

Name: \_\_\_\_\_  
Cohort: \_\_\_\_\_

## DECLARATORY ORDER DISCLOSURE AND FORM

*Applicants to the SHSU School of Nursing Program:* Please read the following information carefully as you apply to the Nursing program. If you have issues that could prevent you from being eligible for licensure as a Registered Nurse in this state, you should address the matter prior to admission to the Nursing program. You will have to respond truthfully to these same questions when you apply for licensure during your last semester.

*Any student with a positive criminal background check will not be admitted to SHSU's Nursing program until the Texas Board of Nursing delivers a declaratory order allowing the student to sit for the NCLEX-RN upon graduation.*

Below is an excerpt from the Texas Board of Nursing Website. If you answer "yes" to any question, you should contact the Board of Nursing to obtain a Declaratory Order prior to applying to the Nursing program. Excerpts from Texas Board of Nursing website and Petition for Declaratory Order Form:

- Applicants seeking licensure in Texas by Endorsement or Examination are required to submit a complete and legible set of fingerprints on a form prescribed by the board for the purpose of obtaining a criminal history from the Texas School of Public Safety and the Federal Bureau of Investigations. (Section 301.252 (b) and Section 301.252 (e) of the Texas Occupations Code)
- All NCLEX applicants with outstanding eligibility issues that could prevent them from taking the NCLEX examination up completion of a nursing program, are urged to complete a Declaratory Order application. The Declaratory Order process permits the Board to make decisions regarding an applicant's eligibility for licensure prior to entering or completing a nursing program.

If you answer "yes" to any of the questions below, you should contact the Texas Board of Nursing for clarification prior to applying to the SHSU Nursing Program. Contact the Texas

Board at: Texas Board of Nursing  
333 Guadalupe, Ste 3-460  
Austin, TX 78701  
Phone: 512-305-7400  
<http://www.bne.state.tx.us/>

### Questions from the Petition for a Declaratory Order:

For any criminal offense, including those pending appeal, have you: (Mark 'yes' for any that apply to you. You may only exclude Class C misdemeanor traffic violations.)

- 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?

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- 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 judgement/punishment/action?

NOTE: Expunged and Sealed Offenses: While expunged or sealed offenses, arrests, tickets, or citations need not be disclosed, it is your responsibility to ensure the offense, arrest, ticket or citation has, in fact, been expunged or sealed. It is recommended that you submit a copy of the Court Order expunging or sealing the record in question to TBON. Failure to reveal an offense, arrest, ticket, or citation that is not expunged or sealed, will at a minimum, subject your license to a disciplinary fine. Non-disclosure of relevant offenses raises questions related to truthfulness and character.

NOTE: Orders of Non-Disclosure: Pursuant to Texas Government Code § 552.142(b), if you have criminal matters that are the subject of an order of non-disclosure, you are not required to reveal those criminal matters on this form. However, a criminal matter that is the subject of an order of non-disclosure may become a character and fitness issue. Pursuant to other sections of the Government Code chapter 411, the Texas Nursing Board is entitled to access criminal history record information that is the subject of an order of non-disclosure. If the Board discovers a criminal matter that is the subject of an order of non-disclosure, even if you properly did not reveal that matter, the Board may require you to provide information about any conduct that raises issues of character.

Initial each of the statements below if they are true:

- \_\_\_\_\_ I am not currently the target or subject of a grand jury or governmental agency investigation.
  - \_\_\_\_\_ No licensing authority has refused to issue me a license or ever revoked, annulled, cancelled, accepted surrender of, suspended, placed on probation, refused to renew a license, certificate or multi-state privilege held by you now or previously, or ever fined, censured, reprimanded or otherwise disciplined me.
  - \_\_\_\_\_ \*Within the past five (5) years I have not been addicted to and/or treated for the use of alcohol or any other drug.
  - \_\_\_\_\_ \*Within the past five (5) years I have not been diagnosed with, treated, or hospitalized For schizophrenia and/or psychotic disorders, bipolar disorder, paranoid personality disorder, antisocial personality disorder, or borderline personality disorder.\*
- If "YES" indicate the condition [ ] schizophrenia and/or psychotic disorders, [ ] bipolar disorder, [ ] paranoid personality disorder, [ ] antisocial personality disorder, [ ] borderline personality disorder

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\*Pursuant to Occupations Code § 301.207, information regarding a person's diagnosis or treatment for a physical condition, mental condition, or chemical dependency is confidential to the same extent that information collected as part of an investigation is confidential under the Occupations Code § 301.466. You may indicate "NO" if you have completed and/or are in compliance with Texas Peer Assistance Program for Nurses (TPAPN) for substance abuse or mental illness.

\*\*\*IF YOU HAVE AN AFFIRMATIVE ANSWER TO ANY QUESTIONS ABOVE, YOU MUST PROVIDE A SIGNED AND DATED LETTER DESCRIBING THE INCIDENCE(S) THAT YOU ARE REPORTING TO THE BOARD.

For TBON Declaratory Order information, visit

[http://www.bon.texas.gov/forms\\_declaratory\\_order.asp](http://www.bon.texas.gov/forms_declaratory_order.asp)

**This form must be submitted as part of the SHSU School of Nursing application process.**