



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

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Vocational Nurse § AGREED
License Number 202698 §
issued to JUDE IHEUKWUMERE OGBONNA § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of JUDE IHEUKWUMERE OGBONNA, Vocational Nurse License Number 202698, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(10)&(13), Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on December 22, 2010, 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(s).
2. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice vocational nursing in the State of Texas.
4. Respondent received a Certificate in Vocational Nursing from Texas State Technical College, Sweetwater, Texas, on April 1, 2005. Respondent was licensed to practice vocational nursing in the State of Texas on February 7, 2006.
5. Respondent's nursing employment history includes:

2005-2006	GVN	Community Healthcare and Rehab Center Stephenville, Texas
2006-2007	LVN	Canterbury Villa Nursing Home Stephenville, Texas

Respondent's nursing employment history continued:

2006-2008	LVN	Covenant Care Center Vernon, Texas
2008-2009	LVN	Epic Med Staff Home Healthcare Dallas, Texas
2008-Present	LVN	At Home Healthcare Dallas, Texas
2009-Present	LVN	Maxim Home Healthcare Dallas, Texas

6. At the time of the incident, Respondent was employed as a LVN with Epic Med Staff Home Healthcare, Dallas, Texas, and had been in this position for five (5) months.
7. On or about February 13, 2009, while employed by Epic Med Staff Home Healthcare, Dallas, Texas, Respondent failed to adequately care for patient J.L. when he left this patient in the care of a Homebound Teacher, who was not trained to provide medical interventions to the patient, placing the patient's safety at risk. Respondent left the patient with the Homebound Teacher and went out to his car which was parked some distance from the patient's home. The patient began coughing and was unable to clear the mucus from his airway. The Homebound Teacher went to find the Respondent to provide assistance to the patient and discovered the Respondent was absent from the home. Respondent's conduct exposed the patient unnecessarily to a risk of harm from a delay of intervention as a result of Respondent leaving his nursing assignment which left the patient with an individual who lacked training to provide proper care thereby placing the patient in potential danger from respiratory compromise.
8. In response to the incident in Finding of Fact Number Seven (7), Respondent states when he was finished with patient J.L.'s breathing treatment, he asked the teacher who was present if it would be ok if he went out to his car to put oil in it and she said yes. Respondent states he went out and put oil in his car and when he was returning and was at the door of the patient's home his phone rang and it was staff from Epic telling him the teacher had called and reported that he had left the patient unattended. Respondent states the teacher would not speak to the person on the phone to verify he was in the home, but got her stuff together and left the home.

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 of Section 301.452(b)(10)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §§217.11(1)(A),(1)(B),(1)(I)&(2)(A) and 217.12(1)(A),(1)(B)&(4)&(12).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 202698, heretofore issued to JUDE IHEUKWUMERE OGBONNA, including revocation of Respondent's license(s) to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL receive the sanction of REMEDIAL EDUCATION AND A FINE, and 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.

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, Respondent may not work outside the State of Texas pursuant to a nurse licensure compact 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 that:

(1) RESPONDENT SHALL, within one (1) year of entry of this Order, 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.state.tx.us/disciplinaryaction/stipscourses.html>.*

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, 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. *Information regarding this workshop may be found at the following web address: <http://learningext.com/hives/a0f6f3e8a0/summary>.*

(3) RESPONDENT SHALL pay a monetary fine in the amount of two hundred fifty (\$250.00) dollars. RESPONDENT SHALL pay this fine within forty-five (45) 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.

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 shall be eligible for nurse licensure compact privileges, if any.

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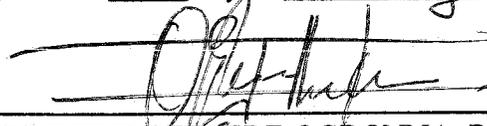
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RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order.

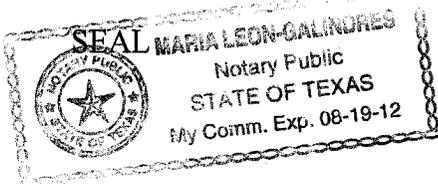
I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that 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 revocation of my license(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 27th day of January, 2011.



JUDE IHEUKWUMERE OGBONNA, Respondent

Sworn to and subscribed before me this 27 day of January, 2011.



Notary Public in and for the State of Texas

WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby ratify and adopt the Agreed Order that was signed on the 27th day of January, 2011, by JUDE IHEUKWUMERE OGBONNA, Vocational Nurse License Number 202698, and said Order is final.



Effective this 8th day of February, 2011.

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