



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.
Patricia Thomas
Executive Director of the Board

DOCKET NUMBER 507-15-0821

IN THE MATTER OF
PERMANENT CERTIFICATE
NUMBER 833283,
ISSUED TO
GREGORY WAYNE WILLMON, JR.

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BEFORE THE STATE OFFICE
OF
ADMINISTRATIVE HEARINGS

OPINION AND ORDER OF THE BOARD

TO: GREGORY WAYNE WILLMON, JR.
8210 WEST UNIVERSITY DRIVE
DENTON, TX 76207

BETH BIERMAN
ADMINISTRATIVE LAW JUDGE
300 WEST 15TH STREET
AUSTIN, TEXAS 78701

At the regularly scheduled public meeting on April 16-17, 2015, the Texas Board of Nursing (Board) considered the following items: (1) Order No. 2, *Dismissing Case*, issued by the ALJ in the above cited matter; (2) Staff's recommendation that the Board revoke the Respondent's registered nursing license by default; and (3) Respondent's recommendation to the Board regarding the above cited matter, if any.

On December 16, 2014, the ALJ convened a hearing on the merits in this matter. Staff of the Board was present for the hearing. However, the Respondent was not present at the hearing, and no one appeared on his behalf. During the hearing on December 16, 2014, Staff introduced evidence into the record demonstrating that Respondent had been sent a Notice of Hearing by first class certified mail return receipt requested to his last known address of record maintained by the Board in accordance with 22 Tex. Admin. Code §213.10(a). The ALJ found that Staff's notice was adequate and issued Order No. 2, *Dismissing Case*, granting Staff's Motion for Default and dismissing the case from the docket of SOAH and remanding it to the Board for informal disposition on a default basis in accordance with the Government Code §2001.056.

The Board, after review and due consideration of the Order No. 2, issued by the ALJ in the above cited matter, finds that notice of the facts or conduct alleged to warrant disciplinary action has been provided to Respondent in accordance with the Government Code §2001.054(c) and Respondent has been given an opportunity to show compliance with all the requirements of the Occupations Code Chapter 301 (Nursing Practice Act) for retention of Respondent's license to practice professional nursing in the State of Texas. The Board further finds that the First Amended Formal Charges were properly initiated and filed in accordance with the Occupations Code §301.458. The Board further finds that proper and timely notice regarding the violations alleged in the First Amended Formal Charges was given to Respondent in accordance with the requirements of the Government Code §2001.051 and §2001.052 and 1 Tex. Admin. Code §155.501. The Board further finds that the Respondent failed to appear in accordance with 22 Tex. Admin. Code Chapter 213 and 1 Tex. Admin. Code §155.501. As a result of the Respondent's failure to

appear, the Board has determined that the factual allegations listed in the First Amended Formal Charges are to be deemed admitted by default and the Board is authorized to enter a default order against the Respondent pursuant to the Government Code §2001.056 and 22 Tex. Admin. Code §213.22. Further, the Board has determined that it is entitled to revoke the Respondent's registered nursing license pursuant to 22 Tex. Admin. Code §213.33(m).

Therefore, the Board hereby adopts the factual allegations, which have been deemed admitted, and the conclusions of law contained in the First Amended Formal Charges, which are attached hereto and incorporated herein by reference for all purposes, and Staff's recommended sanction of revocation by default. This Order will be properly served on all parties and all parties will be given an opportunity to file a motion for rehearing in accordance with the Government Code Chapter 2001 and 22 Tex. Admin. Code §213.23(l), as applicable. All parties have a right to judicial review of this Order. All proposed findings of fact and conclusions of law filed by any party not specifically adopted herein are hereby denied.

IT IS, THEREFORE, ORDERED THAT Permanent Certificate Number 833283, previously issued to GREGORY WAYNE WILLMON, JR., to practice nursing in the State of Texas be, and the same is hereby, REVOKED.

IT IS FURTHER ORDERED that this Order SHALL be applicable to Respondent's multi-state privileges, if any, to practice nursing in the State of Texas.

FURTHER, pursuant to the Occupations Code §301.467, RESPONDENT is not eligible to petition for reinstatement of licensure until at least one (1) year has elapsed from the date of this Order. Further, upon petitioning for reinstatement, RESPONDENT must satisfy all then existing requirements for relicensure.

Entered this 16th day of April, 2015.

TEXAS BOARD OF NURSING


KATHERINE A. THOMAS, MN, RN, FAAN
EXECUTIVE DIRECTOR FOR THE BOARD

Attachment: First Amended Formal Charges

In the Matter of § BEFORE THE TEXAS
Permanent Registered Nurse §
License Number 833283 §
Issued to GREGORY WAYNE WILLMON JR, §
Respondent § BOARD OF NURSING

FIRST AMENDED FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, GREGORY WAYNE WILLMON JR, is a Registered Nurse holding License Number 833283, which is in current status at the time of this pleading.

Written notice of the facts and conduct alleged to warrant adverse licensure action was sent to Respondent at Respondent's address of record and Respondent was given opportunity to show compliance with all requirements of the law for retention of the license prior to commencement of this proceeding.

CHARGE I.

On or about December 8, 2013, while employed as a Registered Nurse with Good Shepherd Medical Center, Longview, Texas, Respondent entered a prescription for "Dilaudid 1mg IVP once" for Patient Medical Record No. LM00516272 (Account No. L00580140268), in the patient's electronic medical record while the computer was logged in under Nurse HW's name. Respondent entered the order without speaking to, or receiving permission from Nurse HW. Additionally, Respondent entered the order as a "Verbal - Read Back" order using the name of Brian Mendenhall, MD, without receiving an order from Dr. Mendenhall. Respondent's conduct was likely to injure the patient in that subsequent caregivers would rely on his documentation to provide ongoing medical care.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A),(1)(B)&(1)(D), and 22 Tex. Admin. Code §217.12(1)(A),(1)(B),(1)(C),(4),(6)(A),(6)(H),(10)(B)&(11)(B).

CHARGE II.

On or about December 8, 2013, while employed as a Registered Nurse with Good Shepherd Medical Center, Longview, Texas, Respondent falsely documented that Nurse HW administered "Dilaudid 1mg IVP" to Patient Medical Record No. LM00516272 (Account No. L00580140268), in the patient's electronic medical record while the computer was logged in under Nurse HW's name; however, Nurse HW did not administer the medication. Respondent's conduct was deceiving to the facility and was likely to injure the patient in that subsequent caregivers would rely on his documentation to provide ongoing medical care. Respondent's conduct created an inaccurate medical record, and is in violation of Chapter 481 (Controlled Substances Act) of the Texas Health and Safety Code.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A),(1)(B),(1)(C)&(1)(D), and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(C),(4),(6)(A),(6)(H),(10)(B)&(11)(B).

CHARGE III.

On or about December 8, 2013, while employed as a Registered Nurse with Good Shepherd Medical Center, Longview, Texas, Respondent withdrew Dilaudid from the Medication Dispensing System for Patient Medical Record No. LM00516272 (Account No. L00580140268) without a valid physicians' order. Respondent's conduct was likely to injure the patient in that the administration of Dilaudid without a valid physicians order could result in the patient suffering from adverse reactions. Additionally Respondent's conduct was deceiving to the facility and placed them in violation of Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A),(1)(B)&(1)(C), and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(C),(4)&(11)(B).

CHARGE VI.

On or about December 8, 2013, while employed as a Registered Nurse with Good Shepherd Medical Center, Longview, Texas, Respondent attempted to misappropriate Dilaudid from the facility or patients thereof. Respondent's conduct was likely to defraud the facility and patients thereof of the cost of the medications.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(4),(6)(G),(8),(10)(E)&(11)(B).

CHARGE V.

On or about December 8, 2013, while employed as a Registered Nurse with Good Shepherd Medical Center, Longview, Texas, Respondent engaged in the intemperate use of Dihydrocodeine, Hydromorphone (Dilaudid) and Hydrocodone in that he submitted a specimen for a drug screen which resulted positive for Dihydrocodeine, Hydromorphone, Hydrocodone, and All Opiates. The use of Opiates by a Licensed Vocational 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.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(9),(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A),(1)(B)&(1)(T), and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(E),(4),(5),(10)(A)&(10)(D).

CHARGE VI.

On or about July 9, 2014, and July 10, 2014, while employed as a Registered Nurse with Weatherford Regional Medical Center, Emergency Department, Weatherford, Texas, Respondent withdrew Dilaudid from the Pyxis medication dispensing system for patients without a valid physicians' order, as follows:

Patient ID	Date	Pull Time	Medication	Time on MAR	Documentation on MAR/ Nurses Notes	Waste	Order
SDH F525865	7/9/14	16:16	(1) Hydromorphone 2mg/1ml Inj (Dilaudid)	none	none	none	none
SDH F525865	7/9/14	17:12	(1) Hydromorphone 2mg/1ml Inj (Dilaudid)	none	none	none	none
KLK F525680	7/9/14	17:13	(1) Hydromorphone 2mg/1ml Inj (Dilaudid)	none	none	none	none [Pt was admitted as inpatient and left the ED at 10:40]
AA F525869	7/9/14	19:03	(1) Hydromorphone 2mg/1ml Inj (Dilaudid)	none	none	none	none [Pt was discharged at 18:13]
MRD F525960	7/10/14	08:00	(1) Hydromorphone 2mg/1ml Inj (Dilaudid)	none	none	none	none [Pt was admitted as inpatient and left the ED at 06:58]
MRD F525960	7/10/14	09:01	(1) Hydromorphone 2mg/1ml Inj (Dilaudid)	none	none	none	none [Pt was admitted as inpatient and left the ED at 06:58]
ECQ F525978	7/10/14	11:51	(1) Hydromorphone 2mg/1ml Inj (Dilaudid)	none	none	none	none [Pt was discharged at 10:23]
MRD F525960	7/10/14	11:52	(1) Hydromorphone 2mg/1ml Inj (Dilaudid)	none	none	none	none [Pt was admitted as inpatient and left the ED at 06:58]
ECQ F525978	7/10/14	13:39	(1) Hydromorphone 2mg/1ml Inj (Dilaudid)	none	none	none	none [Pt was discharged at 10:23]
JMW F526061	7/10/14	15:24	(1) Hydromorphone 2mg/1ml Inj (Dilaudid)	none	none	none	none
JMW F526061	7/10/14	15:45	(1) Hydromorphone 2mg/1ml Inj (Dilaudid)	none	none	none	none

Respondent's conduct was likely to injure the patients, in that the administration of Dilaudid without a valid physician's order could result in the patients suffering from adverse reactions. Respondent's

conduct also placed the hospital in violation of Chapter 481 (Controlled Substances Act) of the Texas Health and Safety Code.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A),(1)(B)&(1)(C), and 22 Tex. Admin. Code §217.12(1)(A),(1)(B),(1)(C),(4),(6)(A),(6)(H),(10)(B)&(11)(B).

CHARGE VII.

On or about July 9, 2014, and July 10, 2014, while employed as a Registered Nurse with Weatherford Regional Medical Center, Emergency Department, Weatherford, Texas, Respondent withdrew Dilaudid from the Pyxis medication dispensing system for patients, but failed to document, or completely and accurately document, the administration of the medications in the patients' Medication Administration Record (MAR) and/or Nurse's Notes, as follows:

Patient ID	Date	Pull Time	Medication	Time on MAR	Documentation on MAR/ Nurses Notes	Waste	Order
SDH F525865	7/9/14	16:16	(1) Hydromorphone 2mg/1ml Inj (Dilaudid)	none	none	none	none
SDH F525865	7/9/14	17:12	(1) Hydromorphone 2mg/1ml Inj (Dilaudid)	none	none	none	none
KLK F525680	7/9/14	17:13	(1) Hydromorphone 2mg/1ml Inj (Dilaudid)	none	none	none	none [Pt was admitted as inpatient and left the ED at 10:40]
AA F525869	7/9/14	19:03	(1) Hydromorphone 2mg/1ml Inj (Dilaudid)	none	none	none	none [Pt was discharged at 18:13]
MRD F525960	7/10/14	08:00	(1) Hydromorphone 2mg/1ml Inj (Dilaudid)	none	none	none	none [Pt was admitted as inpatient and left the ED at 06:58]
MRD F525960	7/10/14	09:01	(1) Hydromorphone 2mg/1ml Inj (Dilaudid)	none	none	none	none [Pt was admitted as inpatient and left the ED at 06:58]
ECQ F525978	7/10/14	11:51	(1) Hydromorphone 2mg/1ml Inj (Dilaudid)	none	none	none	none [Pt was discharged at 10:23]
MRD F525960	7/10/14	11:52	(1) Hydromorphone 2mg/1ml Inj (Dilaudid)	none	none	none	none [Pt was admitted as inpatient and left the ED at 06:58]
ECQ F525978	7/10/14	13:39	(1) Hydromorphone 2mg/1ml Inj (Dilaudid)	none	none	none	none [Pt was discharged at 10:23]

JMW F526061	7/10/14	15:24	(1) Hydromorphone 2mg/1ml Inj (Dilaudid)	none	none	none	none
JMW F526061	7/10/14	15:45	(1) Hydromorphone 2mg/1ml Inj (Dilaudid)	none	none	none	none

Respondent's conduct was likely to injure the patients in that subsequent care givers would rely on his documentation to further medicate the patients, which could result in an overdose. Respondent's conduct also placed the hospital in violation of Chapter 481 (Controlled Substances Act) of the Texas Health and Safety Code.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A),(1)(B),(1)(C)&(1)(D), and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(C), (4),(6)(A),(6)(H),(10)(B)&(11)(B).

CHARGE VIII.

On or about July 9, 2014, and July 10, 2014, while employed as a Registered Nurse with Weatherford Regional Medical Center, Emergency Department, Weatherford, Texas, Respondent withdrew Dilaudid from the Pyxis medication dispensing system for patients, but failed to follow the facility's policy and procedures for wastage of any of the unused portions of the medications, as follows:

Patient ID	Date	Pull Time	Medication	Time on MAR	Documentation on MAR/ Nurses Notes	Waste	Order
SDH F525865	7/9/14	16:16	(1) Hydromorphone 2mg/1ml Inj (Dilaudid)	none	none	none	none
SDH F525865	7/9/14	17:12	(1) Hydromorphone 2mg/1ml Inj (Dilaudid)	none	none	none	none
KLK F525680	7/9/14	17:13	(1) Hydromorphone 2mg/1ml Inj (Dilaudid)	none	none	none	none [Pt was admitted as inpatient and left the ED at 10:40]
AA F525869	7/9/14	19:03	(1) Hydromorphone 2mg/1ml Inj (Dilaudid)	none	none	none	none [Pt was discharged at 18:13]
MRD F525960	7/10/14	08:00	(1) Hydromorphone 2mg/1ml Inj (Dilaudid)	none	none	none	none [Pt was admitted as inpatient and left the ED at 06:58]
MRD F525960	7/10/14	09:01	(1) Hydromorphone 2mg/1ml Inj (Dilaudid)	none	none	none	none [Pt was admitted as inpatient and left the ED at 06:58]
ECQ F525978	7/10/14	11:51	(1) Hydromorphone 2mg/1ml Inj (Dilaudid)	none	none	none	none [Pt was discharged at 10:23]

MRD F525960	7/10/14	11:52	(1) Hydromorphone 2mg/1ml Inj (Dilaudid)	none	none	none	none [Pt was admitted as inpatient and left the ED at 06:58]
ECQ F525978	7/10/14	13:39	(1) Hydromorphone 2mg/1ml Inj (Dilaudid)	none	none	none	none [Pt was discharged at 10:23]
JMW F526061	7/10/14	13:40	(1) Hydromorphone 2mg/1ml Inj (Dilaudid)	13:49	0.5mg IVP administered by greg willmon	none	13:49 Dilaudid 0.5mg IVP infused over 2 mins left antecubital
JMW F526061	7/10/14	15:24	(1) Hydromorphone 2mg/1ml Inj (Dilaudid)	none	none	none	none
JMW F526061	7/10/14	15:45	(1) Hydromorphone 2mg/1ml Inj (Dilaudid)	none	none	none	none

Respondent's conduct left medications unaccounted for, was likely to deceive the facility, and placed the facility in violation of Chapter 481 (Controlled Substances Act) of the Texas Health and Safety Code.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 Tex. Admin. Code §217.11(1)(A),(1)(B)&(1)(C), and 22 Tex. Admin. Code §217.12(1)(A),(1)(B),(1)(C),(4),(6)(A),(6)(H),(10)(B),(10)(C)&(11)(B).

CHARGE IX.

On or about July 9, 2014, and July 10, 2014, while employed as a Registered Nurse with Weatherford Regional Medical Center, Emergency Department, Weatherford, Texas, Respondent misappropriated Dilaudid from the facility or patients thereof or failed to take precautions to prevent such misappropriation. Additionally, on or about July 10, 2014, Respondent found with two (2) injection vials of Dilaudid in his pocket and, and admitted to diverting the drug over a two (2) week period. Respondent's conduct was likely to defraud the facility and patients of the cost of the medications.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A)&(1)(B), and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(4),(6)(G),(6)(H),(8),(10)(E)&(11)(B).

CHARGE X.

On or about July 11, 2014, while employed as a Registered Nurse with Weatherford Regional Medical Center, Emergency Department, Weatherford, Texas, Respondent engaged in the intemperate use of Hydromorphone (Dilaudid) and Morphine in that you submitted a specimen for

a reasonable suspicion drug screen which resulted positive for Hydromorphone and Morphine. Unlawful possession of Hydromorphone and Morphine is prohibited by Chapter 481 (Controlled Substances Act) of the Texas Health and Safety Code. The use of Hydromorphone and Morphine by a Registered Nurse, while subject to call or duty, could impair the nurse's 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.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(9),(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A),(1)(B)&(1)(T), and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(E),(4),(5),(10)(A),(10)(D)&(11)(B).

CHARGE XI.

On or about July 11, 2014, while employed as a Registered Nurse with Weatherford Regional Medical Center, Emergency Department, Weatherford, Texas, Respondent lacked fitness to practice nursing in that he admitted to having a "drug problem" and diverting Dilaudid for his personal use. Respondent's condition could have impaired 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.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(12), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(5).

NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of up to, and including, revocation of Respondent's license/s to practice nursing in the State of Texas pursuant to the Nursing Practice Act, Chapter 301, Texas Occupations Code and the Board's rules, 22 Tex. Admin. Code §§ 213.27 - 213.33. Additionally, staff will seek to impose on Respondent the administrative costs of the proceeding pursuant to Section 301.461, Texas Occupations Code. The cost of proceedings shall include, but is not limited to, the cost paid by the Board to the State Office of Administrative Hearings and the Office of the Attorney General or other Board counsel for legal and investigative services, the cost of a court reporter and witnesses, reproduction of records, Board staff time, travel, and expenses. These shall be in an amount of at least one thousand two hundred dollars (\$1200.00).

NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, www.bon.texas.gov.

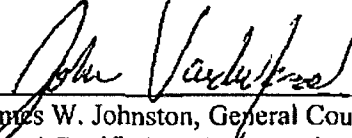
NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Sanction Policies for Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder, for Lying and Falsification, for Fraud, and Theft and Deception, which can be found at the Board's website, www.bon.texas.gov.

NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, which can be found at www.bon.texas.gov/disciplinaryaction/discp-matrix.html.

NOTICE IS ALSO GIVEN that Respondent's past disciplinary history, as set out below and described in the Order(s) which is/are attached and incorporated by reference as part of these charges, will be offered in support of the disposition recommended by staff: Order dated August 22, 2011.

Filed this 17th day of October, 2.

TEXAS BOARD OF NURSING


James W. Johnston, General Counsel
Board Certified - Administrative Law
Texas Board of Legal Specialization
State Bar No. 10838300
Jena Abel, Assistant General Counsel
State Bar No. 24036103
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Robert Kyle Hensley, Assistant General Counsel
State Bar No. 50511847
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State Bar No. 00785533
John Vanderford, Assistant General Counsel
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333 Guadalupe, Tower III, Suite 460
Austin, Texas 78701
P: (512) 305-6811
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Attachments: Order of the Board, dated August 22, 2011

D/2013.11.19

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of
GREGORY WAYNE WILLMON, JR.,
PETITIONER for Eligibility for Licensure

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AGREED
ELIGIBILITY 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 Texas Board of Nursing, hereinafter referred to as the Board, considered the Petition for Declaratory Order and supporting documents filed by GREGORY WAYNE WILLMON, JR., hereinafter referred to as PETITIONER, together with any documents and information gathered by staff and Petitioner's Certification contained herein.

Information received by the Board produced evidence that PETITIONER may be ineligible for licensure pursuant to Sections 301.452(b)(10) and 301.453, Texas Occupations Code.

PETITIONER waived representation by counsel, notice and hearing, and agreed to the entry of this Order offered on July 15, 2011, by Katherine A. Thomas, MN, RN, Executive Director.

FINDINGS OF FACT

1. On or about June 3, 2010, PETITIONER submitted a Petition for Declaratory Order requesting a determination of eligibility for licensure in compliance with Sections 301.252, 301.253, 301.257 and 301.258, Texas Occupations Code, and the Board's Rules at 22 TEX. ADMIN. CODE §213.30.
2. Petitioner waived representation by counsel, informal proceedings, notice and hearing, and consented to the entry of this Order.
3. Petitioner was not enrolled in a Vocational Nursing Program at the time of this petition.
4. Petitioner completed the Petition for Declaratory Order and answered "Yes" to the question which reads as follows: *"For any criminal offense, including those pending appeal, have you:*

- A. *been convicted of a misdemeanor?*
 - B. *been convicted of a felony?*
 - C. *pled nolo contendere, no contest, or guilty?*
 - D. *received deferred adjudication?*
 - E. *been placed on community supervision or court-ordered probation, whether or not adjudicated guilty?*
 - F. *been sentenced to serve jail or prison time? court-ordered confinement?*
 - G. *been granted pre-trial diversion?*
 - H. *been arrested or have any pending criminal charges?*
 - I. *been cited or charged with any violation of the law?*
 - J. *been subject of a court-martial; Article 15 violation; or received any form of military judgment/punishment/action?*
- (You may only exclude Class C misdemeanor traffic violations.)"*

5. Petitioner disclosed the following criminal history, to wit:

- A. On or about January 31, 2001, Petitioner entered a plea of Guilty and was convicted of IMPAIRED DRIVING (a misdemeanor offense), in the District Court of the 14th Judicial District of Tulsa County, Oklahoma, under Cause No. TRI-2000-1299. As a result of the conviction, Petitioner was committed to the custody of the Sheriff of Tulsa County, Oklahoma, for a term of six (6) months; however, the imposition of the sentence of commitment was suspended and Petitioner was ordered to pay a fine.
- B. On or about August 12, 2005, Petitioner was arrested by the Lewisville Police Department, Lewisville, Texas, for DRIVING WHILE INTOXICATED, a Class B misdemeanor offense.

On or about March 7, 2006, Petitioner entered a plea of Nolo Contendere and was convicted of DRIVING WHILE INTOXICATED (a Class B misdemeanor offense committed on August 12, 2005), in the County Criminal Court No. 5 of Denton County, Texas, under Cause No. CR-2005-06853-B. As a result of the conviction, Petitioner was sentenced to confinement in the Denton County Jail for a period of one hundred forty (140) days; however, the imposition of the sentence of confinement was suspended and Petitioner was placed on probation for a period of eighteen (18) months.

- 6. There is no evidence of any subsequent criminal conduct.
- 7. Petitioner has sworn that, with the exception of matters disclosed in connection with the Petition for Declaratory Order, his past behavior conforms to the Board's professional character requirements at 22 TEX. ADMIN. CODE §213.27.
- 8. Petitioner presented no evidence of behavior which is inconsistent with good professional character.

9. The Executive Director considered evidence of Petitioner's past behavior in light of the character factors set out in 22 TEX. ADMIN. CODE §213.27 and determined that Petitioner currently demonstrates the criteria required for good professional character.
10. The Executive Director considered evidence of Petitioner's past criminal conduct in light of the considerations and criteria provided in 22 TEX. ADMIN. CODE §§213.28 & 213.33, and, if applicable, Chapter 53, Section 53.001 *et seq.*, Texas Occupations Code.
11. Licensure of Petitioner poses no direct threat to the health and safety of patients or the public provided Petitioner complies with the stipulations outlined in this Order.
12. The Executive Director's review of the grounds for potential ineligibility has been made on the basis of Petitioner's disclosures.
13. Petitioner 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.
14. Petitioner shall immediately notify the Board of any fact or event that could constitute a ground of ineligibility for licensure under Section 301.452(b), Texas Occupations Code.

CONCLUSIONS OF LAW

1. The Board has jurisdiction over this matter pursuant to Sections 301.452 and 301.453, Texas Occupations Code.
2. On or about June 30, 2010, PETITIONER submitted a Petition for Declaratory Order requesting a determination of eligibility for licensure in compliance with Sections 301.252, 301.253, 301.257 and 301.258, Texas Occupations Code, and the Board's Rules at 22 TEX. ADMIN. CODE §213.30.
3. Petitioner's history reflects conduct which may constitute grounds for denial of a license under Section 301.452(b)(10), Texas Occupations Code.
4. The Board may probate the denial of a license under conditions for a specified term pursuant to Section 301.453, Texas Occupations Code.
5. The Board may license an individual who has been previously convicted, adjudged guilty by a court, pled guilty or pled nolo contendere to any crime whether or not a sentence was imposed upon consideration of the factors set out in 22 TEX. ADMIN. CODE §213.28 and evaluating the direct relationship to nursing according to 22 TEX. ADMIN. CODE §213.28 and,

- if applicable, Chapter 53, Section 53.001 *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 TEX. ADMIN. CODE §213.27, and pursuant to 22 TEX. ADMIN. CODE §213.33, 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.
 7. This Order is conditioned upon the accuracy and completeness of Petitioner's disclosures. Any subsequently discovered discrepancies will result in investigation and possible disciplinary action, up to revocation of Petitioner's license(s).

ORDER

NOW, THEREFORE, IT IS AGREED that, upon meeting the requirements for graduation of an appropriate program in nursing education and payment of any required fees, PETITIONER is ELIGIBLE to sit for the National Council Licensure Examination for Practical Nurses (NCLEX-PN® Examination) and/or the National Council Licensure Examination for Registered Nurses (NCLEX-RN® Examination), as applicable.

IT IS FURTHER AGREED that PETITIONER SHALL NOT be eligible for temporary authorization to practice as a Graduate Vocational Nurse (GVN) and/or as a Graduate Nurse (GN), as applicable, in the State of Texas.

IT IS FURTHER AGREED that, upon payment of any required fees and upon attaining a passing grade on the appropriate National Council Licensure Examination, PETITIONER shall be issued the applicable license to practice nursing in the State of Texas, and while under the terms of this Order, all licenses issued to PETITIONER shall be subject to the following stipulations:

PETITIONER SHALL obtain and read the Texas Nursing Practice Act and the Rules and Regulations Relating to Nurse Education, Licensure, and Practice.

PETITIONER 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 PETITIONER'S nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that while PETITIONER'S license(s) is/are encumbered by this Order, PETITIONER 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 PETITIONER wishes to work.

(1) PETITIONER SHALL, within one (1) year of licensure, successfully complete a course in Texas nursing jurisprudence and ethics. PETITIONER 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. 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. 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.state.tx.us/disciplinaryaction/stipscourses.html>

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, all encumbrances will be removed from PETITIONER'S license(s) to practice nursing in the State of Texas and PETITIONER shall be eligible for nurse licensure compact privileges, if any.

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PETITIONER'S CERTIFICATION

I am the Petitioner in this matter. I have fully and truthfully disclosed all of my past conduct which could constitute grounds for licensure ineligibility, and I have caused a complete and accurate criminal history to be submitted to the Texas Board of Nursing from each jurisdiction in which I have been adjudged guilty by way of conviction or deferred order. I certify that my past behavior, except as disclosed in my application and/or petition, has been in conformity with the Board's character rule. I have provided the Board with complete and accurate documentation of my past conduct 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 application and/or petition, I acknowledge that I have read and I understand Sections 301.157(d), 301.252, 301.253, 301.257, 301.258, 301.260, 301.452, and 301.453, Texas Occupations Code, and Chapter 53, Section 53.001 *et seq.*, Texas Occupations Code, and 22 TEX. ADMIN. CODE §§213.27, 213.28, 213.29, and 213.30. I agree with all terms of this Order, including the Findings of Fact and Conclusions of Law and any stipulations as set out in this Order. I acknowledge that this Order is stipulated and I understand that I am not eligible to receive a Temporary Permit to practice nursing. 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 license from the Texas Board of Nursing.

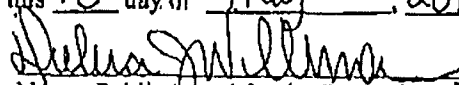
I understand that if I fail to comply with all terms and conditions of this Order, I will be subject to investigation and disciplinary sanction, including revocation of my license(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

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 Texas Board of Nursing ratify this Order.

Signed this 18 day of AUGUST, 2011.


GREGORY WAYNE WILLMON, JR., PETITIONER

Sworn to and subscribed before me this 18th day of Aug, 2011.


Notary Public in and for the State of Texas

SEAL



WHEREFORE, PREMISES CONSIDERED, the Executive Director on behalf of the Texas Board of Nursing does hereby ratify and adopt the Agreed Eligibility Order that was signed on the 18th day of August, 2011, by GREGORY WAYNE WILLMON, JR., PETITIONER for Eligibility for Licensure, and said Order is final.

Effective this 22nd day of August, 2011.



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