

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Certified Registered Nurse Anaesthetist
Registered Nurse License Number 248645
issued to PATRICK CARL DUPONT

§ AGREED
§
§ ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board,
considered the matter of PATRICK CARL DUPONT, Certified Registered Nurse Anaesthetist,
Registered Nurse License Number 248645, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may be subject
to discipline pursuant to Section 301.452(b)(10)&(12) and 301.453, Texas Occupations Code.
Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed
to the entry of this Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director,
on September 18, 2013, 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 informal proceedings, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice professional nursing in the State of Texas.
4. Respondent received a Baccalaureate Degree in Nursing from Texas Woman's University, Denton, Texas on May 1, 1979. Respondent was licensed to practice professional nursing in the State of Texas on September 4, 1979. Respondent completed a Nurse Anesthetist Program at the Harris Hospital School of Nursing, Fort Worth, Texas, on May 1, 1982. Respondent was authorized to practice as a Nurse Anaesthetist by the Board of Nurse Examiners for the State of Texas on December 30, 1988.



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

5. Respondent's professional nursing employment history includes:

09/1979 - 05/1980	RN	Fort Worth Osteopathic Medical Center Fort Worth, Texas
09/1979 - 05/1980	RN	Harris Hospital-Methodist Fort Worth, Texas
05/1980 - 05/1982		Educational Leave Harris Hospital-Methodist School of Nurse Anesthesia
05/1982 - 07/1983	CRNA	Harris Hospital-Methodist Fort Worth, Texas
07/1983 - 11/1986	CRNA	Anesthesia Care, Inc. Fort Worth, Texas
11/1986 - 12/1987	CRNA	SKD Anesthesia Associates Cleburne, Texas
12/1987 - 04/1994	CRNA	Anesthesia Associates, P.A. Fort Worth, Texas
09/1994 - 08/1996	CRNA	All Saints Medical Center Fort Worth, Texas
10/1995 - 08/1996	CRNA	Plaza Medical Center Fort Worth, Texas
08/1996 - 12/1998	CRNA	Baylor University Medical Center Dallas, Texas
12/1998 - 08/2001	CRNA	Bellaire Surgery Center Fort Worth, Texas
12/1998 - 08/2001	CRNA	Metro CRNA Fort Worth, Texas
01/2000 - 08/2001	CRNA	Harris Methodist Hospital Fort Worth, Texas
08/2001 - 09/2002	RN	Hugely Memorial Medical Center Fort Worth

Respondent's professional nursing employment history continued:

09/2002 - 12/2003	CRNA	A.C.E. Anesthesia, P.A. Fort Worth, Texas
01/2004 - 04/2004		Employment history unknown
04/2004 - 08/2004	RN	Hugely Memorial Medical Center Fort Worth, Texas
09/2004 - 06/2005	CRNA	Alpha Medical-Legal Consulting, Inc Fort Meyers, Florida
06/2005 - 02/2006	RN	Maxim Healthcare, Inc. Fort Worth, Texas
03/2006 - Present	CRNA	NorthStar Anesthesia Arlington, Texas

6. On February 28, 2005, Respondent was ordered to participate in the Texas Peer Assistance Program for Nurses (TPAPN) by the Board of Nurse Examiners for the State of Texas. A copy of the Findings of Fact, Conclusions of Law, and February 28, 2005, Agreed Order is attached and incorporated, by reference, as part of this Order.
7. At the time of the initial incident, Respondent was employed as a Certified Registered Nurse Anesthetist (CRNA) with North Star Anesthesia, Arlington, Texas, and had been in this position for six (6) years and three (3) months.
8. On or about June 11, 2012 through June 13, 2012, while employed as a Certified Registered Nurse Anesthetist (CRNA) with North Star Anesthesia, Arlington, Texas, and contracted to provide anesthesia services to Plaza Medical Center, Fort Worth, Texas, Respondent lacked fitness to practice professional nursing in that he seemed "dazed and confused" and appeared to have an odd effect. Additionally, his hands were observed to be shaking and he appeared as though he "was on drugs". Furthermore, the Respondent's employer required him to submit to neuropsychological evaluation. The Respondent was diagnosed with memory loss, rule out primary neurodegenerative process, rule out neoplastic process, rule out cognitive impairment secondary to alcohol abuse. The Respondent underwent a repeat neuropsychological evaluation following a period of stabilization of medication. Respondent demonstrated marked improvements across all assessed areas. With the noted medication/substance use changes since that time, caution should be used in the future whenever medications are prescribed that may affect Central Nervous System functioning. It was recommended that the Respondent abstain from alcohol use to minimize the risk of problems for the future. Respondent's condition could have affected his ability to recognize subtle signs, symptoms or changes in patients' conditions, and could have affected his ability

to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patients in potential danger.

11. In response to Finding of Fact Number Eight (8), Respondent states: "On July 11, 2012, I had a neurology exam during my benign essential tremor. I submitted a urine drug screen on July 6, 2012. The results of the urine drug screen showed a complete negative."

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(s) of 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(E),(4)&(5).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10)&(12), Texas Occupations Code, to take disciplinary action against Certified Registered Nurse Anaesthetist, Registered Nurse License Number 248645, heretofore issued to PATRICK CARL DUPONT, 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 Certified Registered Nurse Anaesthetist, Registered Nurse License Number 248645, previously issued to PATRICK CARL DUPONT, to practice nursing in Texas is/are hereby SUSPENDED for a period of five (5) years with the suspension STAYED and Respondent is hereby placed on PROBATION for five (5) with the following agreed terms of probation:

IT IS FURTHER AGREED and ORDERED that, while under the terms of this Order, this Order SHALL apply to any and all future licenses issued to Respondent to practice nursing in the State of Texas.

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 the 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.

(1) 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.

(2) RESPONDENT SHALL, within one (1) year of the suspension being stayed, successfully complete a course in Texas nursing jurisprudence and ethics. RESPONDENT 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) 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 Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder; and Lying and Falsification. Courses focusing on malpractice issues will not be accepted. RESPONDENT 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 RESPONDENT'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.bon.texas.gov/disciplinaryaction/stipscourses.html>

(3) RESPONDENT SHALL, within one (1) year of the suspension being stayed, successfully complete the course "Sharpening Critical Thinking Skills," a 3.6 contact hour online program provided by the National Council of State Boards of Nursing (NCSBN) Learning Extension. In order to receive credit for completion of this program, RESPONDENT SHALL SUBMIT the continuing education certificate of completion for this program to the Board's office, to the attention of Monitoring. 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 at the following Board website address: <http://www.bon.texas.gov/disciplinaryaction/stipscourses.html>*

IT IS FURTHER AGREED, SHOULD RESPONDENT PRACTICE AS A NURSE IN THE STATE OF TEXAS, RESPONDENT WILL PRACTICE AS A CERTIFIED REGISTERED NURSE ANAESTHETIST AND PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING AND RESPONDENT MUST WORK IN SUCH SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING PROBATION CONDITIONS FOR FIVE (5) YEARS OF EMPLOYMENT. THE LENGTH OF THE PROBATIONARY PERIOD WILL BE EXTENDED UNTIL SUCH SIXTY (60) MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE THE USE OF A REGISTERED NURSE (RN) OR A VOCATIONAL NURSE (LVN) LICENSE, AS APPROPRIATE, WILL NOT APPLY TO THIS STIPULATION PERIOD:

(4) RESPONDENT SHALL notify each present employer in nursing of this Order

of the Board and the probation conditions on RESPONDENT'S license(s). RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each present employer within five (5) days of receipt of this Order. RESPONDENT SHALL notify all future employers in nursing of this Order of the Board and the probation conditions on RESPONDENT'S license(s). RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each future employer prior to accepting an offer of employment.

(5) RESPONDENT SHALL CAUSE each present employer in nursing to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within five (5) days of employment as a nurse.

(6) Should RESPONDENT choose to work as a CRNA, RESPONDENT'S practice of professional nursing will be monitored for five (5) years by an Anesthesiologist or Certified Registered Nurse Anesthetist who has been approved by the Board. Respondent must provide a list of three (3) Anesthesiologists and/or three (3) Certified Registered Nurse Anesthetists for the Board to select. For the Anesthesiologist and/or Certified Registered Nurse Anesthetist, the list must include the following for each: name, license number or social security number, educational background and professional employment history. Monitoring shall commence no later than thirty (30) days following the date of RESPONDENT'S receipt of the name of the monitor selected by the Board. The monitor will offer guidance, advice and assistance to the RESPONDENT as necessary to ensure that deficiencies such as those set forth in this Order do not reoccur. RESPONDENT

SHALL meet with the monitor at least twice a month, at least one (1) hour duration each. RESPONDENT SHALL ensure that the monitor submits reports, addressing RESPONDENT'S progress in overcoming these deficiencies to the office of the Board at the end of each three (3) month period for the five (5) year stipulation period. Meetings may be longer and more frequent if the monitor determines necessary. Multiple employers are prohibited.

(7) RESPONDENT SHALL abstain from the consumption of alcohol, Nubain, Stadol, Dalgan, Ultram, or other synthetic opiates, and/or the use of controlled substances, except as prescribed by a licensed practitioner for a legitimate purpose. If prescribed, RESPONDENT SHALL CAUSE the licensed practitioner to submit a written report identifying the medication, dosage and the date the medication was prescribed. The report shall be submitted directly to the office of the Board by the prescribing practitioner, within ten (10) days of the date of the prescription. **In the event that prescriptions for controlled substances are required for periods of two (2) weeks or longer, the Board may require and RESPONDENT SHALL submit to a pain management and/or chemical dependency evaluation by a Board approved evaluator. The performing evaluator must submit a written report meeting the Board's requirements to the Board's office within thirty (30) days from the Board's request.**

(8) RESPONDENT SHALL submit to random periodic screens for controlled substances, tramadol hydrochloride (Ultram), and alcohol. For the first three (3) month period, random screens shall be performed at least once per week. For the next three (3) month period, random screens shall be performed at least twice per month. For the next six (6) month period, random screens shall be performed at least once per month. For the remainder of the probation period, random screens shall be performed at least once every three (3) months. All random screens

SHALL BE conducted through urinalysis. Screens obtained through urinalysis are the sole method accepted by the Board.

Specimens shall be screened for at least the following substances and their metabolites:

Amphetamines	Meperidine
Barbiturates	Methadone
Benzodiazepines	Methaqualone
Cannabinoids	Opiates
Cocaine	Phencyclidine
Ethanol	Propoxyphene
tramadol hydrochloride (Ultram)	

A Board representative may appear at the RESPONDENT'S place of employment at any time during the probation period and require RESPONDENT to produce a specimen for screening.

All screens shall be properly monitored and produced in accordance with the Board's policy on Random Drug Testing. A complete chain of custody shall be maintained for each specimen obtained and analyzed. RESPONDENT SHALL be responsible for the costs of all random drug screening during the probation period.

Any positive result for which the nurse does not have a valid prescription or refusal to submit to a drug or alcohol screen may subject the nurse to further disciplinary action, including EMERGENCY SUSPENSION pursuant to Section 301.4551, Texas Occupations Code, or REVOCATION of Respondent's license(s) and nurse licensure compact privileges, if any, to practice nursing in the State of Texas. Further, failure to report for a drug screen, excessive dilute specimens, or failure to call in for a drug screen may be considered the same as a positive result or refusal to submit to a drug or alcohol screen.

(9) RESPONDENT SHALL participate in therapeutic sessions with a

neuropsychologist possessing credentials approved by the Board. RESPONDENT SHALL CAUSE the neuropsychologist to submit written reports, on forms provided by the Board, as to the RESPONDENT'S progress and capability to safely practice nursing. The report must indicate whether or not the RESPONDENT'S stability is sufficient to provide direct patient care safely. Such reports are to be furnished each and every month for three (3) months. If therapy is recommended beyond the initial three (3) months, the reports shall then be required at the end of each three (3) month period until RESPONDENT is dismissed from therapy.

(10) RESPONDENT SHALL attend at least two (2) support group meetings each week, one of which must be for substance abuse and provided by Alcoholics Anonymous, Narcotics Anonymous, or another comparable recovery program that has been pre-approved by the Board. RESPONDENT SHALL provide acceptable evidence of attendance. Acceptable evidence shall consist of a written record of at least: the date of each meeting; the name of each group attended; and the signature and printed name of the chairperson of each group attended by RESPONDENT. RESPONDENT SHALL submit the required evidence on the forms provided by the Board at the end of every three (3) month period. No duplications, copies, third party signatures, or any other substitutions will be accepted as evidence.

IT IS FURTHER AGREED and ORDERED that if during the period of probation, an additional allegation, accusation, or petition is reported or filed against the Respondent's license(s), the probationary period shall not expire and shall automatically be extended until the allegation, accusation, or petition has been acted upon by the Board.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT'S license(s) to practice nursing in the State

of Texas and RESPONDENT may be eligible for nurse licensure compact privileges, if any.

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RESPONDENT'S CERTIFICATION

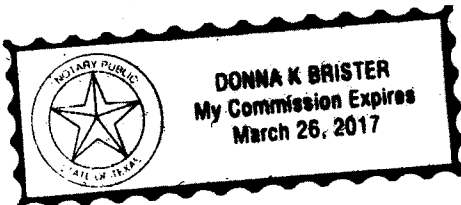
I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order, to 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 11 day of November 20 13.

Patrick Carl Dupont
PATRICK CARL DUPONT, Respondent

Sworn to and subscribed before me this 11th day of November, 20 13.

SEAL



Donna K Brister

Notary Public in and for the State of Texas

Approved as to form and substance.

Jeffrey C. Grass
JEFFREY C. GRASS, Attorney for Respondent

Signed this 25th day of October, 20 13.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 11th day of November, 2013, by PATRICK CARL DUPONT, Certified Registered Nurse Anaesthetist , Registered Nurse License Number 248645, and said Order is final.

Effective this 10th day of December, 2013.

A handwritten signature in cursive script, appearing to read "Katherine A. Thomas".

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

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of License Number 248645
issued to PATRICK CARL DUPONT

§ AGREED
§ ORDER



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

On this day the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, considered the matter of PATRICK CARL DUPONT, License Number 248645, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(9)&(10), Texas Occupations Code. Respondent waived informal conference, notice and hearing, and agreed to the entry of this Order offered on January 28, 2005, by Katherine A. Thomas, MN, RN, Executive Director.

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.
2. Respondent waived informal conference, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice professional nursing in the State of Texas.
4. Respondent received a Baccalaureate Degree in Nursing from Texas Woman's University, Denton, Texas, on May 1, 1979. Respondent was licensed to practice professional nursing in the State of Texas on September 4, 1979. Respondent completed a Nurse Anesthetist Program at Harris Methodist Hospital School of Nursing, Fort Worth, Texas, on May 1, 1982. Respondent was recognized by the Board of Nurse Examiners for the State of Texas as a Certified Registered Nurse Anesthetist on December 30, 1988.
5. Respondent's complete professional employment history is unknown.

6. At the time of the incidents, Respondent was employed as a Certified Registered Nurse Anesthetist with A.C.E. Anesthesia, P.A., Fort Worth, Texas, and had been in this position for approximately one (1) year and one (1) month.
7. On or about October 2003, while employed with A.C.E. Anesthesia, P.A., Fort Worth, Texas, and on duty at Harris Methodist Hospital, Fort Worth, Texas, Respondent engaged in the intemperate use of Demerol. Possession of Demerol is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Demerol by a Registered Nurse, while subject to call or duty, could impair the nurse's ability to recognize subtle signs, symptoms or changes in the patient's condition, and could impair the nurse's ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patient in potential danger.
8. On or about October 2003, while employed with A.C.E. Anesthesia, P.A., Fort Worth, Texas, and on duty at Harris Methodist Hospital, Fort Worth, Texas, Respondent misappropriated Demerol belonging to Harris Methodist Hospital and patients thereof. Respondent's conduct was likely to defraud the facility and patients of the cost of the medication.
9. On or about October 2003, while employed with A.C.E. Anesthesia, P.A., Fort Worth, Texas, and on duty at Harris Methodist Hospital, Fort Worth, Texas, Respondent falsely documented the administration of Demerol in patients' medical records. Respondent's conduct was likely to injure the patients in that Respondent created an inaccurate medical record which subsequent care givers would rely on to further medicate the patients, and the administration of Demerol without a physician's order could result in the patients suffering from adverse reactions including respiratory depression.
10. The Respondent's conduct described in the preceding Findings of Fact was reportable under the provisions of Sections 301.401-301.419, Texas Occupations Code.
11. The Board finds that there exists serious risks to public health and safety as a result of impaired nursing care due to intemperate use of controlled substances or chemical dependency.
12. Respondent's conduct described in Findings Numbers Seven (7) through Nine (9) was significantly influenced by Respondent's dependency on chemicals.
13. Respondent's compliance with the terms of a Board approved peer assistance program should be sufficient to protect patients and the public.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.455, 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)(9)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(1),(3),(20)&(19).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against License Number 248645, heretofore issued to PATRICK CARL DUPONT, including revocation of Respondent's professional license to practice nursing in the State of Texas.
5. The Board may, in its discretion, order a nurse to participate in a peer assistance program approved by the Board if the nurse would otherwise have been eligible for referral to peer assistance pursuant to Section 301.410, Texas Occupations Code.

ORDER

IT IS THEREFORE AGREED and ORDERED that RESPONDENT, in lieu of the sanction of Revocation under Section 301.453, Texas Occupations Code, SHALL comply with the following conditions for such a time as is required for RESPONDENT to successfully complete the Texas Peer Assistance Program for Nurses (TPAPN):

- (1) RESPONDENT SHALL, within forty-five (45) days following the date of entry of this final Order, apply to and be accepted into the TPAPN, which SHALL include payment of a non-refundable participation fee in the amount of five hundred dollars (\$500) payable to TPAPN.
- (2) Upon acceptance into the TPAPN, RESPONDENT SHALL waive confidentiality and provide a copy of the executed TPAPN contract to the Board of Nurse Examiners.
- (3) RESPONDENT SHALL comply with all requirements of the TPAPN contract during its term.

(4) RESPONDENT SHALL CAUSE the TPAPN to notify the Board of Nurse Examiners of any violation of the TPAPN contract.

IT IS FURTHER AGREED and ORDERED, RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas as amended, Texas Occupations Code, Section §§301.001 *et seq.*, the Rules and Regulations Relating to 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 Respondent's multistate licensure privileges, if any, to practice professional nursing in the State of Texas.

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

IT IS FURTHER AGREED, SHOULD RESPONDENT fail to comply with this Order or the terms of the participation agreement with the TPAPN, such noncompliance will result in further disciplinary action including revocation of Respondent's license and multistate licensure privileges, if any, to practice professional nursing in the State of Texas.

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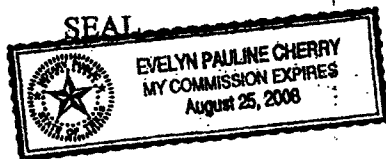
RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed this Order. I neither admit nor deny the violations alleged herein. I do acknowledge possessing a diagnosis that deems me eligible to participate in the Texas Peer Assistance Program for Nurses. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, and Conditions One (1) through Four (4) of this Order to obtain disposition of the allegations through peer assistance and to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that this Order becomes effective upon acceptance by the Executive Director on behalf of the Board of Nurse Examiners, 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 to practice professional nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 14 day of February, 2005.

Patrick Carl Dupont
PATRICK CARL DUPONT, Respondent

Sworn to and subscribed before me this 14th day of February, 2005.



Evelyn P. Cherry
Notary Public in and for the State of Texas

Approved as to form and substance.

Leanna Marchand
Leanna Marchand, R.N., J.D., Attorney for Respondent

Signed this 14th day of February, 2005.

WHEREFORE PREMISES CONSIDERED, the Executive Director, on behalf of the Board of Nurse Examiners for the State of Texas, does hereby accept and enter the Agreed Order that was signed on the 14th day of February, 2005, by PATRICK CARL DUPONT, License Number 248645, and said Order is final.

Entered and effective this 28th day of February, 2005.



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