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.
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Registered Nurse	§	AGREED
License Number 684611	§	
issued to THEODORE J. DISQUE	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of THEODORE J. DISQUE, Registered Nurse License Number 684611, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(10) (eff. 9/1/2007), Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on February 6, 2012, by Katherine A. Thomas, MN, RN, FAAN, Executive Director, subject to ratification by the Board.

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was served on Respondent and Respondent was given an opportunity to show compliance with all requirements of the law for retention of the license(s).

2. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order.

3. Respondent is currently licensed to practice registered nursing in the State of Texas.

4. Respondent received a Baccalaureate Degree in Nursing from University of Texas-Pan American-DE, Edinburg, Texas, on December 19, 2001. Respondent was licensed to practice professional nursing in the State of Texas on February 26, 2002.

5. Respondent's professional nursing employment history includes:

2/02 - 11/04	RN	McAllen Medical Center McAllen, Texas
11/04 - 5/05	unknown	
5/05 - 11/08	RN/CNO	Doctor's Hospital at Renaissance Edinburg, Texas
11/08 - 9/09	RN Magnet Program Director	Doctor's Hospital at Renaissance Edinburg, Texas
9/09 - Present	RN Nursing Informatics Analyst	Doctor's Hospital at Renaissance Edinburg, Texas

6. On or about March 18, 2009, Respondent entered a plea of Guilty and was convicted of DRIVING WHILE INTOXICATED, a Class B Misdemeanor offense, in the County Court at Law No.3 of Cameron County, Texas, under Cause No. 07-CCR-7303-A. As a result of the conviction, Respondent was sentenced to confinement in the Cameron County Jail for a period of six (6) months; however, imposition of the sentence of confinement was suspended, and Respondent was placed on probation for a period of twelve (12) months and ordered to pay a fine and court costs.

7. On or about March 24, 2009, Respondent entered a plea and was convicted of DRIVING WHILE INTOXICATED, a Class B Misdemeanor offense, in the County Court at Law No.2 of Hidalgo County, Texas, under Cause No. CR-08-10497-B. As a result of the conviction, Respondent was sentenced to confinement in the Hidalgo County Jail for a period of thirty (30) days; however, the imposition of the sentence of confinement was suspended, and Respondent was placed on probation for a period of ninety (90) days and ordered to pay a fine. On or about July 28, 2009, Respondent was discharged from probation.

8. In response to Findings of Fact Numbers Six (6) and Seven (7), Respondent states: He was under a large amount of stress. His father had passed away and he had more work than he could handle. Since September 25, 2008, he had been completely sober. He has also changed his work position.

9. Formal Charges were filed on March 22, 2011.

10. Formal Charges were mailed to Respondent on March 23, 2011.

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 violation of Section 301.452(b)(10) (eff. 9/1/2007), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(13)(eff.8/1/2008).

4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 684611, heretofore issued to THEODORE J. DISQUE, including revocation of Respondent's license(s) to practice 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 LIMITED LICENSE with Stipulations, 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 nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

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

IT IS FURTHER AGREED that:

(1) While under the terms of this Order, RESPONDENT SHALL NOT provide direct

patient care. For the purposes of this Order, direct patient care involves a personal relationship between the Nurse and the client, and includes, but is not limited to: teaching, counseling, assessing the client's needs and strengths, and providing skilled nursing care.

(2) SHOULD RESPONDENT desire to return to a clinical practice setting, which would require her to provide direct patient care, RESPONDENT SHALL petition the Board for such approval.

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CONTINUED ON NEXT PAGE.

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 this Order is subject to ratification by the Board. When this Order is ratified, the terms of this Order become effective, and 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(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 1 day of MARCH, 2012.

THEODORE J. DISQUE, Respondent

Sworn to and subscribed before me this 1st day of MARCH, 2012.

SEAL

Norma L. Herrera

Notary Public in and for the State of TEXAS

NORMA L. HERRERA
MY COMMISSION EXPIRES
August 12, 2012

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 1st day of March, 2012, by THEODORE J. DISQUE, Registered Nurse License Number 684611, and said Order is final.

Effective this 19th day of April, 2012.

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