

## GGSON Undergraduate Program Handbook

### SON OP 30.315 - Eligibility to take NCLEX-RN Examination

**PURPOSE** The Texas Board of Nursing sets the standards for determining who is eligible for licensure as a registered nurse in the State of Texas. TTUHSC Gayle Greve Hunt School of Nursing students who are in the Second Degree BSN Track and the Traditional BSNS Track need to be aware of requirements. The Lead Specialist in Student Services assists student with the process of applying for authorization to present the NCLEX-RN Examination and other pre requisites for licensure.

**REVIEW** This handbook shall be reviewed by the Associate Dean by September 1<sup>st</sup> of odd numbered years in collaboration with the Curriculum Committee. Final approval of the GGSON Undergraduate Program Handbook is granted by the Dean.

### POLICY/PROCEDURE

The Texas Board of Nursing (TBON) has identified certain circumstances that may render a potential candidate ineligible for licensure as a registered nurse in the State of Texas. If one of the following statements applies to you, you must complete a Petition for Declaratory Order. This Petition should be completed as soon as possible. The review process can take a minimum of three (3) months to two (2) years depending on the petitioner's case.

- A. If you have had any licensing authority: 1) refuse to issue you a license; 2) revoke a license; 3) annul a license; 4) cancel a license; 5) accept surrender of a license; 6) suspend a license; 7) place a license on probation; 8) refuse to renew a professional license or certificate held by you now or previously; or 9) ever fine, censure, reprimand, or otherwise discipline a license issued to you.
- B. If you have been convicted, adjudged guilty by a course, plead guilty, no contest or nolo contendere to any crime in any state, territory or country, whether or not a sentence was imposed, including any pending criminal charges or unresolved arrests (excluding minor traffic violations). This includes expunged offenses and deferred adjudications with or without prejudice of guilt. Please note that DUIs, DWIs and PIs are not considered minor traffic violations. One time minor in possession (MIP) or minor in consumption (MIC) do not need to be disclosed. However, if you have more than one of either offense or one of each, then you must file a declaratory order petition.
- C. If you have been diagnosed, treated, or hospitalized in the past five (5) years for schizophrenia and/or psychotic disorders, bipolar disorder, paranoid personality disorder, antisocial personality disorder, or borderline personality disorder.
- D. If you have been addicted to or treated for the use of alcohol or any other drug within the past five (5) years.

One FBI fingerprint card must be submitted to the Board with the Petition for Declaratory Order form. To request the FBI fingerprint cards, complete the web form at [www.bne.state.tx.us](http://www.bne.state.tx.us) requesting a fingerprint card packet. Please allow three (3) weeks to receive the FBI fingerprint cards. The FBI cards **will not be accepted** if the cards are bent, folded, creased, cut, or damaged in any way. The fingerprint cards must be mailed and will not be faxed, e-mailed, or mailed over-night to the applicant.

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The Declaratory Order process permits the TBON to make decisions regarding eligibility for licensure prior to entering or completing a nursing program. You can request a Petition for Declaratory Order by contacting the Texas Board of Nursing (TBON) via mail (P.O. Box 430, Austin, Texas 78767-0430), telephone (512-305-6802) or website ([www.bne.state.tx.us](http://www.bne.state.tx.us)). Processing your petition may take three months to two years, after you provide all required documentation. Statutes and Rules governing this petition may be found in the Texas Occupations Code §§301.257, 301.452-301.454 (Nursing Practice Act), and in the Board Rules and Regulations relating to Professional Nurse Education, Licensure and practice, 22 TAC §§213.27-30 and §§217.11-12. These statutes can be located on the TBON's website. Students who have obtained a Declaratory Order Petition must notify and inform the Associate Dean of the GGHSN of the outcome of his/her petition.

The Nurse Practice Act was amended during the 2005 Texas legislative session, adding §301.4535, to authorize the Texas Board of Nursing (TBON) to deny or revoke licensure to an individual for certain criminal offenses. Under the provision, the TBON shall refuse to issue or shall withdraw a license if the person has been convicted of an identified offense or has noted on his or her criminal record a plea of guilty or nolo contendere. The TBON may consider eligibility for licensure of an applicant, who otherwise would be ineligible for licensure, after the fifth anniversary of the successful completion of and dismissal from probation or parole. The criminal offenses barring licensure, as defined by Texas Penal Code, include the following: murder; capital murder; reckless manslaughter; kidnapping, unlawful restraint, or unlawful transport of a person for payment and punishable as a felony; sexual assault; aggravated sexual assault; indecency with a child; intentional or reckless abandonment or endangerment of a child; inflicting intentional or reckless injury to a child, an elderly or disabled person; perpetrator of family violence; an agreement to abduct a child; the sale or purchase of a child; robbery; aggravated robbery; an offense that requires the individual to register as a sexual offender; and convictions for similar crimes in a military tribunal.

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