

6. On or about May 24, 1994, Respondent submitted an Application By Examination to the Board of Vocational Nurse Examiners for the State of Texas in which he provided false, deceptive, and/or misleading information, in that he answered "No" to the following question:

"Have you ever been convicted and/or pled guilty to a felony or misdemeanor other than a minor traffic violation? (If yes, attach certified copies of the charges and disposition papers, and your explanation of the circumstances.)"

- On or about May 3, 1969, Respondent was arrested for the offense of PL in Garden City, KS.
 - On or about July 21, 1969, Respondent was arrested for the offense of A&B Signed Comp in Garden City, KS.
 - On or about July 28, 1970, Respondent was arrested for the offense of Forgery & Uttering in Garden City, KS.
 - On or about November 25, 1970, Respondent was arrested for the offense of GL-So in Garden City, KS.
 - On or about February 1, 1971, Respondent was arrested for the offense of Burglary in Garden City, KS.
 - On or about March 2, 1974, Respondent was arrested for the misdemeanor offense of Possession of Marijuana in Garden City, KS.
 - On or about May 7, 1974, Respondent was arrested for the Felony offense of Carrying a Firearm in Kansas City, MO.
 - On or about May 10, 1974, Respondent was arrested for the offense of False Statement to Firearms Dealer in Topeka, KS.
 - On or about November 14, 1976, Respondent was arrested for the offense of Assault and Battery in Garden City, KS.
7. On or about March 11, 1971, Respondent was convicted of the offense of Burglary, in the FINNEY COUNTY COURT HOUSE, GARDEN CITY, KANSAS, Cause #23692. Respondent was sentenced to One (1) year in the Kansas State Independent Reformatory, and was paroled on March 21, 1972.
8. On or about September 25, 1974, Respondent was convicted of the felony offense of False Statement to Firearms Dealer, in Topeka, Kansas Case #01607520. Respondent was sentenced to Three (3) years in the Federal Correctional Institute in Fort Worth, Texas and paroled on November 12, 1975.

9. Respondent states the following reason for his non-disclosure:

"I say this from my heart: I am so very sorry for the foolish indiscretions of my youth. I can't go back , and undo what I've done. So I decided to go forward and do my best to do better while learning from the mistakes I made in my youth. My reason for non-disclosure; a civil attorney told me if I had not committed any acts of "immoral turpitude" in the past 10 years I didn't have disclose my past (16+ years past) record to anyone. I did not mean to deceive anyone when I went to nursing school. All I can tell you is that my family was living in poverty, and I went back to school to better provide for them. I don't have any court documents related to any of these charges; for you see they are all over 32 years old."

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555 , the Board has jurisdiction over this matter.
2. Notice was served in accordance with law.
3. The evidence received is sufficient to prove violations Section 301.452(b)(2), (4) & (10)and 22 TEX. ADMIN. CODE §217.12(6)(I).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 146851, heretofore issued to DONALD JOSEPH JACOB, including revocation of Respondent's license to practice vocational nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that RESPONDENT SHALL receive the sanction of a REMEDIAL EDUCATION WITH A FINE, and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Texas Occupations Code §§301.001 *et seq.*, the Rules and Regulations Relating to Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.1 *et seq.* and this Order.

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

IT IS FURTHER AGREED and ORDERED that while Respondent's license is encumbered by this Order, Respondent 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 Respondent wishes to work.

IT IS FURTHER AGREED that:

(1) RESPONDENT SHALL deliver the wallet-sized license issued to DONALD JOSEPH JACOB to the office of the Texas Board of Nursing within ten (10) days of the date of ratification of this Order for appropriate notation.

(2) RESPONDENT SHALL pay a monetary fine in the amount of two hundred fifty dollars (\$250.00). RESPONDENT SHALL pay this fine within forty-five(45) days of entry of this Order. Payment is to be made directly to the Texas Board of Nursing in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

(3) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in Texas nursing jurisprudence and ethics. RESPONDENT 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 Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder; and Lying and Falsification. Courses focusing on malpractice issues will not be accepted. RESPONDENT 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 RESPONDENT'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.bon.state.tx.us/disciplinaryaction/stipscourses.html>.

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

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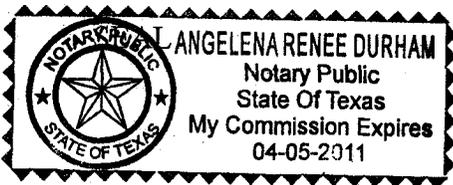
RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that when this Order becomes final and the terms of this Order become effective, a copy will be mailed to me. 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 license to practice vocational nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 14 day of Oct, 2008.

Donald J. Jacob
DONALD JOSEPH JACOB, Respondent

Sworn to and subscribed before me this 14th day of October, 2008.



Ad Durham
Notary Public in and for the State of Texas

WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby ratify and adopt the Agreed Order that was signed on the 14 day of October, 2008, by DONALD JOSEPH JACOB, Vocational Nurse License Number 146851, and said Order is final.

Effective this 22 day of October, 2008.


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