

IN THE MATTER OF  
PERMANENT CERTIFICATE  
NUMBER 766639  
ISSUED TO  
EJIKE ROLAND EGWUEKWE

§  
§  
§  
§  
§  
§  
§  
§

BEFORE THE ELIGIBILITY  
AND DISCIPLINARY  
COMMITTEE  
OF THE TEXAS  
BOARD OF NURSING



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.  
*Patricia A. Thomas*  
Executive Director of the Board

**ORDER OF THE BOARD**

TO: EJIKE ROLAND EGWUEKWE  
PO BOX 1676  
ALIEF, TEXAS 77411

During open meeting held in Austin, Texas, on September 14, 2010, the Eligibility and Disciplinary Committee (hereinafter "Committee") heard the above-styled case, based on the failure of the Respondent to appear as required by 22 TEX. ADMIN. CODE Ch. 213.

The Committee of the Texas Board of Nursing finds that notice of the facts or conduct alleged to warrant disciplinary action has been provided to Respondent in accordance with Texas Government Code § 2001.054(c) and Respondent has been given an opportunity to show compliance with all the requirements of the Nursing Practice Act, chapter 301 of the Texas Occupations Code, for retention of Respondent's license to practice professional nursing in the State of Texas.

The Committee finds that the Formal Charges were properly initiated and filed in accordance with section 301.458, Texas Occupations Code.

The Committee finds that after proper and timely Notice regarding the violations alleged in the Formal Charges was given to Respondent in this matter, Respondent has failed to appear in accordance with 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that the Board is authorized to enter a default order pursuant to Texas Government Code § 2001.056.

---

The Eligibility and Disciplinary Committee, after review and due consideration, adopts the

proposed findings of fact and conclusions of law as stated in the Formal Charges which are attached hereto and incorporated by reference for all purposes and the Staff's recommended sanction of revocation by default. This Order will be properly served on all parties and all parties will be given an opportunity to file a motion for rehearing [22 TEX. ADMIN.CODE § 213.16(j)]. All parties have a right to judicial review of this Order.

All proposed findings of fact and conclusions of law filed by any party not specifically adopted herein are hereby denied.

NOW, THEREFORE, IT IS ORDERED that Permanent Certificate Number 766639, previously issued to EJIKE ROLAND EGWUEKWE, to practice professional nursing in the State of Texas be, and the same is hereby, REVOKED.

IT IS FURTHER ORDERED that this Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice professional nursing in the State of Texas.

Entered this 14<sup>th</sup> day of September, 2010.

TEXAS BOARD OF NURSING

BY:



KATHERINE A. THOMAS, MN, RN  
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

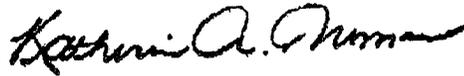
Re: Permanent Certificate Number 766639  
Issued to EJIKE ROLAND EGWUEKWE  
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 14 day of September, 2010, a true and correct copy of the foregoing DEFAULT ORDER was served by placement in the U.S. Mail via certified mail, and addressed to the following person(s):

EJIKE ROLAND EGWUEKWE  
PO BOX 1676  
ALIEF, TEXAS 77411

BY:



\_\_\_\_\_  
KATHERINE A. THOMAS, MN, RN  
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

**In the Matter of Permanent License  
Number 766639, Issued to  
EJIKE ROLAND EGWUEKWE, Respondent**

§ **BEFORE THE TEXAS**  
§  
§ **BOARD OF NURSING**

### **FORMAL CHARGES**

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, EJIKE ROLAND EGWUEKWE, is a Registered Nurse holding license number 766639, which is in current status at the time of this pleading.

Written notice of the facts and conduct alleged to warrant adverse licensure action was sent to Respondent at Respondent's address of record and Respondent was given opportunity to show compliance with all requirements of the law for retention of the license prior to commencement of this proceeding.

#### **CHARGE I.**

On or about August 28, 2008, Respondent submitted a Temporary License/Endorsement Application for Registered Nurses indicating that he had obtained a Baccalaureate Degree in Nursing from St. Gerard University, Port-Au-Prince, Haiti, West Indies, in August 2005, and that he held permanent licensure as a Registered Nurse in the State of Vermont.

On or about March 16, 2009, Respondent was granted licensure to practice professional nursing in the State of Texas on the basis of his education and licensure to practice professional nursing in the State of Vermont.

On or about April 12, 2010, Respondent's license to practice professional nursing in the State of Vermont was made "Inactive - Conditioned" through a Stipulation and Consent Order by the State of Vermont Board of Nursing, the Statement of Facts from which indicate, in relevant part, that:

- The educational program which Respondent used to obtain licensure in the State of Vermont did not meet the required educational criteria for licensure; and
- Respondent agreed that he did not meet the minimum qualifications for licensure.

Respondent's conduct was deceptive and is likely to injure the public.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(2),(8)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(6)(H)&(6)(I).

NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of up to revocation of Respondent's license to practice nursing in the State of Texas pursuant to the Board's rules, 22 TEX. ADMIN. CODE §§ 213.27 - 213.33. Additionally, staff will seek to impose on Respondent the administrative costs of the proceeding pursuant to Section 301.461, Texas Occupations Code. The cost of proceedings shall include, but is not limited to, the cost paid by the Board to the State Office of Administrative Hearings and the Office of the Attorney General or other

Board counsel for legal and investigative services, the cost of a court reporter and witnesses, reproduction of records, Board staff time, travel, and expenses. These shall be in an amount of at least one thousand two hundred dollars (\$1200.00).

NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, [www.bon.state.tx.us](http://www.bon.state.tx.us).

NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Sanction Policies for Lying and Falsification, and for Fraud, Theft & Deception, which can be found at the Board's website, [www.bon.state.tx.us](http://www.bon.state.tx.us).

NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, which can be found at [www.bon.state.tx.us/disciplinaryaction/discp-matrix.html](http://www.bon.state.tx.us/disciplinaryaction/discp-matrix.html).

NOTICE IS ALSO GIVEN that Respondent's past disciplinary history, as set out below and described in the Order which is attached and incorporated by reference as part of these charges, will be offered in support of the disposition recommended by staff: State of Vermont Board of Nursing Stipulation and Consent Order dated April 12, 2010, and entered April 15, 2010.

Filed this 28<sup>th</sup> day of June, 20 10.

TEXAS BOARD OF NURSING



James W. Johnston, General Counsel  
Board Certified - Administrative Law  
Texas Board of Legal Specialization  
State Bar No. 10838300

Jena Renee Koslan Abel, Assistant General Counsel  
State Bar No. 24036103

Lance Robert Brenton, Assistant General Counsel  
State Bar No. 24066924

Robert Kyle Hensley, Assistant General Counsel  
State Bar No. 50511847

Nikki Hopkins, Assistant General Counsel  
State Bar No. 24052269

John F. Legris, Assistant General Counsel  
State Bar No. 00785533

TEXAS BOARD OF NURSING

333 Guadalupe, Tower III, Suite 460  
Austin, Texas 78701  
P: (512) 305-6824  
F: (512) 305-8101 or (512)305-7401

---

Attachment: State of Vermont Board of Nursing Stipulation and Consent Order dated April 12, 2010, and entered April 15, 2010

0999/D

STATE OF VERMONT  
SECRETARY OF STATE  
OFFICE OF PROFESSIONAL REGULATION  
BOARD OF NURSING

IN RE: )  
EJIKE EGWUEKWE ) Docket No. NU80-0109 (2009-13)  
License No. 026.0043006 )

STIPULATION AND CONSENT ORDER

STIPULATION

NOW COME the State of Vermont, by and through State Prosecuting Attorney BetsyAnn Wrask, and the Respondent, Ejike Egwuekwe, RN, who stipulate and agree as follows:

**Board Authority**

1. The Vermont State Board of Nursing (the "Board") has authority to issue warnings or reprimands; suspend, revoke, limit, or condition current licenses; or prevent the renewal of lapsed licenses if, after disciplinary hearing, the Board finds that the Respondent has engaged in unprofessional conduct. 3 V.S.A. § 129(a); 3 V.S.A. § 129a; 3 V.S.A. § 814(d); 26 V.S.A. § 1582; the Administrative Rules of the Board of Nursing (the "ARBN"); and the Rules of the Office of Professional Regulation.

**Statement of Facts**

2. Ejike Egwuekwe (the "Respondent") of Alief, Texas is licensed by the State of Vermont as a Registered Nurse under license number 026.0043006. This license was originally issued on or about July 28, 2008 and expired on or about March 31, 2009.
3. Subsequent to November 29, 2007, it came to the attention of the Vermont Board of Nursing that the Respondent had attended an educational institution that did not meet the qualifications of the ARBN Chapter 4, Subchapter 1. The Respondent does not contest that the educational institution she attended does not meet the qualifications of ARBN Chapter 4, Subchapter 1.
4. The Respondent agrees that he does not meet the minimum qualifications for licensure. However, because the Respondent satisfactorily passed the NCLEX examination and has been engaged in the practice of practical nursing, the parties reach the following understandings and request that the Order be entered as set forth below.

### Understandings

5. Respondent understands that the Board must review and accept the terms of the Consent Order. If the Board rejects any portion, the entire Stipulation and Consent Order shall be null and void.
6. Respondent specifically waives any claims that any disclosures made to the full Board during its review of this agreement have prejudiced his rights to a fair and impartial hearing in future hearings if this agreement is not accepted by the Board.
7. Respondent has read and reviewed this entire document and agrees that it contains the entire agreement between the parties.
8. Respondent is not under the influence of any drugs or alcohol at the time he signs this Stipulation and Consent Order.
9. Respondent voluntarily enters into this agreement after the opportunity to consult with legal counsel and is not being coerced by anyone into signing this Stipulation and Consent Order.
10. Respondent voluntarily waives his right to a contested hearing before the Board of Nursing and waives any right to appeal from this Stipulation and Consent Order.
11. The parties agree that this matter does **not** constitute unprofessional conduct. Instead, the parties agree that the Board has authority to enter the Order below since the Respondent has acknowledged that her initial application does not meet the minimum requirements for licensure as set forth by the ARBN.
12. Respondent agrees that the Order set forth below may be entered by the Board.

### ORDER

Based on the Stipulation above, it is hereby **ORDERED AND ADJUDGED** as follows:

- A. The Board of Nursing hereby changes Respondent's license status to **INACTIVE-CONDITIONED**. Within **two (2) years** of the date of entry below, the Respondent shall complete an approved nursing program that satisfies the requirements of ARBN Chapter 4, Subchapter 1. The Respondent shall obtain approval from the Board or its designee prior to the commencement of any program in order to ensure that the program is satisfactory. If at the time of the date of entry below the Respondent is already enrolled in a nursing program, credit for coursework already taken shall be given to the Respondent if the program meets the requirements of the ARBN.

If the Respondent completes the nursing program satisfactorily within the required time period, her license shall be reinstated without conditions.

Al

If the Respondent fails to complete an approved nursing program within two (2) years from the date of entry below, then the Board of Nursing may impose any additional requirement it feels is necessary and reasonable prior to reinstating the Respondent's license including, but not limited to: retaking the NCLEX exam; completion of an approved re-entry program; and working under supervision.

- B. **The Respondent specifically recognizes that she is prohibited from practicing as a licensed practical nurse in Vermont, until the inactive status is removed from her license. The Respondent further recognizes that her license will be reported to all licensing authorities upon request as "INACTIVE-CONDITIONED".**
- C. Notwithstanding any provision above, the Respondent must continue to meet all Nursing Board requirements for maintaining a license, license renewal and license reinstatement.
- D. This Stipulation and Consent Order is a matter of public record and may be reported to other licensing authorities as provided in 3 V.S.A. §129(a).
- E. This Stipulation and Consent Order will remain part of Respondent's licensing file and may be used for purposes of determining sanctions in any future disciplinary matter.

AGREED TO:

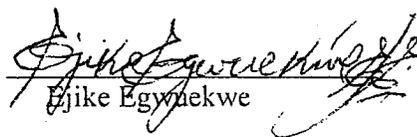
STATE OF VERMONT  
SECRETARY OF STATE

Dated: 3/31/10

By:   
Betsy Ann Wrask  
State Prosecuting Attorney

EJIKE EGWUEKWE  
RESPONDENT

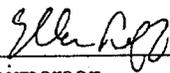
Dated: 3/31/10

By:   
Ejike Ekwuekwe

APPROVED AND SO ORDERED:

VERMONT BOARD OF NURSING

Dated: 4.12.10

By:   
Chairperson

Date of Entry: 4/15/10

nu.egwuekwe.stip