



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.  
*Katherine A. Thomas*  
Executive Director of the Board

BEFORE THE BOARD OF NURSE EXAMINERS  
FOR THE STATE OF TEXAS

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# 6562

IN THE MATTER OF §  
CARLA MARIE HODGE § ORDER  
PETITIONER FOR ELIGIBILITY § of  
FOR LICENSURE § CONDITIONAL ELIGIBILITY

On the date entered below, the Executive Director of the Board of Nurse Examiners, Katherine A. Thomas, MN, RN, considered the Petition for Declaratory Order and supporting documents filed by CARLA MARIE HODGE together with any documents and information gathered by staff and Petitioner's Certificate contained herein, and makes the following findings of fact and conclusions of law.

FINDINGS OF FACT

1. On or about February 26, 1998, Petitioner submitted a Petition for Declaratory Order in compliance with Article 4519a(a), Texas Revised Civil Statutes, Annotated, as amended.
2. On or about May 19, 1998, Petitioner received an Associate Degree in Nursing from Texarkana College, Texarkana, Texas.
3. Petitioner waived representation, notice and hearing.
4. On or about August 2, 1995, in the County Court of Cass County, Texas, in Cause Number 94-327, Petitioner was convicted of Theft by Check (a Class B Misdemeanor). Petitioner was fined and ordered to pay court costs. Petitioner met the conditions of the court.
5. The Executive Director considered the evidence of Petitioner's conviction and evaluated the direct relationship of the crime committed by the Petitioner to the practice of nursing pursuant to the requirements of Article 6252-13c, Texas Revised Civil Statutes, Annotated, as amended, and the factors enumerated in 22 Texas Administrative Code §213.28 (c), including but not limited to the nature and circumstances of the offense and the absence of any conviction subsequent to the one listed in findings of fact number four (4) above.
6. Letters of support were received from the following:
  - Anna L. Hensley, RN, MNSC, CNS, Assistant Professor of Nursing, Texarkana College, Texarkana, Texas; and
  - Gene Livingston, RN, BSN, MEd, Clinical Instructor, Texarkana College, Texarkana, Texas.

7. Petitioner has sworn that, with the exception of matters disclosed in connection with the Petition for Declaratory Order, her past behavior conforms to the Board's professional character requirements. Petitioner presented no evidence of behavior since her conviction in 1995, which is inconsistent with good professional character.
8. In consideration of Petitioner's past conduct and subsequent evidence of rehabilitation, the Executive Director finds that Petitioner should be declared conditionally eligible to take the National Council Licensure Examination for Registered Nurses.
9. The Executive Director further finds that the stipulation hereinafter set forth is necessary to assure that the public will be protected and that the Petitioner will continue to conform her conduct to the requirements of the law and the Board's practice standards.
10. The Executive Director's review of the grounds for potential ineligibility has been made on the basis of Petitioner's disclosures.
11. Petitioner has been advised by the Executive Director 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.

#### CONCLUSIONS OF LAW

1. The Board of Nurse Examiners has jurisdiction over this matter pursuant to Article 4525(a), Texas Revised Civil Statutes, Annotated, as amended.
2. Petitioner has submitted a petition in compliance with Article 4519a(a), TEX. REV. CIV. STAT. ANN., as amended.
3. Petitioner's criminal history reflects a crime of moral turpitude which is grounds for denial of a license under Article 4525(b)(3), TEX. REV. CIV. STAT. ANN., as amended.
4. The Board may license an individual who has been previously convicted of a crime upon consideration of the factors set out in 22 Texas Administrative Code §213.28 and evaluating the direct relationship to nursing according to Article 6252-13c, TEX. REV. CIV. STAT. ANN., as amended.
5. 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 her conduct to the requirements of the Nursing Practice Act, the Board's Rules and Regulations, and generally accepted standards of nursing practice.

NOW, THEREFORE, IT IS ORDERED that upon payment of any required fees, CARLA MARIE HODGE is CONDITIONALLY ELIGIBLE to sit for the National Council Licensure Examination for Registered Nurses (NCLEX-RN).

IT IS FURTHER ORDERED that upon attaining a passing grade on the NCLEX-RN, Petitioner shall be issued a CODED LICENSE to practice nursing in the State of Texas under the following STIPULATION:

1. Within one year of initial licensure, Petitioner SHALL successfully complete a course in 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 must include registered nurses. It must be a minimum of six (6) contact hours in length. The course's content should 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.

IT IS FURTHER ORDERED that Petitioner shall comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas, as amended, Article 4513 et seq., the Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice, 22 Texas Administrative Code, §211.01 et seq. and this Order.

IT IS FURTHER ORDERED that upon full compliance with the terms of this Order, Petitioner may be issued an unencumbered license to practice professional nursing in the State of Texas.

AUG 25 1998

PETITIONER'S CERTIFICATE

I am the Petitioner in this matter. I have fully and truthfully disclosed all of my past convictions, 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 convicted. 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 Articles 4519a, 4525(a) and (b), and 6252-13c, Texas Revised Civil Statutes, Annotated, as amended, and Board Rules 213.27, 213.28, and 213.29 at 22 Texas Administrative Code, which are incorporated by reference as a part of this Order. I agree with all terms of this Order, including the Findings of Fact and Conclusions of Law and any stipulations. 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-RN or accepting any permit or license from the Board of Nurse Examiners.

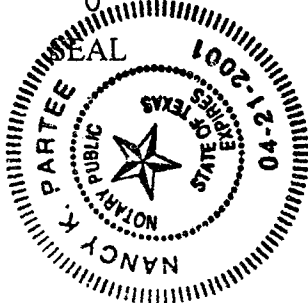
I understand that I can be represented by an attorney in this matter. I waive representation, notice and hearing and request that the Executive Director of the Board of Nurse Examiners enter this Order.

Signed this 24 day of August, 1998.

Carla Marie Hodge  
CARLA MARIE HODGE

Sworn to and subscribed before me by the said Carla Marie Hodge this 24<sup>th</sup> day of August, 1998.

Nancy K Partee  
Notary Public in and for the State of Texas



Entered this 13th day of October, 19 98.

BOARD OF NURSE EXAMINERS  
FOR THE STATE OF TEXAS



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

- Attachments: [1] Article 4519a, Texas Revised Civil Statutes, Annotated, as amended  
[2] Article 4525(a) and (b), Texas Revised Civil Statutes, Annotated, as amended  
[3] Article 6252-13c, Texas Revised Civil Statutes, Annotated, as amended  
[4] Rule 213.27, 22 Texas Administrative Code  
[5] Rule 213.28, 22 Texas Administrative Code  
[6] Rule 213.29, 22 Texas Administrative Code