

BEFORE THE BOARD OF NURSE EXAMINERS  
FOR THE STATE OF TEXAS

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In the Matter of Registered Nurse License Number 694692 §       AGREED  
issued to IFEANYI CHRISTIE EHIOBU   §       ORDER



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

An investigation by the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, produced evidence indicating that IFEANYI CHRISTIE EHIO hereinafter referred to as Respondent, Registered Nurse License Number 694692, may have violated Section 301.452(b)(1), Texas Occupations Code.

An informal conference was held on December 7, 2006, at the office of the Board of Nurse Examiners, in accordance with Section 301.464 of the Texas Occupations Code.

Respondent appeared in person. Respondent was represented by Jennifer Conatser, Attorney at Law. In attendance were Mary Beth Thomas, RN, MS, Director of Nursing, Executive Director's Designee; E. Joy Sparks, Assistant General Counsel; Anthony L. Diggs, MSCJ, Director, Enforcement Division; Elise Dunham, Investigator; Noemi Reyes, Investigator; Marcia Wilson, RN, Investigator; Laura Ferrell, RN, Investigator; and Kim L. Williamson, RN, Investigator.

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 notice and hearing, and consented 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 El Centro College, Dallas, Texas, on December 1, 2002. Respondent was licensed to practice professional nursing in the State of Texas on March 18, 2003.

5. Respondent's professional nursing employment history includes:

Unknown to 3/03	Graduate Nurse Presbyterian Hospital of Dallas Dallas, Texas
Unknown	RN Nursing Home Dallas, Texas
3/03 to 6/04	RN Good Samaritan Home Health Agency Dallas, Texas
7/04 to Present	Director of Nursing Good Samaritan Home Health Agency Dallas, Texas

6. At the time of the initial incident in Finding of Fact Number Seven (7), Respondent was employed as the Director of Nursing with Good Samaritan Home Health Agency, Dallas, Texas, and had been in this position for eight (8) months.

7. On or about March 20, 2005, through June 10, 2005, while employed as the Director of Nursing with Good Samaritan Home Health Agency, Irving, Texas, Respondent altered and/or had nursing assessments and assessments of daily living for several patients altered to reflect a higher level of acuity, as follows:

- Respondent had documentation of pain altered from "less than daily" to "daily," and from "not intractable" pain to "intractable;"
- Respondent had documentation of vision altered from "normal" vision with corrective lenses "if the patient wore glasses" to "partially impaired cannot see medication labels or newsprint;"
- Respondent had documentation of mobility altered from "ambulatory with assistive device" to "wheel chair bound," and from transfers with "minimal human assistance or use of assistive device" to "unable to transfer but able to bear weight or pivot during transfer;" and
- Respondent had documentation of behavior/neurological status altered from "oriented, anxious, forgetful" with "no" emotional/neurological/behavior demonstrated to "memory deficit" failure to recognize familiar persons/places and "inability to recall events" with "impaired decision making" and "failure to perform" usual activities of daily living.

Respondent's conduct may have resulted in inaccurate medical records.

8. On or about March 20, 2005, through June 10, 2005, while employed as the Director of Nursing with Good Samaritan Home Health Agency, Irving, Texas, Respondent documented the initials of nurses who performed patient assessments to make it appear as if that nurse made changes to the assessments. Respondent's conduct may have resulted in inaccurate medical records. Respondent states that all changes were made after discussion and agreement with the nurse performing the assessment.
9. In response to the incidents in Finding of Fact Number Seven (7), Respondent states that it was part of her job as the Director of Nursing to ensure accurate documentation and she relied on the nursing assessments for her diagnosis and coding. All changes made to the medical record were made after discussion and agreement with the nurse performing the assessment and all changes were verbally approved by the nurse making the assessment. Furthermore, the changes were supported by follow-up nursing assessments and other medical documentation.

#### CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.455, the Board has jurisdiction over this matter.
2. Notice was served in accordance with law.
3. The evidence received may be sufficient to prove violations of Section 301.452(b)(1), Texas Occupations Code, and 22 TEX. ADMIN. CODE §§ 217.11(1)(A)&(1)(D) and 217.12(1)(A),(1)(B)&(4).
4. The evidence received may be sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 694692, heretofore issued to IFEANYI CHRISTIE EHIOBU, including revocation of Respondent's license to practice professional nursing in the State of Texas.
5. Section 301.463(d) of the Texas Occupations Code provides that this Agreed Order is a settlement agreement under Tex. R. Evid. 408 for purposes of civil or criminal litigation.

#### ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Board of Nurse Examiners, that RESPONDENT SHALL receive the sanction of a WARNING WITH STIPULATIONS, and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas as amended, Texas Occupations Code §§301.001 *et seq.*, the Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE § 211.01 *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 compact states.

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 IFEANYI CHRISTIE EHIObU, to the office of the Board of Nurse Examiners within ten (10) days of the date of this Order.

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in Texas nursing jurisprudence. 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, and documentation of care. 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 on the Board's website, [www.bne.state.tx.us](http://www.bne.state.tx.us) (under BNE events).*

(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 on the Board's website, [www.bne.state.tx.us](http://www.bne.state.tx.us) (under BNE events).*

(4) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in nursing 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. The course shall be a minimum of six (6) contact hours in length. In order for the course to be approved, the target audience shall include Nurses. The course shall include content on the following: principles of nursing ethics; confidentiality; and professional boundaries. RESPONDENT SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to verify RESPONDENT's successful completion of the course. 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 on the Board's website, [www.bne.state.tx.us](http://www.bne.state.tx.us) (under BNE events).*

(5) RESPONDENT SHALL pay a monetary fine in the amount of one thousand dollars ( \$1,000.00). RESPONDENT SHALL pay this fine within ninety (90) days of entry of this Order. Payment is to be made directly to the Board of Nurse Examiners in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

**IT IS FURTHER AGREED, SHOULD RESPONDENT PRACTICE AS A REGISTERED NURSE IN THE STATE OF TEXAS, RESPONDENT WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL 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 A REGISTERED NURSE LICENSE (RN) WILL NOT APPLY TO THIS STIPULATION PERIOD.**

(6) 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.

(7) 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.

(8) RESPONDENT SHALL be supervised by a Registered 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.

(9) 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 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) months for one (1) year of employment as a nurse.

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. Upon completion of the terms contained

in this Agreed Order, the Board will release Respondent from further review, investigation, recovery, penalty, sanctions referral and other administrative actions arising from claims related to incidents that allegedly occurred on or about March 20, 2005, through June 10, 2005, as specifically described herein, unless an additional violation of the Nursing Practice Act occurs as a result of the conduct stated herein.

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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 deny the violations alleged herein, and this Order does not constitute an admission of, or evidence of, wrongdoing or liability on my part, and, therefore, cannot be construed as such. However, due to the uncertainty of litigation, I agree to comply with the terms set forth in this Agreed Order to resolve the Board's allegations that I violated Section 301.452(b)(1), Texas Occupations Code, and 22 TEX. ADMIN. CODE §§ 217.11(1)(A)&(1)(D) and 217.12(1)(A),(1)(B)&(4). 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 professional nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 19<sup>th</sup> day of February, 2007.

[Signature]

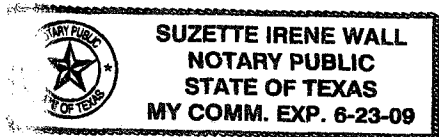
IFEANYI CHRISTIE EHIOLU, Respondent

Sworn to and subscribed before me this 19<sup>th</sup> day of February, 2007

SEAL

[Signature]

Notary Public in and for the State of Texas



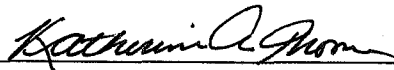
Approved as to form and substance.

[Signature]  
Jennifer Conatser, Attorney for Respondent

Signed this 19<sup>th</sup> day of February, 2007.

WHEREFORE, PREMISES CONSIDERED, the Board of Nurse Examiners for the State of Texas does hereby ratify and adopt the Agreed Order that was signed on the 19th day of February, 2007, by IFEANYI CHRISTIE EHIOLU, Registered Nurse License Number 694692, and said Order is final.

Effective this 20th day of March, 2007.

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