BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of License Number 699503	§	AGREED
issued to NKEMJIKA OBI OFFOR	§	ORDER

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.
Executive Director of the Board

On this day the Texas Board of Nursing, hereinafter referred to as the Bo considered the matter of NKEMJIKA OBI OFFOR, Registered Nurse License Number 699503, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(10), Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on November 11, 2008, 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.

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 professional nursing in the State of Texas.

4. Respondent received an Associate Degree in Nursing from Austin Community College, Austin, Texas, in May 2003. Respondent was licensed to practice professional nursing in the State of Texas on August 5, 2003.

5. Respondent's professional nursing employment history includes:

08/03 - 11/05	Staff Nurse	St. David's Hospital Austin, Texas
10/04 - 08/06	Staff Nurse	Texas NeuroRehab Center - Blue Bonnet Austin, Texas

Respondent's professional nursing employment history continued:

08/06 - 05/07	Director of Nursing	Regency Village Care Center Austin, Texas
06/07 - Present	Unknown	

6. At the time of the initial incident, Respondent was employed as Director of Nursing with Regency Village Care Center, Austin, Texas, and had been in this position for one (1) year and one (1) month.

7. On or about March 2007, while employed with Regency Village Care Center, Austin, Texas, Respondent failed to follow the policy and procedure in effect at the facility for the wastage of drugs, including controlled substances. Respondent destroyed medications without a witness which resulted in a failure to have the wastage co-signed. Respondent's conduct was likely to deceive the facility and it's consultant pharmacist and placed them in violation of Chapters 481 and 483 of the Texas Health and Safety Code (Controlled Substances Act and Dangerous Drug Act).

8. Respondent states that during his interview he was told by the Regional Manager that he would be going to a sister facility, Regency Village Care Center, Waco, Texas for two weeks to give him a bird's eye view of how things were done since it was all new to him. "I was as green as they come". After he was hired the plan changed and he was left to figure everything out on his own and fend for himself. He was employed as the Director of Nursing (DON) from February 2006 to May 2007. During his employment there was very limited storage space available for drugs that were to be destroyed. He talked to the pharmacist about destroying medications once a month. Sometime in March 2007, a clean-cut, well-groomed white woman walked into his office and inquired if they had any drugs for destruction. He told her yes, they had a lot of them. The Assistant DON was in the office they shared and he stated "We have been waiting for you". The woman then began to back out of the doorway and told us "Why don't you two go ahead and I'll be right back." "With the help of Mr. Cotton I destroyed the drugs. About a week or two later the chief pharmacist was in my office and asked about the boxes still there and I told him. He reported to the administrator that, according to him, he could not sign off on the destruction of the drugs because there was no pharmacist present at the time of destruction. I was reported to the state, who conducted an investigation. I was absolved of any wrongdoing in that investigation."

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 a violation of Section 301.452(b)(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(10)(C).

4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 699503, heretofore issued to NKEMJIKA OBI OFFOR, including revocation of Respondent's license to practice professional nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that RESPONDENT SHALL receive the sanction of REMEDIAL EDUCATION, 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 multistate licensure privilege, if any, to practice professional 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 multistate licensure 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 deliver the wallet-sized license issued to NKEMJIKA OBI OFFOR to the office of the Texas Board of Nursing within ten (10) days of the date of ratification of this Order.

(2) 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) contact 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.*

(3) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in "Regulatory Requirements for Drug Therapy in The Nursing Facility," a 6.25 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.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, RESPONDENT SHALL be issued an unencumbered license and multistate licensure privileges, if any, to practice professional nursing in the State of Texas.

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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 violation 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 to practice professional nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 15 day of January, 2009.

NKEMJIKA OBLOFFOR, Respondent

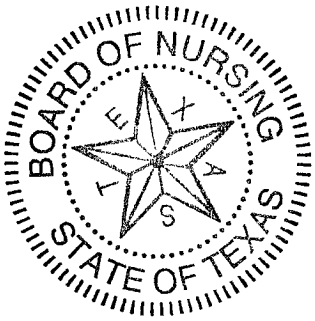
Sworn to and subscribed before me this 15th day of January, 2009.

SEAL

Notary Public in and for the State of Texas

Elizabeth Louise Lawrence
Notary Public, State of Texas
My Commission Expires:
May 2, 2010

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 15th day of January, 2009, by NKEMJIKA OBI OFFOR, Registered Nurse License Number 699503, and said Order is final.



Effective this **22nd** day of **January**, **2009**.

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