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APPLICANT'S CERTIFICATION

I am the Applicant in this matter. I have fully and truthfully disclosed all of my past convictions and I have caused a complete and accurate criminal history to be submitted to the Board of Nurse Examiners from each jurisdiction in which I have been convicted. I certify that my past behavior, except as disclosed in my Temporary License/Endorsement Application has been in conformity with the Board's professional character rule. I have provided the Board with complete and accurate documentation of my past behavior in violation of the penal law of any jurisdiction which was disposed of through any procedure short of conviction such as conditional discharge, deferred adjudication or dismissal. I have no criminal prosecution pending in any jurisdiction.

In connection with my application, I acknowledge that I have read and I understand Sections 301.157, 301.252, 301.253, 301.260, and 301.452(b) of the Texas Occupations Code, and Chapter 53, Section 53.001 *et seq.*, and Board Rules at 213.27, 213.28, and 213.29 22 Texas Administrative Code which are incorporated by reference as a part of this Order. I agree with all terms of this Order and any stipulations. I agree to inform the Board of any other grounds for denial of licensure prior to accepting any permit or license from the Board of Nurse Examiners.

I understand that if I fail to comply with all terms and conditions of this Order, I will be subject to investigation and disciplinary sanction, including revocation of my licenses to practice nursing in the State of Texas, as a consequence of my noncompliance.

I understand that I can be represented by an attorney in this matter. I waive representation, notice, administrative hearing, and judicial review of this Order and request that the Executive Director of the Board of Nurse Examiners enter this Order.

Signed this 23 day of August, _____

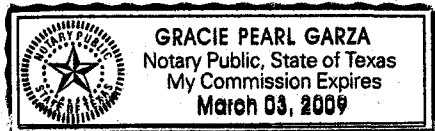
[Handwritten Signature]

RAYMOND BRISCOE, APPLICANT

Sworn to and subscribed before me this 23rd day of August, 07.

[Handwritten Signature]
Notary Public in and for the State of Texas

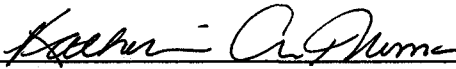
SEAL



WHEREFORE, PREMISES CONSIDERED, the Executive Director on behalf of the Board of Nurse Examiners for the State of Texas does hereby ratify and adopt the Order of Conditional Eligibility that was signed on the 23rd day of August, 2007, by RAYMOND BRISCOE, APPLICANT, for Temporary License/Endorsement Application and LVN License Number 179828, and said Order is final.

Entered this 17th day of September, 2007.

BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

By: 
Katherine A. Thomas, MN, RN
Executive Director
on behalf of said Board