

IN THE MATTER OF REGISTERED
NURSE PERMANENT CERTIFICATE
NUMBER 574141 and VOCATIONAL
NURSE NUMBER 129945 ISSUED TO
CLIFFORD WILLIAM WHITE

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BEFORE THE ELIGIBILITY
AND DISCIPLINARY
COMMITTEE OF THE BOARD
OF NURSE EXAMINERS OF TI
STATE OF TEXAS



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.
William P. Thomas
Executive Director of the Board

ORDER OF THE BOARD

TO: Clifford William White
1420 S. Knox
Odessa, Texas 79763

During open meeting held in Austin, Texas, on June 12, 2007, 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 file a written response to the Formal Charges as required by 22 TEX. ADMIN. CODE § 213.16.

The Committee of the Board of Nurse Examiners 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 and vocational 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 of the violations alleged in the Formal Charges were given to Respondent in this matter, Respondent has failed to file an answer in accordance with 22 TEX. ADMIN. CODE § 213.16.

The Committee finds that the Board is authorized to enter a default order pursuant to Texas

Government Code § 2001.056 and 22 TEX. ADMIN. CODE § 213.16.

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 to set aside the default order (22 TEX. ADMIN. CODE § 213.16(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 Registered Nurse Permanent Certificate Number 574141 and Vocational Nurse Number 129945 , previously issued to CLIFFORD WILLIAM WHITE, to practice professional and vocational nursing in the State of Texas be, and the same is hereby, REVOKED.

IT IS FURTHER ORDERED that Registered Nurse Permanent Certificate Number 574141 and Vocational Nurse Number 129945 , previously issued to CLIFFORD WILLIAM WHITE, upon receipt of this Order, be immediately delivered to the office of the Board of Nurse Examiners for the State of Texas.

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

Entered this 12th day of June, 2007.

BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

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

Re: Registered Nurse Permanent Certificate Number
574141 and Vocational Nurse Number 129945
Issued to CLIFFORD WILLIAM WHITE
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 18 day of June, 2007, 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):

Clifford William White
1420 S. Knox
Odessa, Texas 79763

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

In the Matter of Permanent License § **BEFORE THE BOARD**
Number 574141 and 129945, Issued to § **OF NURSE EXAMINERS**
CLIFFORD WILLIAM WHITE, Respondent § **FOR THE STATE OF TEXAS**

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, CLIFFORD WILLIAM WHITE, is a Registered Nurse holding license number 574141, which is in current status at the time of this pleading, and a Vocational Nurse holding license number 129945, which 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 September 21, 2006, Respondent plead "guilty" and was "convicted" in the United States District Court, Western District of Texas, Midland/Odessa Division, Midland, Texas, of Count One - "Possession of Matter Containing Visual Depictions of Minors Engaging in Sexually Explicit Conduct" (a felony offense that ended on April 27, 2006) and Count Two - "Production of Visual Depictions of Minors Engaging in Sexually Explicit Conduct" (a felony offense that ended on June 6, 2005). On December 6, 2006, Respondent was committed into the custody of the United States Bureau of Prisons, to be imprisoned for a term of one hundred-twenty (120) months on Count One and one hundred-eighty (180) months on Count Two (with the sentences of imprisonment to run concurrently). Additionally, it was ordered that upon release from imprisonment, Respondent would be placed on supervised release for a term of ten (10) years on each of Counts One and Two (with the two separate terms of supervised release to be served concurrently).

The above action constitutes grounds for disciplinary action in accordance with Sections 53.021(b) and 301.452(b)(3)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(13).

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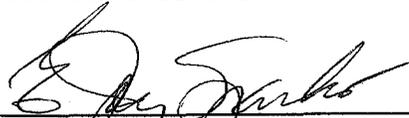
NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of revocation of Respondent's license to practice nursing in the State of Texas pursuant to the Board's rules, 22 TEX. ADMIN. CODE §§ 213.27 - 213.33 and TEX. OCC. CODE Ch. 53. Additionally, staff will seek to 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.bne.state.tx.us.

NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Sanction Policies for Sexual Misconduct which can be found at the Board's website, www.bne.state.tx.us.

Filed this 16th day of April, 2007.

BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS



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