

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Registered Nurse §
License Number 540246 §
issued to DAVID EUGENE FORGY §

ORDER OF THE BOARD

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Registered Nurse License Number 540246, issued to DAVID EUGENE FORGY, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived representation by counsel, informal conference, notice and hearing.

The Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Respondent is currently licensed to practice professional nursing in the State of Texas.
2. Respondent waived representation by counsel, informal conference, notice and hearing.
3. Respondent received an Associate Degree in Nursing from Texarkana Community College, Texarkana, Texas on May 1, 1987. Respondent was licensed to practice professional nursing in the State of Texas in August 24, 1987.
4. Respondent's nursing employment history includes:

1987 - 1989	Staff Nurse/Unit Manager	East Texas Rehabilitation Tyler, Texas
1990 - 1992	DON/Administrator	Texarkana Nursing Center Texarkana, Texas

Respondent's nursing employment history continued:

1992 - 1995	House Supervisor	St. Michaels Hospital Texarkana, Texas
1995 - 2002	Clinical Managing Director	Heartland Care Group Oklahoma City, Oklahoma
12/02 - 12/05	Director of Hospice	Red River Hospice Oklahoma City, Oklahoma
01/06 - 09/06	Lead Nurse	Integras Canadian Hospital Yukon, Oklahoma
09/06 - unknown	Nurse Manager	Vitas Hospice Dallas, Texas

5. On or about September 27, 2007, Respondent entered a plea of guilty and was convicted of MISPRISON OF A FELONY (a felony offense that occurred in March 2001), in the United States District Court for the Western District of Oklahoma, under Case Number CR-07-74-M. As a result of the conviction, Respondent was committed to the custody of the United States Bureau of Prisons for one (1) year and one (1) day.
6. On or about September 27, 2007, you entered a plea of guilty and was convicted of: MAKING OR USING ANY FALSE WRITING OR DOCUMENT in the United States District Court for the Western District of Oklahoma, under Case Number CR-07-74-M. As a result of the conviction, Respondent was committed to the custody of the United States Bureau of Prisons for one (1) year and one (1) day.
7. On November 20, 2008, Respondent submitted a notarized statement to the Board voluntarily surrendering the right to practice professional nursing in Texas. A copy of the November 20, 2008 statement is attached and incorporated, by reference, as part of this Order.

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 of Section 301.452(b)(3),(10) & (13), Texas Occupations Code, 22 TEX. ADMIN. CODE §217.11(1)(A), and 22 TEX. ADMIN. CODE §217.12(1)(B)(C),(6)(A)(G)(H)&(13).
4. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
5. Under Section 301.453(d), Texas Occupations Code, the Board may impose conditions for reinstatement of licensure.
6. Any subsequent reinstatement of this license will be controlled by Section 301.452 (b), Texas Occupations Code, and 22 TAC §§213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

ORDER

NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Registered Nurse License Number 540246, heretofore issued to DAVID EUGENE FORGY, to practice professional nursing in the State of Texas, is accepted by the Executive Director on behalf of the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL immediately deliver the wallet-size license, heretofore issued to DAVID EUGENE FORGY, to the office of the Texas Board of Nursing.
2. RESPONDENT SHALL NOT practice professional nursing, use the title of registered nurse or the abbreviation RN or wear any insignia identifying himself as a registered nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a registered nurse during the period in which the license is surrendered.
3. RESPONDENT SHALL NOT petition for reinstatement of licensure until: one (1) year has elapsed from the date of this Order.
4. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's multistate licensure privilege, if any, to practice professional nursing in compact states.

Effective this 21 day of November, 2008.

TEXAS BOARD OF NURSING



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

David Eugene Forgy
3207 Greg Lane
Tyler, Texas 75701
Texas RN License #540246

Voluntary Surrender Statement

October 23, 2008

Dear Texas Board of Nursing:

I no longer desire to be licensed as a professional nurse. Accordingly, I voluntarily surrender my license/licenses to practice in Texas. I waive representation by counsel and consent to the entry of an Order which outlines requirements for reinstatement of my license. I understand that I will be required to comply with the Board's Rules and Regulations in effect at the time I submit any petition for reinstatement.

Signature David Forgy
Date 11-14-08
Texas Nursing License Number/s 540246

The State of Texas

Before me, the undersigned authority, on this date personally appeared DAVID EUGENE FORGY who, being duly sworn by me, stated that he executed the above for the purpose therein contained and that he understood same.

Sworn to before me the _____ day of _____, 20____.

SEAL

Notary Public in and for the State of Texas

[Signature] (name), Camille Sw (title)

Authorized by the Act of July 7,
1955, as amended, to administer
oaths (18 U.S.C. 4004).

F.C.I. - Texas/Kanna, Tx
11/14/2008