



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.
Habibur Rahman
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of § AGREED
Registered Nurse License Number 522430, §
issued to MD HABIBUR RAHMAN § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of MD HABIBUR RAHMAN, Registered Nurse License Number 522430, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived notice and hearing and agreed to the entry of this Order.

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

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 notice and hearing, and agreed to the entry of this Order.
3. Respondent's license to practice as a professional nurse in the State of Texas is in current status and has been in current status since approximately February 3, 2015.
4. Respondent received an associate degree from San Jacinto College, Pasadena, Texas, on 8/1/1984. Respondent was licensed to practice professional nursing in the State of Texas on 3/20/1985.
5. A hearing was held at the State Office of Administrative Hearings on April 20, 2016, and a Proposal for Decision (PFD) was issued on June 20, 2016. The parties agree that approval and ratification of this Order shall resolve all issues related to, or that could arise from, SOAH Docket Number 507-15-5559. The parties also agree that the Administrative Law Judge's findings, conclusions, and analysis in Docket Number 507-15-5559 are not adopted by either party to this agreement and are not binding or precedential in any way.
6. On or about October 30, 2012, the Respondent was convicted of *conspiracy to commit money laundering*, a felony offense, in the United States District Court, Eastern District of

Texas, under Cause Number 4:1:ICR00140-001. As a result of the conviction, the Respondent was sentenced to confinement in the Federal Bureau of Prisons for a period of 12 months and one day, and ordered to pay restitution in the amount of \$350,954.08. The Respondent was released from prison on November 19, 2013.

7. The Respondent's license was revoked under the authority of Tex. Occ. Code §53.021(b) on January 7, 2013.
8. On January 6, 2013, after the Respondent was convicted and one day before he was incarcerated, an application for renewal of the Respondent's license was submitted to the Board, in which the Respondent's conviction and order of incarceration were not appropriately disclosed.
9. On January 29, 2015, the Respondent submitted an application for renewal of his nursing license and disclosed his prior conviction and incarceration. The Board granted the renewal application on or about February 3, 2015.

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 cause pursuant to Sections 301.452(b)(2) and (10) and 53.021(b), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 522430, heretofore issued to MD HABIBUR RAHMAN, including revocation of Respondent's license(s) to practice nursing in the State of Texas.
4. Pursuant to Section 301.463(d), Texas Occupations Code, this Agreed Order is a settlement agreement under Rule 408, Texas Rules of Evidence, in civil or criminal litigation.

TERMS OF ORDER

NOW, THEREFORE, IT IS AGREED and ORDERED that Registered Nurse License Number 522430, heretofore issued to MD HABIBUR RAHMAN, to practice nursing in the State of Texas, is subject to the following terms and conditions:

I. COMPLIANCE WITH LAW AND APPLICABILITY

While under the terms of this Order, RESPONDENT agrees to 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.

- A. Until successfully completed, any and all licenses issued to Respondent shall be subject to the terms of this Order.
- B. This Order SHALL be applicable to RESPONDENT'S nurse licensure compact privileges, if any, to practice nursing in the State of Texas.
- C. As a result of this Order, RESPONDENT'S license(s) will be designated "single state" and RESPONDENT may not work outside the State of Texas in another nurse licensure compact party state without first obtaining the written permission of the Texas Board of Nursing and the Board of Nursing in the nurse licensure compact party state where RESPONDENT wishes to work.

II. REMEDIAL EDUCATION COURSE(S)

In addition to any continuing education requirements the Board may require for licensure renewal, Respondent SHALL successfully complete the following remedial education course(s) **within one (1) year of the effective date of this Order, unless otherwise specifically indicated:**

- A. **A Board-approved course in Texas nursing jurisprudence and ethics** that 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. Home study courses and video programs will not be approved.
- B. 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/these course(s), RESPONDENT SHALL CAUSE the instructor to submit a Verification of Course Completion form or SHALL submit the continuing education certificate, as applicable, to the attention of Monitoring at the Board's office. RESPONDENT SHALL first obtain Board approval of any course prior to enrollment if the course is not being offered by a pre-approved provider. *Information about Board-approved courses and*

Verification of Course Completion forms are available from the Board at www.bon.texas.gov/compliance.

III. MONETARY FINE

RESPONDENT SHALL pay a monetary fine in the amount of one thousand dollars (\$1,000.00). RESPONDENT SHALL pay this fine within ninety (90) days of entry of this Order. Payment is to be made directly to the Texas Board of Nursing in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

IV. RESTORATION OF UNENCUMBERED LICENSE(S)

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 entry of this 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 when this Order becomes final and the terms of this Order become effective, 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 possible revocation of my license(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 4th day of October, 2016.

[Signature]
MD HABIBUR RAHMAN, Respondent

Sworn to and subscribed before me this 4th day of October, 2016.

SEAL

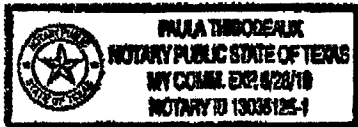
[Signature]

Notary Public in and for the State of Texas

Approved as to form and substance.

[Signature]
Marc M. Meyer, Attorney for Respondent

Signed this 4th day of October, 2016.



WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 4th day of October, 2016, by MD HABIBUR RAHMAN, Registered Nurse License Number 522430, and said Order is final.

Effective this 27th day of October, 2016.



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