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Patricia Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of § AGREED
Registered Nurse License Number 726361 §
issued to OKIKE GENEBA § ORDER

An investigation by the Texas Board of Nursing, hereinafter referred to as the Board, produced evidence indicating that OKIKE GENEBA, hereinafter referred to as Respondent, Registered Nurse License Number 726361, may be subject to discipline pursuant to Sections 301.452(b)(10) & (13) and 301.453, Texas Occupations Code.

An informal conference was held on April 8, 2014, at the office of the Texas Board of Nursing, in accordance with Section 301.464 of the Texas Occupations Code.

Respondent appeared in person. Respondent was represented by Nancy Roper Willson, Attorney at Law. In attendance were Kristin Benton, MSN, RN, Director of Nursing, Executive Director's Designee; James W. Johnston, General Counsel; J. L. Skylar Caddell, RN-BC, Nurse Investigator Specialist; Charlette Medearis, RN, Investigator; and Kim Chavez, 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(s).
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 Queens Borough Community College, Bayside, New York, on June 4, 2004. Respondent was licensed to practice professional nursing in the State of Texas on March 28, 2006.

5. Respondent's nursing employment history includes:

10/2004 - 5/2006	Registered Nurse	New York Methodist Hospital Brooklyn, New York
6/2006 - 6/2009	Registered Nurse	Staffing Agency Plano, Texas
10/2007 - 11/2009	Registered Nurse	Goshen Health Care Dallas, Texas
12/2009 - 11/2011	Registered Nurse	Atrium Medical Center Stafford, Texas
1/2011 - Unknown	Registered Nurse PRN	Baylor Rehab Center Frisco, Texas
4/2012 - 10/2012	Registered Nurse	Forest Park Medical Center at Frisco Frisco, Texas
10/2012 - Present	Registered Nurse	Elim Agency Dallas, Texas

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with Forest Park Medical Center at Frisco, Frisco, Texas, and had been in this position for five (5) months.

7. On or about September 24, 2012 through September 25, 2012, while employed with Forest Park Medical Center at Frisco, Frisco, Texas, Respondent failed to notify physician that Patient Medical Record N000001305 refused to wear CPAP (continuous positive airway pressure) at bedtime and failed to place the patient on continuous pulse oximetry and/or cardiac telemetry, as ordered by physician through 6am, and failed to clarify the physician's order continuous pulse oximetry and/or cardiac telemetry equipment was not available.. Patient Medical Record N000001305 was a high risk patient due to diagnosis of sleep apnea, administration of Dilaudid Patient Controlled Analgesia (PCA) and refusal to of CPAP. Respondent failed to reassess this patient after the patient's refusal and/or failed to document the reassessment of this high risk patient, including the patient's vital signs and pulse oximetry. The patient was pronounced dead at 4:11am. Respondent's conduct exposed the patient unnecessarily to a risk of harm from complications due to undiagnosed and, consequently, untreated disease processes which may have contributed to the patient's demise.

8. On or about September 24, 2012 through September 25, 2012, while employed with Forest Park Medical Center at Frisco, Frisco, Texas, Respondent failed to collaborate with the Patient Care Technician (PCT) regarding the status of vital signs and pulse oximetry for Patient Medical Record N000001305, after the patient refused CPAP and the PCT was

periodically checking on the high risk patient. The patient was pronounce dead at 4:11 am. Respondent's conduct exposed the patient unnecessarily to a risk of harm from complications due to undiagnosed and, consequently, untreated disease processes which may have contributed to the patient's demise.

9. In response to the incidents in Findings of Fact Numbers Seven (7) through Eight (8), Respondent's states that the patient did not have continuous pulse oximetry placed on him because he had an oxygen saturation of over 92%. The patient was working with a respiratory therapist on the floor who also reads the orders and assesses the patient. Regarding rounds, Respondent states that she rounded on the patient every two hours. Respondent also states that the new hospital had a pilot program for a locator system. Respondent states that the locator had several glitches. Regarding dropping SPO2 and physician notification, Respondent states that the PCT put the oxygen saturation on the chart and never notified her. Respondent also states that the patient did not appear to be in distress during her assessment and rounds. Respondent states that the Patient and Patient's spouse refused the CPAP. Respondent states that as she was writing her notes and was being hurried and mixed her times so she states that she crossed out the lines and initialed it to indicate the right times.
10. On or about February 7, 2014, Respondent successfully completed a Board approved class in sharpening critical thinking skills, which would have been a requirement of this Order.
11. On or about February 7, 2014, Respondent successfully completed a Board approved class in delegating effectively, which would have been a requirement of this Order.
12. On or about March 27, 2014, Respondent successfully completed a Board approved class in Texas nursing jurisprudence and ethics, which would have been a requirement of this Order.
13. On or about March 29, 2014, Respondent successfully completed a Board approved class in nursing documentation, which would have been a requirement of this Order.

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 is sufficient to prove violation(s) of 22 TEX. ADMIN. CODE §217.11(1)(A),(1)(B),(1)(C),(1)(D),(1)(M),(1)(P)&(3)(A) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(C)&(4).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10)&(13), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number

726361, heretofore issued to OKIKE GENEBA.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that RESPONDENT SHALL receive the sanction of REPRIMAND 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, 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 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 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. 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.texas.gov/disciplinaryaction/stipscourses.html>.*

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 TWO (2) YEAR(S) OF EMPLOYMENT. THE LENGTH OF THE STIPULATION PERIOD WILL BE EXTENDED UNTIL SUCH TWENTY-FOUR (24) MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE THE USE OF A REGISTERED NURSE (RN) OR A VOCATIONAL NURSE (LVN) LICENSE, AS APPROPRIATE, WILL NOT APPLY TO THIS STIPULATION PERIOD:

(2) RESPONDENT SHALL notify each present employer in nursing of this Order

of the Board and the stipulations on RESPONDENT'S license(s). 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(s). 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.

(3) 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.

(4) For the first year of employment as a Nurse under this Order RESPONDENT SHALL be directly supervised by a Registered Nurse, if licensed as a Registered Nurse, or by a Licensed Vocational Nurse or a Registered Nurse, if licensed as a Licensed Vocational Nurse. Direct supervision requires another nurse, as applicable, to be working on the same unit as RESPONDENT and immediately available to provide assistance and intervention. RESPONDENT SHALL work only on regularly assigned, identified and predetermined unit(s). The 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.

(5) For the remainder of the stipulation/probation period, RESPONDENT SHALL be supervised by a Registered Nurse, if licensed as a Registered Nurse, or by a Licensed Vocational

Nurse or a Registered Nurse, if licensed as 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.

(6) 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 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 two (2) year(s) 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(s) to practice nursing in the State of Texas and RESPONDENT may be eligible for nurse licensure compact privileges, if any.

FROM :GENEBA OKIKI

FAX NO. :817 370 1438

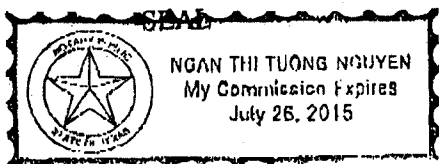
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RESPONDENT'S CERTIFICATION

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 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 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(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 12 day of November 2014
Okike Geneba
OKIKE GENEBA, Respondent

Sworn to and subscribed before me this th 12 day of November, 2014, by OKIKE GENEBA.



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

Approved as to form and substance.
[Signature]
Nancy Roper Wilson, Attorney for Respondent

Signed this 13th day of November 2014

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 12th day of November, 2014, by OKIKE GENEBA, Registered Nurse License Number 726361, and said Order is final.

Effective this 9th day of December, 2014.



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