



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

IN THE MATTER OF  
VOCATIONAL NURSE LICENSE  
NUMBER 209238  
ISSUED TO ELSIE UCHENNA ONUOHA

§ BEFORE THE TEXAS  
§  
§  
§ BOARD OF NURSING

**NUNC PRO TUNC ORDER OF THE BOARD**

TO: Elsie Uchenna Onuoha  
1104 Coaches Crossing  
Pflugerville, TX 78660

During open meeting held in Austin, Texas, the Texas Board of Nursing (Board) finds that an Order of the Board was mistakenly ratified and entered for Elsie Uchenna Onuoha. The Order, which was heard and ratified by the Board on August 17, 2010, contains a typographical error on page 7 of the Order regarding stipulation number 6. Upon notice and hearing, administrative agencies, like the Courts, have the power to enter nunc pro tunc orders where it can be seen by reference to a record that what was intended to be entered, but was omitted by inadvertence or mistake, can be corrected upon satisfactory proof of its rendition provided that no intervening rights will be prejudiced. *Railroad Comm'n v. McClain*, 356 S.W.2d 330, 334 (Tex. App.--Austin 1962, no writ) (citing *Frankfort Ky. Nat. Gas Co. v. City of Frankfort*, 276 Ky. 199, 123 S.W.2d 270, 272).

The Executive Director, as agent of the Texas Board of Nursing, after review and due consideration of the record and the facts therein, invalidates the Order of the Board for Elsie Uchenna Onuoha that is dated August 17, 2010, and submits and enters the corrected Order of the Board, with the effective date of August 17, 2010. The corrected Order removes the phrase "the suspension being stayed" from stipulation number 6 on page 7 of the Order so that the Order correctly reflects the phrase "entry of this Order". No other changes to the Order have been made. Ms. Onuoha received due process regarding her nursing license; therefore, her rights have not been prejudiced.

NOW, THEREFORE, IT IS ORDERED that the corrected Order of the Board is hereby approved and entered on the dates set forth below.

Order effective August 17, 2010.

Entered this 31st day of August, 2010.

TEXAS BOARD OF NURSING

BY: *Katherine A. Thomas*  
KATHERINE A. THOMAS, MN, RN  
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Vocational Nurse                   §     AGREED  
License Number 209238                                 §  
issued to ELSIE UCHENNA ONUOHA                 §     ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of ELSIE UCHENNA ONUOHA, Vocational Nurse License Number 209238, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(13), Texas Occupations Code. Respondent waived informal proceedings, notice and hearing, and agreed to the entry of this Order offered on April 18, 2010, by Katherine A. Thomas, MN, RN, Executive Director, subject to ratification by the Board.

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.
2. Respondent waived 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 Victoria College, Gonzales, Texas, on August 12, 2005. Respondent was licensed to practice vocational nursing in the State of Texas on March 20, 2007.
5. Respondent's nursing employment history includes:

04/2007 - 09/2007	Staff LVN	Heritage Park Nursing and Skilled Nursing Center Austin, Texas
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Respondent's nursing employment history continued:

10/2007 - 05/2008	Charge Nurse	Austin Nursing Center Austin, Texas
06/2008 - Present	Unknown	

6. At the time of the initial incident, Respondent was employed as a Charge Nurse with Austin Nursing Center, Austin, Texas, and had been in this position for seven (7) months.
7. On or about May 26, 2008, while employed as a Charge Nurse at Austin Nursing Center, Austin, Texas, Respondent failed to assess and intervene in a timely manner, including notifying a physician, when, at 2100, Patient K000342367 would not respond to verbal or physical stimuli and experienced respiratory distress. Respondent documented she would "continue to observe for changes." At 2330, Respondent documented that Patient K000342367 was "very unconscious" and diaphoretic, and that his oxygen saturation on room air was 80-83%, his blood glucose level was 42, and his axillary temperature was 102.1 degrees, and Respondent inappropriately administered orange juice to the unconscious patient. Emergency Medical Services was called and the patient was transported to the hospital where he died twelve (12) hours later. Respondent's conduct delayed the onset of the patient's emergency medical care that was needed to prevent further complications, which may have contributed to the patient's demise.
8. On or about May 26, 2008, while employed as a Charge Nurse at Austin Nursing Center, Austin, Texas, Respondent failed to appropriately intervene and provide wound care to the aforementioned Patient K000342367, who had multiple, large, uncovered pressure sores on his sacrum, right heel, left posterior leg, and left great toe, and who had an area of abdominal cellulitis, a large fluid filled blister on the foreskin of the penis and a large cleft on the underside of the penis. Ants were found crawling in the wounds of Patient K000342367 after he was transported to the Emergency Room. Respondent's conduct resulted in delayed clinical interventions needed to stabilize and or prevent further complications.
9. On or about May 26, 2008, while employed at Austin Nursing Center, Austin, Texas, Respondent failed to appropriately intervene and provide Foley catheter care to the aforementioned Patient K000342367 when drainage bag was observed to have cloudy, foul smelling urine, purulent urethral discharge, and blood at the urethral meatus. Respondent's conduct resulted in delayed clinical interventions needed to stabilize and or prevent further complications.
10. In response to the incidents in Findings of Fact Numbers Seven (7) through Nine (9), Respondent states that, regarding the respiratory distress, the "Certified Nurse Aides (CNA) were trained to take vital signs and were very good about reporting problems" to the Respondent. "In fact, it was the CNA who first reported to Respondent that there might be a problem with this patient." The CNA checked the vital signs and asked Respondent to come and see the patient. Respondent went to the patient's room at approximately 2330,

noticed his O2 saturation was 80 - 83% and that he was diaphoretic. Respondent placed him on two (2) liters of oxygen via nasal cannula (NC) and checked his blood sugar which was 42. Respondent further states that she:

- Administered glucose gel and orange juice with five (5) packets of sugar;
- Increased the oxygen to four (4) liters via nasal cannula, which increased the oxygen saturation to 84%;
- Notified the patient's physician of change in patient status;
- Called the Director of Nursing (DON), who did not answer or return the call;
- Called the Assistant DON to ask if the patient should be sent to the hospital. The Assistant DON stated the patient was scheduled for Hospice care and to not send him to the hospital;
- Did not agree with the Assistant DON, so she called another Assistant DON who agreed that the patient should be sent to the hospital;
- Called 911 at approximately 2340. EMS arrived at midnight to transport patient to the hospital;
- Notified the physician of the patient's transfer to the hospital; and
- Did not complete charting on Resident's chart prior to leaving the facility at the end of her shift because she had to leave on time to take her children to school. She returned to the facility directly after taking her children to school, but was not allowed to make any late entries into the record because the DON would not let her have the chart.

Regarding the wound care, Respondent states that at the start of her shift, at 1900, she did rounds and Accu-checks, spoke briefly with the patient, and noted that his left foot had a boot with a sticker on it, indicating the dressing had been checked and changed that day (by the Wound Care Nurse). Respondent states that she "did not do anything more than a visual check to make sure that the boot and his dressings were in place." About the catheter care, Respondent indicates that:

- The Foley catheter was in place and draining urine appropriately;
- "There was no physician order that would have required her to provide any specific care to this patient's Foley catheter and there was no problem with the catheter that would have required her to notify the patient's physician or take any action," and
- "Because of these facts, Respondent did not provide any specific care to this patient's Foley on May 26, 2008, that would have required her to visualize the patient's penis."

#### 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 violations of Section 301.452(b)(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.11(1)(A),(1)(B),(1)(C), (1)(D),(1)(M)&(2)(A).

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 209238, heretofore issued to ELSIE UCHENNA ONUOHA, including revocation of Respondent's license to practice vocational nursing in the State of Texas.
5. Section 301.463(d) of the Act provides that this Agreed Order is a Settlement Agreement under Rule 408 of the Texas Rules of Evidence for purposes of civil or criminal litigation.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that RESPONDENT SHALL receive the sanction of a WARNING WITH STIPULATIONS, 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 is 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 Texas Board of Nursing 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 a course in physical assessment. RESPONDENT SHALL obtain Board approval of the course prior to enrollment. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include Nurses. The didactic portion of this course shall be a minimum of six (6) hours in length. RESPONDENT SHALL perform physical assessments on live patients in a clinical setting for a minimum of twenty-four (24) hours. The clinical component SHALL focus on tasks of physical assessment only and shall be provided by the same Registered Nurse who provides the didactic portion of this course. RESPONDENT SHALL perform physical assessments on live patients in a clinical setting for a minimum of forty-eight (48) hours. The clinical component SHALL focus on tasks of physical assessment only and shall be provided by the same Registered Nurse who provides the didactic portion of this course. To be approved, the course shall cover all systems of the body. Performing assessments on mock patients or mannequins WILL NOT be accepted. The course description shall indicate goals and objectives

for the course, resources to be utilized, and the methods to be used to determine successful completion of the course. RESPONDENT SHALL successfully complete both the didactic and clinical portions of the course to satisfy this stipulation. RESPONDENT SHALL CAUSE the instructor 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>*

(3) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in nursing documentation. 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. The course shall be a minimum of six (6) hours in length of classroom time. In order for the course to be approved, the target audience shall include Nurses. The course shall include content on the following: nursing standards related to accurate and complete documentation; legal guidelines for recording; methods and processes of recording; methods of alternative record-keeping; and computerized documentation. RESPONDENT SHALL cause the instructor to submit a Verification of Course Completion form, provided by the Board, to the Board's office 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>*

(4) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in “Detecting and Preventing Abuse and Neglect ...,” a five (5) contact hour workshop presented in various locations by the Texas Department of Aging and Disability Services. In order to receive credit for completion of this workshop, RESPONDENT SHALL SUBMIT the continuing education certificate of completion for this workshop 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 website: <http://www.dads.state.tx.us/providers/Training/jointtraining.cfm> or by contacting (512) 438-2201.*

(5) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in “Pressure Ulcers,” a 4.5 contact hours workshop presented in various locations by the Texas Department of Aging and Disability Services. In order to receive credit for completion of this workshop, RESPONDENT SHALL SUBMIT the continuing education certificate of completion for this workshop 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 website: <http://www.dads.state.tx.us/providers/Training/jointtraining.cfm> or by contacting (512) 438-2201.*

(6) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in “Resident Rights and Quality of Life,” a 6.0 contact hours workshop presented in various locations by the Texas Department of Aging and Disability Services. In order to receive credit for completion of this workshop, RESPONDENT SHALL SUBMIT the continuing education certificate of completion for this workshop 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 website: <http://www.dads.state.tx.us/providers/Training/jointtraining.cfm> or by contacting (512) 438-2201.*

(7) 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://ncsbn.hivelive.com/hives/a0f6f3e8a0/summary>.*

**IT IS FURTHER AGREED, SHOULD RESPONDENT PRACTICE AS A NURSE IN THE STATE OF TEXAS, RESPONDENT WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING AND RESPONDENT MUST WORK IN SUCH SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING STIPULATIONS FOR ONE (1) YEAR OF EMPLOYMENT. THE LENGTH OF THE STIPULATION PERIOD WILL BE EXTENDED UNTIL SUCH TWELVE (12) MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE THE USE OF A VOCATIONAL NURSE (LVN) LICENSE WILL NOT APPLY TO THIS STIPULATION PERIOD:**

(8) RESPONDENT SHALL notify each present employer in nursing of this Order of the Board and the stipulations on RESPONDENT's license. RESPONDENT SHALL present a

complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each present employer within five (5) days of receipt of this Order. RESPONDENT SHALL notify all future employers in nursing of this Order of the Board and the stipulations on RESPONDENT's license. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each future employer prior to accepting an offer of employment.

(9) RESPONDENT SHALL CAUSE each present employer in nursing to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within five (5) days of employment as a nurse.

(10) RESPONDENT SHALL be supervised by a Registered Nurse or a Licensed Vocational Nurse who is on the premises. The supervising nurse is not required to be on the same unit or ward as RESPONDENT, but should be on the facility grounds and readily available to provide assistance and intervention if necessary. The supervising nurse shall have a minimum of two (2) years experience in the same or similar practice setting to which the Respondent is currently working. RESPONDENT SHALL work only regularly assigned, identified and predetermined unit(s). RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(11) RESPONDENT SHALL CAUSE each employer to submit, on forms provided to the Respondent by the Board, periodic reports as to RESPONDENT's capability to practice nursing. These reports shall be completed by the Registered Nurse or Licensed Vocational Nurse

who supervises the RESPONDENT. These reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) month period for one (1) year of employment as a nurse.

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

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RESPONDENT'S CERTIFICATION

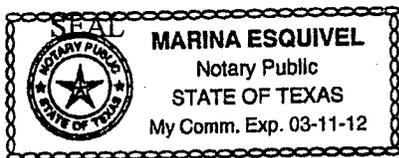
I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed this Order. I neither admit nor deny the violations. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that this Order is subject to ratification by the Board. When this Order is ratified, the terms of this Order become effective, and 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 to practice vocational nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 17<sup>th</sup> day of July, 2010.

Allsie

ELSIE UCHENNA ONUOHA, Respondent

Sworn to and subscribed before me this 17<sup>th</sup> day of July, 2010.



[Signature]  
Notary Public in and for the State of Texas

Approved as to form and substance.

Kenda B. Dalrymple

Kenda B. Dalrymple, Attorney for Respondent

Signed this 23<sup>rd</sup> day of July, 2010.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 17th day of July, 2010, by ELSIE UCHENNA ONUOHA, Vocational Nurse License Number 209238, and said Order is final.

Effective this 17th day of August, 2010.

*Katherine A. Thomas*

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

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Vocational Nurse                   §     AGREED  
License Number 209238                                 §  
issued to ELSIE UCHENNA ONUOHA                 §     ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of ELSIE UCHENNA ONUOHA, Vocational Nurse License Number 209238, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(13), Texas Occupations Code. Respondent waived informal proceedings, notice and hearing, and agreed to the entry of this Order offered on April 18, 2010, by Katherine A. Thomas, MN, RN, Executive Director, subject to ratification by the Board.

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.
2. Respondent waived 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 Victoria College, Gonzales, Texas, on August 12, 2005. Respondent was licensed to practice vocational nursing in the State of Texas on March 20, 2007.
5. Respondent's nursing employment history includes:

04/2007 - 09/2007	Staff LVN	Heritage Park Nursing and Skilled Nursing Center Austin, Texas
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noticed his O2 saturation was 80 - 83% and that he was diaphoretic. Respondent placed him on two (2) liters of oxygen via nasal cannula (NC) and checked his blood sugar which was 42. Respondent further states that she:

- Administered glucose gel and orange juice with five (5) packets of sugar;
- Increased the oxygen to four (4) liters via nasal cannula, which increased the oxygen saturation to 84%;
- Notified the patient's physician of change in patient status;
- Called the Director of Nursing (DON), who did not answer or return the call;
- Called the Assistant DON to ask if the patient should be sent to the hospital. The Assistant DON stated the patient was scheduled for Hospice care and to not send him to the hospital;
- Did not agree with the Assistant DON, so she called another Assistant DON who agreed that the patient should be sent to the hospital;
- Called 911 at approximately 2340. EMS arrived at midnight to transport patient to the hospital;
- Notified the physician of the patient's transfer to the hospital; and
- Did not complete charting on Resident's chart prior to leaving the facility at the end of her shift because she had to leave on time to take her children to school. She returned to the facility directly after taking her children to school, but was not allowed to make any late entries into the record because the DON would not let her have the chart.

Regarding the wound care, Respondent states that at the start of her shift, at 1900, she did rounds and Accu-checks, spoke briefly with the patient, and noted that his left foot had a boot with a sticker on it, indicating the dressing had been checked and changed that day (by the Wound Care Nurse). Respondent states that she "did not do anything more than a visual check to make sure that the boot and his dressings were in place." About the catheter care, Respondent indicates that:

- The Foley catheter was in place and draining urine appropriately;
- "There was no physician order that would have required her to provide any specific care to this patient's Foley catheter and there was no problem with the catheter that would have required her to notify the patient's physician or take any action;" and
- "Because of these facts, Respondent did not provide any specific care to this patient's Foley on May 26, 2008, that would have required her to visualize the patient's penis."

#### 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 violations of Section 301.452(b)(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.11(1)(A),(1)(B),(1)(C), (1)(D),(1)(M)&(2)(A).

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 209238, heretofore issued to ELSIE UCHENNA ONUOHA, including revocation of Respondent's license to practice vocational nursing in the State of Texas.
5. Section 301.463(d) of the Act provides that this Agreed Order is a Settlement Agreement under Rule 408 of the Texas Rules of Evidence for purposes of civil or criminal litigation.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that RESPONDENT SHALL receive the sanction of a WARNING WITH STIPULATIONS, 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 is 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 Texas Board of Nursing 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:*  
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(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in physical assessment. RESPONDENT SHALL obtain Board approval of the course prior to enrollment. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include Nurses. The didactic portion of this course shall be a minimum of six (6) hours in length. RESPONDENT SHALL perform physical assessments on live patients in a clinical setting for a minimum of twenty-four (24) hours. The clinical component SHALL focus on tasks of physical assessment only and shall be provided by the same Registered Nurse who provides the didactic portion of this course. RESPONDENT SHALL perform physical assessments on live patients in a clinical setting for a minimum of forty-eight (48) hours. The clinical component SHALL focus on tasks of physical assessment only and shall be provided by the same Registered Nurse who provides the didactic portion of this course. To be approved, the course shall cover all systems of the body. Performing assessments on mock patients or mannequins WILL NOT be accepted. The course description shall indicate goals and objectives

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<http://www.bon.state.tx.us/disciplinaryaction/stipscourses.html>

(4) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in "Detecting and Preventing Abuse and Neglect ...," a five (5) contact hour workshop presented in various locations by the Texas Department of Aging and Disability Services. In order to receive credit for completion of this workshop, RESPONDENT SHALL SUBMIT the continuing education certificate of completion for this workshop 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 website: <http://www.dads.state.tx.us/providers/training/jointtraining.cfm> or by contacting (512) 438-2201.*

(5) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in "Pressure Ulcers," a 4.5 contact hours workshop presented in various locations by the Texas Department of Aging and Disability Services. In order to receive credit for completion of this workshop, RESPONDENT SHALL SUBMIT the continuing education certificate of completion for this workshop 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 website: <http://www.dads.state.tx.us/providers/training/jointtraining.cfm> or by contacting (512) 438-2201.*

(6) RESPONDENT SHALL, within one (1) year of entry of this Order the suspension being stayed, successfully complete a course in "Resident Rights and Quality of Life," a 6.0 contact hours workshop presented in various locations by the Texas Department of Aging and Disability Services. In order to receive credit for completion of this workshop, RESPONDENT SHALL SUBMIT the continuing education certificate of completion for this workshop 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 website: <http://www.dads.state.tx.us/providers/Training/jointtraining.cfm> or by contacting (512) 438-2201.*

(7) 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://ncsbn.hivelive.com/hives/a0f6f3e8a0/summary>.*

**IT IS FURTHER AGREED, SHOULD RESPONDENT PRACTICE AS A NURSE IN THE STATE OF TEXAS, RESPONDENT WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING AND RESPONDENT MUST WORK IN SUCH SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING STIPULATIONS FOR ONE (1) YEAR OF EMPLOYMENT. THE LENGTH OF THE STIPULATION PERIOD WILL BE EXTENDED UNTIL SUCH TWELVE (12) MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE THE USE OF A VOCATIONAL NURSE (LVN) LICENSE WILL NOT APPLY TO THIS STIPULATION PERIOD:**

(8) RESPONDENT SHALL notify each present employer in nursing of this Order of the Board and the stipulations on RESPONDENT's license. RESPONDENT SHALL present a

complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each present employer within five (5) days of receipt of this Order. RESPONDENT SHALL notify all future employers in nursing of this Order of the Board and the stipulations on RESPONDENT's license. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each future employer prior to accepting an offer of employment.

(9) RESPONDENT SHALL CAUSE each present employer in nursing to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within five (5) days of employment as a nurse.

(10) RESPONDENT SHALL be supervised by a Registered Nurse or a Licensed Vocational Nurse who is on the premises. The supervising nurse is not required to be on the same unit or ward as RESPONDENT, but should be on the facility grounds and readily available to provide assistance and intervention if necessary. The supervising nurse shall have a minimum of two (2) years experience in the same or similar practice setting to which the Respondent is currently working. RESPONDENT SHALL work only regularly assigned, identified and predetermined unit(s). RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(11) RESPONDENT SHALL CAUSE each employer to submit, on forms provided to the Respondent by the Board, periodic reports as to RESPONDENT's capability to practice nursing. These reports shall be completed by the Registered Nurse or Licensed Vocational Nurse

who supervises the RESPONDENT. These reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) month period for one (1) year of employment as a nurse.

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

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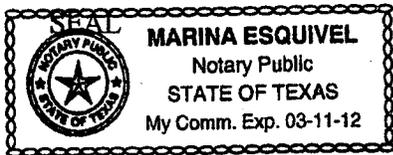
RESPONDENT'S CERTIFICATION

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 violations. 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 this Order is subject to ratification by the Board. When this Order is ratified, the terms of this Order become effective, and 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 to practice vocational nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 17<sup>th</sup> day of July, 2010.

Elsie  
ELSIE UCHENNA ONUOHA, Respondent

Sworn to and subscribed before me this 17<sup>th</sup> day of July, 2010.



[Signature]  
Notary Public in and for the State of Texas

Approved as to form and substance.

Kenda B. Dalrymple  
Kenda B. Dalrymple, Attorney for Respondent

Signed this 23<sup>rd</sup> day of July, 2010.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 17th day of July, 2010, by ELSIE UCHENNA ONUOHA, Vocational Nurse License Number 209238, and said Order is final.

Effective this 17th day of August, 2010.



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