

IN THE MATTER OF
PERMANENT CERTIFICATE
NUMBER 196852
ISSUED TO
CHRISTOPHER WAYNE FERGUSON

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BEFORE THE ELIGIBILITY
AND DISCIPLINARY
COMMITTEE
OF THE TEXAS
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.
Patricia R. Thomas
Executive Director of the Board

ORDER OF THE BOARD

TO: Christopher Wayne Ferguson
4920 Thistle Dr. #67
Tyler, Texas 75703

During open meeting held in Austin, Texas, on November 12, 2008, 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 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 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 196852, previously issued to CHRISTOPHER WAYNE FERGUSON, to practice vocational nursing in the State of Texas be, and the same is hereby, REVOKED.

IT IS FURTHER ORDERED that Permanent Certificate Number 196852, previously issued to CHRISTOPHER WAYNE FERGUSON, 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 vocational nursing in the State of Texas.

Entered this 12th day of November, 2008.

TEXAS BOARD OF NURSING

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

Re: Permanent Certificate Number 196852
Issued to CHRISTOPHER WAYNE FERGUSON
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 17 day of November, 2008, 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):

Christopher Wayne Ferguson
4920 Thistle Dr. #67
Tyler, Texas 75703

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

In the Matter of Vocational Nurse § **BEFORE THE TEXAS**
License Number 196852, Issued to §
CHRISTOPHER WAYNE FERGUSON, Respondent § **BOARD OF NURSING**

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, CHRISTOPHER WAYNE FERGUSON, is a Vocational Nurse holding license number 196852, which is in current 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 May 23, 1995, Respondent's probation, which was granted on or about March 1, 1995, for the offense of "Assault Causes Bodily Injury," in Cause Number 2C95-0187, (a Class A Misdemeanor), was revoked in the Bell County, Texas, Court at Law. As a result of the revocation of Respondent's probation, Respondent was convicted of the above stated offense and sentenced to confinement in the Bell County Jail for a period of twenty (20) days.

The above action constitutes grounds for disciplinary action in accordance with Section 302.402(a)(3) & (10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §239.11(22)&(29).

CHARGE II.

On January 12, 2005, Respondent was arrested for "Driving While Intoxicated" (a Class B Misdemeanor offense that occurred on November 19, 2004). On April 27, 2005, Respondent plead "No Contest" and was found "Guilty" of a lesser offense "Reckless Driving" under Cause Number 22429, in the Panola County Texas, Court At Law. Respondent was required to pay a fine and court costs.

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

CHARGE III.

On or about July 13, 2006, while employed with Henderson Health and Rehabilitation Center, Henderson, Texas, Respondent misappropriated approximately seventeen (17) tablets of Hydrocodone belonging to Patient E.D., in that the blister pack which previously contained the medication was found in Respondent's personal belongings in his home. Respondent's conduct was likely to defraud the facility and patients of the cost of the medications.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A) and 22 TEX. ADMIN. CODE §217.12(1)(B),(6)(G), (8)&(11)(B).

CHARGE IV.

On or about July 13, 2006, while employed with Henderson Health and Rehabilitation Center, Henderson, Texas, Respondent failed to follow the policy and procedure for the wastage of medication (17) tablets of Hydrocodone belonging to Patient E.D. Respondent's conduct was likely to deceive the hospital pharmacy and placed them in violation of Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, 22 TEX. ADMIN. CODE §217.11(1)(A), and 22 TEX. ADMIN. CODE §217.12(1)(B),(10)(C)&(11)(B).

CHARGE V.

On or about October 1, 2006, through October 2, 2006, while employed with Tyler Professional Staffing, Tyler, Texas, and working at Henderson Memorial Hospital, Henderson, Texas, Respondent failed to administer medications to the following patients as ordered by the physician as follows:

Date/ Time	Patient #	Medication	Physician's Order	MAR	Nurses Notes	Wastage
10/1/06 18:00	434254	Zosyn 4.5gm	Zosyn 4.5 gm Dextrose 5% water 100ml bag Rate: 200MLS/HR Duration: 30min Q6hrs	None	N/A	N/A
10/2/06 00:00	434254	Zosyn 4.5gm	Zosyn 4.5 gm Dextrose 5% water 100ml bag Rate: 200MLS/HR Duration: 30min Q6hrs	None	N/A	N/A

Date/Time	Patient #	Medication	Physician's Order	MAR	Nurses Notes	Wastage
10/2/06 02:30	435707	Ancef 1G	Cefazolin 1 G IV Q 12 hr	None	N/A	N/A
10/2/06 05:30	434254	Gentamicin 120mg	Gentamicin 120 mg PB 100ml bag Rate 200 MLS/HR Duration: 30 Q 8 hrs	None	N/A	N/A
10/2/06 06:00	434254	Zosyn 4.5gm	Zosyn 4.5 gm Dextrose 5% water 100ml bag Rate: 200MLS/HR Duration: 30min Q6hrs	None	N/A	N/A

Respondent's conduct was likely to injure the patient in that failure to administer medications as ordered by the physician could have resulted in nonefficacious treatment.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(B)&(C), and 22 TEX. ADMIN. CODE §217.12(1)(A)&(B) & (4).

CHARGE VI.

On or about October 2, 2006, while employed with Tyler Professional Staffing, Tyler, Texas, and working at Henderson Memorial Hospital, Henderson, Texas, Respondent withdrew Meperidine from the medication dispensing system for Patient Medical Record Number 182783 at 6:38am, but failed to completely and accurately document the administration of the medication in the patient's Medication Administration Record (MAR) and/or Nurses Notes as follows:

Date/Time	Patient #	Medication	Physician's Order	MAR	Nurses Notes	Wastage
10/2/06 06:38	182783	Demerol 75mg/1.5 mL	Demerol 25mg with Phenergan 25mg 1 dose	None	N/A	None

Respondent's conduct was likely to injure the patients in that subsequent care givers would rely on her documentation to further medicate the patient which could result in an overdose.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A)&(D), and 22 TEX. ADMIN. CODE §217.12(1)(B),(4),&(11)(B).

CHARGE VII.

On or about October 2, 2006, while employed with Tyler Professional Staffing, Tyler, Texas, and working at Henderson Memorial Hospital, Henderson, Texas, Respondent withdrew Meperidine from the medication dispensing system for Patient Medical Record Number 182783 at 6:38am, but failed to follow the policy and procedure for the wastage of the medication as follows:

Date/Time	Patient #	Medication	Physician's Order	MAR	Nurses Notes	Wastage
10/2/06 06:38	182783	Demerol 75mg/1.5 mL	Demerol 25mg with Phenergan 25mg 1 dose	None	N/A	None

Respondent's conduct was likely to deceive the hospital pharmacy and placed them in violation of Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, 22 TEX. ADMIN. CODE §217.11(1)(A), and 22 TEX. ADMIN. CODE §217.12(1)(B),(10)(C)&(11)(B).

CHARGE VIII.

On or about October 2, 2006, while employed with Tyler Professional Staffing, Tyler, Texas, and working at Henderson Memorial Hospital, Henderson, Texas, Respondent misappropriated Meperidine belonging to the facility and patients thereof, or failed to take precautions to prevent such misappropriation. Respondent's conduct was likely to defraud the facility and patients of the cost of the medications.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(1)(B),(6)(G)&(11)(B).

CHARGE IX.

On or about October 4, 2006, Respondent submitted a Texas Online Renewal Document to the Texas Board of Nursing in which Respondent provided false, deceptive, and/or misleading information in that you answered "No" to the following question:

"Have you ever been convicted, placed on community supervision whether or not adjudicated guilty, sentenced to serve jail or prison time or granted pre-trial diversion, or plead guilty, no contest or nolo contendere to any crime in any state, territory or country, or received a court order whether or not a sentence was imposed, including any pending criminal charges or unresolved arrests whether or not on appeal (excluding minor Class C traffic violations)..."

On January 12, 2005, Respondent was arrested for "Driving While Intoxicated" (a Class B misdemeanor offense that occurred on November 19, 2004). On April 27, 2005, Respondent plead "No Contest" and was found "Guilty" of a lesser offense "Reckless Driving" (a Class B misdemeanor) under Cause Number 22429, in the Panola County Court At Law. Respondent was required to pay a fine and court costs.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(2)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(6)(H)&(I).

CHARGE X.

On April 28, 2008, Respondent plead "GUILTY" to "OBTAINING CONTROLLED SUBSTANCE BY FRAUD" (a Third Degree Felony offense committed on March 23, 2006) under Cause No. CR06-321, in the 4th Judicial District Court, Rusk County, Texas. An adjudication of guilt was deferred, and Respondent was placed on probation for a period of five (5) years and ordered to pay a fine and court costs.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(3)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(11)(B)&(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. 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).

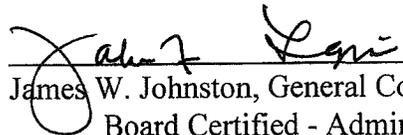
NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, www.bon.state.tx.us.

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

NOTICE IS ALSO GIVEN that Respondent's past disciplinary history, as set out below and described in the Order of Conditional Eligibility which is attached and incorporated by reference as part of these charges, will be offered in support of the disposition recommended by staff: Agreed Order dated October 26, 2004.

Filed this 6th day of August, 2008.

TEXAS BOARD OF NURSING


James W. Johnston, General Counsel
Board Certified - Administrative Law
Texas Board of Legal Specialization
State Bar No. 10838300

Victoria North, Assistant General Counsel
State Bar No. 00789585

John F. Legris, Assistant General Counsel
State Bar No. 00785533
333 Guadalupe, Tower III, Suite 460
Austin, Texas 78701
P: (512) 305-6824
F: (512) 305-8101 or (512)305-7401

Attachments: Order of Conditional Eligibility of the Board dated October 26, 2004

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of	§	
CHRISTOPHER WAYNE FERGUSON	§	ORDER OF
PETITIONER for Eligibility for	§	CONDITIONAL ELIGIBILITY
Licensure	§	

On the date entered below, the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, considered the Petition for Declaratory Order and supporting documents filed by CHRISTOPHER WAYNE FERGUSON, hereinafter referred to as PETITIONER, together with any documents and information gathered by staff and PETITIONER's Certificate contained herein. Information received by the Board produced evidence that PETITIONER may have violated Section 301.452 *et seq.*, Texas Occupations Code.

PETITIONER waived representation by counsel, notice and hearing, and agreed to the entry of this Order offered on September 16, 2004, by Katherine A. Thomas, MN, RN, Executive Director.

FINDINGS OF FACT

1. On or about May 14, 2004, Petitioner submitted a Petition for Declaratory Order requesting a determination of eligibility for licensure in compliance with Section 301.257 *et seq.*, Texas Occupations Code.
2. Petitioner waived representation, notice, administrative hearing, and judicial review.
3. Petitioner graduated with a Diploma in Vocational Nursing from Panola College, Carthage, Texas, in August 2004.

4. Petitioner disclosed the following criminal history, to wit:

On October 11, 2001, Petitioner was charged with the misdemeanor offense of Criminal Trespass in the County Court of Harrison County, Texas. Proceedings were deferred without adjudication of guilt and Petitioner was sentenced to one (1) year probation.

5. Petitioner failed to disclose the following criminal history:

- A. On March 1, 1995, Petitioner was charged with the misdemeanor offense of Assault Causing Bodily Injury in the County Court at Law No. 2 of Bell County, Texas. Petitioner entered a plea of guilty and proceedings were deferred without adjudication of guilt and Petitioner was sentenced to one (1) year probation.

- B. On November 5, 1999, Petitioner was arrested for the misdemeanor offense of Driving While License Suspended by the Mt. Pleasant Police Department. In a written statement to the Board, Petitioner states that he was arrested for Driving While License Suspended for a no insurance ticket that Petitioner states he paid. No charges were filed since Petitioner was an active duty soldier.

- C. On April 6, 2004, Petitioner was convicted of the misdemeanor offense of Accident Involving Damage to a Vehicle in the County Court at Law of Panola County, Texas, and assessed a fine and court fees in the amount of four hundred ninety-one dollars (\$491.00).

6. There is no evidence of any subsequent criminal conduct.

7. The Board received letters of support/recommendation for Petitioner from the following:

- A letter of recommendation dated April 22, 2004, was submitted on behalf of Petitioner by Ann Baldree, RN, BSN, Vocational Nursing Program, Panola College, Carthage, Texas.
- A letter of reference dated April 29, 2004, was submitted on behalf of Petitioner by Varonica Dickerson, RN, BSN, Vocational Nursing Program, Panola College, Carthage, Texas.

8. Licensure of Petitioner poses no direct threat to the health and safety of patients or the public.

9. The Executive Director's review of the grounds for potential ineligibility has been made on the basis of the information provided by Petitioner.

10. Petitioner has sworn that his past behavior conforms to the Board's professional character requirements. Petitioner presented no evidence of behavior which is inconsistent with good professional character.
11. Petitioner has been advised that any information found to be incomplete, incorrect, or misleading will be considered and may result in an ultimate determination of ineligibility or the later revocation of a license obtained through misrepresentation.
12. On September 16, 2004, the Executive Director considered evidence of Petitioner's past behavior in light of the character factors set out in 22 Texas Administrative Code §213.27 and determined that Petitioner currently demonstrates the criteria required for good professional character.

CONCLUSIONS OF LAW

1. The Board of Nurse Examiners has jurisdiction over this matter pursuant to Section 301.453, Texas Occupations Code.
2. Petitioner has submitted a petition in compliance with Section 301.257 *et seq.*, Texas Occupations Code.
3. Petitioner's criminal history reflects criminal conduct which is grounds for denial of a license under Section 301.452 *et seq.*, Texas Occupations Code.
4. Petitioner shall immediately notify the Board of any fact or event that could constitute a ground of ineligibility for licensure under Section 301.452, Texas Occupations Code.
5. The Board may license an individual who has been previously convicted, adjudged guilty by a court, pled guilty or pled nolo contendere to any crime whether or not a sentence was imposed upon consideration of the factors set out in 22 Texas Administrative Code §213.28 and evaluating the direct relationship to nursing according to Chapter 53, Section 53.001 *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

NOW, THEREFORE, IT IS ORDERED that upon meeting the requirements for graduation and payment of any required fees, CHRISTOPHER WAYNE FERGUSON, PETITIONER, is CONDITIONALLY ELIGIBLE to sit for the National Council Licensure Examination for Vocational Nurses (NCLEX-PN® Examination). PETITIONER SHALL NOT be eligible for temporary authorization to practice as a Graduate Vocational Nurse in the State of Texas.

IT IS FURTHER ORDERED that PETITIONER 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 Vocational Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.01 *et seq.*, and this Order.

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

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

IT IS FURTHER ORDERED that PETITIONER, upon attaining a passing grade on the NCLEX-PN®, shall be issued a license to practice vocational nursing in the State of Texas which shall bear the appropriate notation and PETITIONER SHALL be subject to the following stipulations.

(1) PETITIONER SHALL, within one (1) year of initial licensure in the State of Texas, successfully complete a course in Texas nursing jurisprudence. PETITIONER SHALL obtain

Board approval of the course prior to enrollment. 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, and documentation of care. Courses focusing on malpractice issues will not be accepted. PETITIONER 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 PETITIONER'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 on the Board's website, www.bne.state.tx.us (under BNE events).*

(2) PETITIONER SHALL, within one (1) year of initial licensure in the State of Texas, successfully complete a course in nursing ethics. PETITIONER SHALL obtain Board approval of the course prior to enrollment. Home study courses and video programs will not be approved. The course shall be a minimum of six (6) contact hours in length. In order for the course to be approved, the target audience shall include Nurses. The course shall include content on the following: principles of nursing ethics; confidentiality; and professional boundaries. PETITIONER SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to verify PETITIONER's successful completion of the course. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure. *Board approved courses may be found on the Board's website, www.bne.state.tx.us (under BNE events).*

(3) PETITIONER SHALL pay a monetary fine in the amount of eight hundred dollars (\$800.00). PETITIONER SHALL pay this fine within Ninety (90) 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, that upon full compliance with the terms of this Order, PETITIONER 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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PETITIONER'S CERTIFICATION

I am the Petitioner in this matter. I have fully and truthfully disclosed all of my past criminal conduct, 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 adjudged guilty by way of conviction or deferred order. I certify that my past behavior, except as disclosed in my Petition for Declaratory Order, 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 petition, I acknowledge that I have read and I understand Section 301.257, Texas Occupations Code, Section 301.452(a), (b) and (c), Texas Occupations Code, and Chapter 53, Section 53.001 *et seq.*, Texas Occupations Code, and Board Rules 213.27, 213.28, and 213.29 at 22 Texas Administrative Code. I agree with all terms of this Order, including the Findings of Fact and Conclusions of Law and any stipulations as set out in this Order. I acknowledge that this Order is stipulated and I understand that I am not eligible to receive a Graduate Vocational Nurse Permit to practice. I agree to inform the Board of any other fact or event that could constitute a ground for denial of licensure prior to registering for the NCLEX-PN® Examination or 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 license to practice vocational 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.

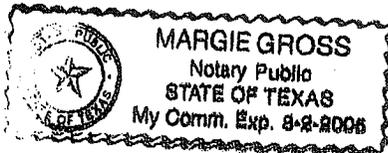
Signed this 10th day of October, 2004.

Christopher Wayne Ferguson
CHRISTOPHER WAYNE FERGUSON, PETITIONER

Sworn to and subscribed before me this 10th day of Oct, 2004.

SEAL

Margie Gross
Notary Public in and for the State of TX



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 18th day of October, 2004, by CHRISTOPHER WAYNE FERGUSON, PETITIONER, for Petition for Declaratory Order, and said Order is final.

Entered this 26th day of October, 2004.

BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS



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