



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

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In the Matter of Vocational Nurse           §     AGREED  
License Number 225830                       §  
issued to DERRICK MUMAH                 §     ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of DERRICK MUMAH, Vocational Nurse License Number 225830, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may be subject to discipline pursuant to 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 June 20, 2012, by Katherine A. Thomas, MN, RN, FAAN, 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 Platt College, Dallas, Texas, on October 7, 2009. Respondent was licensed to practice vocational nursing in the State of Texas on December 10, 2009.
5. Respondent's nursing employment history includes:

11/2009-12/2009	LVN	Good Samaritan Home Health Irving, Texas
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Respondent's nursing employment history continued:

12/2009-05/2010      Vocational Nurse      Blessing's Home Health Agency  
Mesquite, Texas

06/2010 - Present      Unknown

7. At the time of the incident, Respondent was employed as a Licensed Vocational Nurse (LVN) with Blessing's Home Health Agency, Mesquite, Texas, and had been in this position for five (5) months.
8. On or about March 1, 2010 through May 31, 2010, while employed as a home health nurse, with Blessing's Home Health Agency, Mesquite, Texas, Respondent failed to document and submit documentation of nursing care rendered to assigned home health patients. Respondent's conduct resulted in an incomplete medical records and was likely to deceive subsequent care givers who relied on the information while providing care to the patients.
9. In response to Finding of Fact Number Eight (8), Respondent states, "when my father was actively dying, I submitted all documentation on nursing care rendered to the patients JH, EJ, RM, and LK just like I had submitted the other documentation before these. I submitted all these documents because I wanted to dedicate time to fight tooth and nail to see my father healthy again despite his diagnosis of cancer and other co-morbidities. While at my father's dying bed, I received a call from the Agency notifying me that I may not have submitted the documents given that they could not find them. It was a very tumultuous and tempestuous time for me in the midst of my father's poor health so I did not act in a timely fashion to re-submit the documents. In frustration, the Director of Nursing (DON) at the home health agency reported the issue to the BON. At this time, the DON suggested to me that it was too late to resolve the issue with her because she had already reported the issue to the Texas BON. Though I cannot say definitively why Blessings Home Health Agency could not find my documents, I was ready and willing to re-submit the documents. And that did not happen in a timely fashion for reasons given above. I want to clearly take responsibility...I hope and pray that whatever decision is arrived at, that the BON consider that I am in nursing school at this time. I have been employed for 2 years and I have never been written up.
10. Formal Charges were filed on May 14, 2012.
11. Formal Charges were mailed to Respondent on May 16, 2012.

#### 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(s) of Section 301.452 (a)(10)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.11(1)(A)&(1)(D) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B)&(1)(C).
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 225830, heretofore issued to DERRICK MUMAH, 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 a 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, while under the terms of this Order, this Order SHALL apply to any and all future licenses issued to Respondent to practice nursing in the State of Texas.

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.texas.gov/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. *Board-approved courses may be found at the following Board website address: <http://www.bon.texas.gov/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.texas.gov/disciplinaryaction/stipscourses.html>.*

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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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(s) 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.

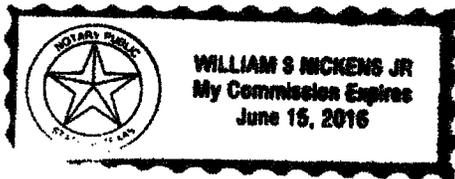
Signed this 14<sup>th</sup> day of July, 2012.

Derrick Mumah  
DERRICK MUMAH, Respondent

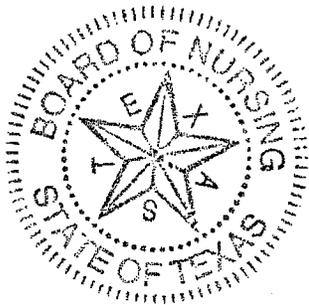
Sworn to and subscribed before me this 14<sup>th</sup> day of July, 2012.

SEAL

[Signature]  
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 14th day of July, 2012, by DERRICK MUMAH, Vocational Nurse License Number 225830, and said Order is final.



Effective this 25th day of July, 2012.

*Katherine A. Thomas*

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