BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS
****

In the Matter of	§	ELIGIBILITY
ROBERT JOHN PITTMAN	§	
APPLICANT for Eligibility for Licensure	§	AGREED ORDER

On the date entered below, the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, considered the Application for Licensure by Endorsement and supporting documents filed by ROBERT JOHN PITTMAN, hereinafter referred to as APPLICANT, together with any documents and information gathered by staff and APPLICANT's Certificate contained herein. Information received by the Board produced evidence that APPLICANT may have violated Section 301.452(8) *et seq.*, Texas Occupations Code.

APPLICANT waived representation by counsel, notice and hearing, and agreed to the entry of this Order offered on April 27, 2007, by Katherine A. Thomas, MN, RN, Executive Director.

FINDINGS OF FACT

1. On or about March 13, 2007, Applicant submitted an Application for Licensure by Endorsement in compliance with Section 301.260 *et seq.*, Texas Occupations Code.

2. Applicant waived representation, notice, administrative hearing, and judicial review.

3. Applicant received a Certificate in Vocational Nursing from the 2076th US Army Reserve Forces School, Wilmington, Delaware, in July 1993.

4. Applicant completed the application for licensure by endorsement and answered "yes" to Question Number Fifteen (15), which reads as follows: *"Has any licensing authority refused to issue you a license or ever revoked, annulled, cancelled, accepted surrender of, suspended, placed on probation, refused to renew a professional license or certificate held by you now or previously, or ever fined, censured, reprimanded or otherwise disciplined you?"*

5. On November 26, 2004, Applicant was issued a Letter of Reprimand Censure by the Office of the Professions, Division of Professional Licensing Services, State of New York. A copy of the November 26, 2004, New York Letter of Reprimand Censure is attached and incorporated by reference as part of this Order.

6. Applicant has sworn that with the exception of matters disclosed in connection with the Application for Licensure by Endorsement, his past behavior conforms to the Board's professional character requirements.

7. After considering the action taken by the New York Board of Nursing along with Applicant's conduct since November 26, 2004, the Executive Director is satisfied that Applicant is able to meet the requirements of the Nursing Practice Act, the Board's Rules and Regulations, and generally accepted standards of nursing practice.

8. On April 27, 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.

9. Applicant presented sufficient evidence that he would not pose a direct threat to the health and safety of patients and the public, provided Applicant complies with the stipulations outlined in this Order.

10. The Executive Director's review of the grounds for potential ineligibility has been made on the basis of Applicant's disclosures.

11. 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 an Application for Licensure by Endorsement in compliance with 301.260 *et seq.*, Texas Occupations Code.

3. The evidence in Finding of Fact Number Five (5) 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 ROBERT JOHN PITTMAN, 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 Vocational Nurse Education, Licensure and Practice.

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

(3) Upon receiving licensure to practice vocational 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 §211.1 *et seq.* and this Order.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to APPLICANT's multistate licensure privilege, if any, to practice vocational 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.

(4) APPLICANT SHALL, within one (1) year of initial licensure, 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.*

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

APPLICANT'S CERTIFICATION

I am the Applicant in this matter. I have fully and truthfully disclosed all relevant information in conformity with Rule 213.29 at Texas Administrative Code. I certify that my past behavior, except as disclosed in my Application for Licensure by Endorsement, 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 and have no pending cases in any jurisdiction.

In connection with my application, 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 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 set out in this Order. I agree to inform the Board of any other fact or event that could constitute a ground 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 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 19 day of July, 2007.

Robert John Pittman

ROBERT JOHN PITTMAN, APPLICANT

Sworn to and subscribed before me this 19 day of July, 2007.

SEAL

Don Parks

Notary Public in and for the State of Texas, Travis Cty

DON PARKS
Notary Public, State of Texas
My Commission Expires
August 18, 2010

CONFIDENTIAL

THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK

OFFICE OF PROFESSIONAL DISCIPLINE, PROSECUTIONS DIVISION
195 MONTAGUE STREET, 4TH FLOOR, BROOKLYN, NEW YORK 11201-3631
Tel. (718) 246-3060
Fax (718) 246-3096

Re: Robert Pittman, L.P.N. File #(s) 2403795
License # 233174

STATEMENT

TO: The New York State Office of Professional Discipline
The New York State Board for Nursing

I wish to settle and dispose of the misconduct allegations which are pending against me, to wit: unprofessional conduct (on or about June 12, 2004, while I was employed and on duty at St. Elizabeth Ann's Health Care and Rehabilitation Center, Staten Island, N.Y., I willfully abused a patient verbally by yelling at the patient and using inappropriate language), in violation of Section 6509(9) of the Education Law of the State of New York, and 8 NYCRR 29.2(a)(2). For the purposes of settlement I do not contest said allegations. I understand that this settlement will be a matter of public record. I agree to be censured and reprimanded. My check in the sum of $500.00, payable to the order of "New York State Education Department," is enclosed.

Robert J. Pittman LPN 11/16/04
Signature Date

/jw-d

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THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK

DIRECTOR, OFFICE OF PROFESSIONAL DISCIPLINE
475 PARK AVENUE SOUTH, 2ND FLOOR
NEW YORK, NEW YORK 10016-6901
Tel: (212) 951-6500
Fax: (212) 951-6537

CERTIFICATION

I, Beverly Tribble, Clerk 2, Office of Professional Discipline, New York State Education Department, am the custodian of the original record in the disciplinary matter re: Robert Pittman, license number 223174, under case number 2403795. I hereby certify that the enclosed is a true and accurate copy of the original signed statements agreeing to resolution of that matter through payment of a $500.00 fine and censure and reprimand.

Beverly Tribble
BEVERLY TRIBBLE

12/29/06
Date

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 19th day of July, 2007, by ROBERT JOHN PITTMAN, APPLICANT, for Licensure by Endorsement, and said Order is final.

Entered this 13th day of August, 2007.

BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

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