



Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Vocational Nurse § REINSTATEMENT
License Number 157522 §
issued to HELEN ONUABUCHI OKONKWO § AGREED ORDER

On this day came to be considered by the Texas Board of Nursing, hereinafter referred as the Board, the Petition for Reinstatement of Vocational Nurse License Number 157522, held by HELEONUABUCHI OKONKWO, hereinafter referred to as Petitioner.

An informal conference was held on December 3, 2013, at the office of the Texas Board of Nursing, in accordance with Section 301.464, Texas Occupations Code.

Petitioner appeared in person. Petitioner was represented by Marc Meyer, Attorney at Law.

In attendance were Kristin Benton, MSN, RN, Director of Nursing; Executive Director's Designee; Kyle Hensley, Assistant General Counsel; John Vanderford, Assistant General Counsel; Anthony L. Diggs, MSCJ, Director, Enforcement Division; and Carolyn Hudson, Investigator.

FINDINGS OF FACT

1. Prior to institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was served on Petitioner and Petitioner was given an opportunity to show compliance with all requirements of the law for retention of the license(s).
2. Petitioner waived notice and hearing, and consented to the entry of this Order.
3. Petitioner received a Certificate in Vocational Nursing from Houston Community College, Houston, Texas, on August 11, 1995. Petitioner was originally licensed to practice vocational nursing in the State of Texas on May 29, 1996.
4. Petitioner's vocational nursing employment history includes:

06/96 - 97	LVN	Vosswood Nursing Home Houston, Texas
12/96 - 97	LVN	Autumn Hills Nursing Home Houston, Texas

Petitioner's vocational nursing employment history continued:

1998	LVN	Memorial Southwest Hospital Houston, Texas
08/97 - 99	LVN	Seven Acres Nursing Home Houston, Texas
99 - 01	LVN	Various Home health Agencies Houston, Texas
08/02 - 07	LVN	Maxim Healthcare Houston, Texas
02/06 - 02/12	LVN	Epic Med Staff Houston, Texas
03/12 - Present	Not employed in nursing	

5. On January 12, 2012, the Board accepted the voluntary surrender of Petitioner's license to practice vocational nursing in the State of Texas. A copy of the January 12, 2012, Agreed Order, Findings of Fact, and Conclusions of Law, is attached and incorporated, by reference, as a part of this Order.
6. On or about May 30, 2013, Petitioner submitted a Petition for Reinstatement of License to practice vocational nursing in the State of Texas.
7. Petitioner presented the following in support of her petition:
 - 7.1. Letter of support, dated April 25, 2013, from Yen Vo, states that Petitioner was employed through Epic Med Staff nursing as a care giver for her baby from June 2010 to the beginning of 2012. Petitioner is professional, humble, and knowledgeable in her field. Ms. Vo states that Petitioner is an honest and trustworthy nurse.
 - 7.2. Letter of support, dated May 7, 2013, from Shirley Phillips, states that Petitioner was employed as a private duty nurse for her foster child from May 2007 to May 2009. Ms. Phillips states that Petitioner is very honest, reliable, humble, and dependable. Petitioner has a passion for her job and is very knowledgeable of her duties. Ms. Phillips recommends reinstatement of Petitioner's nursing license.
 - 7.3. Letter of support, dated May 3, 2013, from Alma Mariscal, states that Petitioner was employed as the care giver for her son when he returned from the hospital with health issues. Ms. Mariscal states that Petitioner was reliable and dependable.
 - 7.4. Letter of support, dated April 30, 2013, from Cruz Diaz, states that Petitioner was employed as a care giver for her daughter from 2002 to 2005, and she was a good nurse. Petitioner is honest, trustworthy, and friendly.

- 7.5. Letter of support, dated April 26, 2013, from Felix Azuonye, Pastor, The Redeemed Evangelical Mission, Houston, Texas, states that he has known Petitioner for two (2) years as a member of the church. Petitioner is dedicated, hardworking, and willing to help others. Mr. Azuonye states that Petitioner has good qualities and recommends reinstatement of Petitioner's nursing license.
- 7.6. Verification of successful completion of twenty (20) Type I Continuing Education Contact Hours.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.
2. Pursuant to Section 301.467, Texas Occupations Code, the Board may refuse to issue or renew a license, and may set a reasonable period that must lapse before reapplication. Pursuant to 22 TEX. ADMIN. CODE §213.26, the Board may impose reasonable conditions that a Petitioner must satisfy before reissuance of an unrestricted license.

ORDER

IT IS THEREFORE AGREED, subject to ratification by the Texas Board of Nursing, that the petition of HELEN ONUABUCHI OKONKWO, Vocational Nurse License Number 157522, to practice nursing in the state of Texas, be and the same is hereby GRANTED, AND SUBJECT TO THE FOLLOWING STIPULATIONS SO LONG AS THE PETITIONER complies 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 the stipulations contained in 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 Petitioner to practice nursing in the State of Texas.

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

IT IS FURTHER AGREED and ORDERED that while Petitioner's license(s) is/are encumbered by this Order, Petitioner 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 Petitioner wishes to work.

(1) PETITIONER SHALL NOT seek employment or practice nursing for compensation until has completed the following pre-licensure conditions and obtained a license to practice vocational nursing from the Board.

(2) PETITIONER SHALL pay all re-registration fees and be issued a license to practice vocational nursing in the State of Texas, which shall bear the appropriate notation. Said license issued to HELEN ONUABUCHI OKONKWO, shall be subject to the following agreed post-licensure probation conditions:

(3) PETITIONER SHALL, within one (1) year of relicensure, successfully complete a course in Texas nursing jurisprudence and ethics. PETITIONER 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. PETITIONER 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 PETITIONER'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>.

(4) PETITIONER SHALL, within one (1) year of relicensure, 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, PETITIONER 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>.

IT IS FURTHER AGREED, SHOULD PETITIONER CHOOSE TO WORK AS A NURSE IN TEXAS, PETITIONER 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 STIPULATION CONDITIONS FOR TWO (2) YEARS 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:

(5) PETITIONER SHALL notify all future employers in vocational nursing of this Order of the Board and the stipulations on PETITIONER's license. PETITIONER 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.

(6) PETITIONER SHALL CAUSE each future employer to submit the Notification of Employment form, which is provided to the Petitioner by the Board, to the Board's office within five (5) days of employment as a vocational nurse.

(7) PETITIONER SHALL be supervised by a Registered Nurse or a Licensed Vocational Nurse who is on the premises. The supervising nurse is not required to be on the same unit or ward as PETITIONER, 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 Petitioner is currently working. PETITIONER SHALL work only regularly assigned, identified and predetermined unit(s). PETITIONER SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. PETITIONER SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(8) PETITIONER SHALL CAUSE each employer to submit, on forms provided to the Petitioner by the Board, periodic reports as to Petitioner's capability to practice vocational nursing. These reports shall be completed by the Registered Nurse or Licensed Vocational Nurse who supervises the PETITIONER. These reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) months for two (2) years of employment as a vocational nurse.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, all encumbrances will be removed from PETITIONER'S license(s) to practice nursing in the State of Texas and PETITIONER may be eligible for nurse licensure compact privileges, if any.

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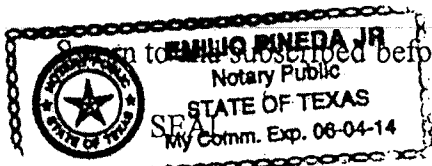
PETITIONER'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Reinstatement Agreed Order. I certify that my past behavior, except as disclosed in my Petition for Reinstatement of Licensure, has been in conformity with the Board's professional character rule. I have provided the Board with complete and accurate documentation of my past behavior in violation of the penal law of any jurisdiction which was disposed of through any procedure short of convictions, such as: conditional discharge, deferred adjudication or dismissal. I have no criminal prosecution pending in any jurisdiction.

I have reviewed this Order. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order. 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 agree to inform the Board of any other fact or event that could constitute a ground for denial of licensure prior to reinstating my license to practice vocational nursing in the state of Texas. I understand that if I fail to comply with all terms and conditions of this Order, my license(s) to practice nursing in the State of Texas will be revoked, as a consequence of my noncompliance.

Signed this 21st day of January, 2014.

HELEN ONUABUCHI OKONKWO
HELEN ONUABUCHI OKONKWO, Petitioner



Subscribed before me this 21st day of January, 2014.

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

Approved as to form and substance:

[Signature]
Marc Meyer, Attorney for Petitioner

Signed this 22nd day of January, 2014.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Reinstatement Agreed Order that was signed on the 21st day of January, 2014, by HELEN ONUABUCHI OKONKWO, Vocational Nurse License Number 157522, and said Order is final.

Effective this 18th day of March, 2014.

A handwritten signature in cursive script, appearing to read "Katherine A. Thomas".

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



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.
Stephanie C. McManis
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Vocational Nurse	§	AGREED
License Number 157522	§	
issued to HELEN ONUABUCHI OKONKWO	§	ORDER

On this day, the Texas Board of Nursing, hereinafter referred to as the E accepted the voluntary surrender of Vocational Nurse License Number 157522, issued to HELEN ONUABUCHI OKONKWO, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order.

The Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was provided to 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 Houston Community College, Houston, Texas, on August 11, 1995. Respondent was licensed to practice vocational nursing in the State of Texas on May 29, 1996.
5. Respondent's vocational nursing employment history is unknown.

6. On or about January 10, 2011, Respondent was Indicted in the 268th Judicial District Court of Fort Bend County, Texas, under Cause No. 11-DCR-056264, for INSURANCE FRAUD $\geq \$1500 < \$20K$, a Second Degree Felony offense committed on or about and between April 1, 2006 and December 31, 2008.

On or about October 24, 2011, Respondent entered into an agreement in the 268th Judicial District Court of Fort Bend County, Texas, under Cause No. 11-DCR-056264, to participate in the Fort Bend County Pre-trial Diversion Program. As a result, the prosecution of the offense for which Respondent was Indicted was deferred until October 22, 2012, provided Respondent abides by the conditions and requirements of the Pre-Trial Diversion Program.

7. In response to Finding of Fact Number Six (6), Respondent states: She submitted a receipt from a wreck that happened on April 1, 2006, to Farmers Insurance. The Sergeant from the Insurance Fraud Division came to her house and asked her who changed the date on the receipt that she submitted. She told him that she did not know, that the car dealer that rented the car to her on the invoice must have changed the dates. She admits that on February 26, 2011, she was stopped for a traffic violation and arrested for Insurance Fraud. On October 24, 2011, she entered into a pretrial diversion offer to save her from any further emotional damage. After one (1) year it will be canceled and after two 2 years it will be expunged from her record as long as she does not violate her agreement.
8. Respondent, by her signature to this Order, expresses her desire to voluntarily surrender her license(s) to practice nursing in the State of Texas.

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)(3)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(13).
4. The evidence received is sufficient cause pursuant to Section 301.453(a), Texas Occupations Code, to take disciplinary action against Vocational License Number 157522, heretofore issued to HELEN ONUABUCHI OKONKWO, including revocation of Respondent's license(s) to practice nursing in the State of Texas.
5. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.

6. Under Section 301.453(d), Texas Occupations Code, as amended, the Board may impose conditions for reinstatement of licensure.
7. Any subsequent reinstatement of this license will be controlled by Section 301.453(d), Texas Occupations Code, and 22 TEX. ADMIN. CODE §213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

ORDER

NOW, THEREFORE, IT IS AGREED and ORDERED that the VOLUNTARY SURRENDER of Vocational License Number 157522, heretofore issued to HELEN ONUABUCHI OKONKWO, to practice nursing in the State of Texas, is accepted by the Texas Board of Nursing.

In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL NOT practice vocational nursing, use the title "vocational nurse" or the abbreviation "LVN" or wear any insignia identifying herself as a vocational nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a vocational nurse during the period in which the license is surrendered.
2. RESPONDENT SHALL NOT petition for reinstatement of licensure until: one (1) year has elapsed from the date of this Order.
3. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

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.

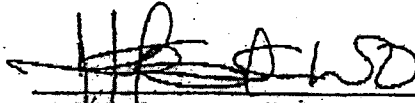
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RESPONDENT'S CERTIFICATION

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 this Order becomes final when accepted by the Executive Director at which time the terms of this Order become effective and a copy will be mailed to me.

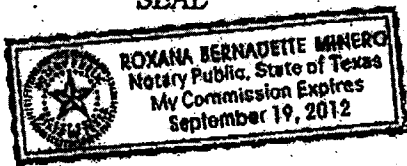
Signed this 10th day of January, 2012

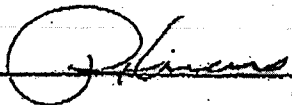


HELEN ONUABUCHI OKONKWO, Respondent

Sworn to and subscribed before me this 10th day of January, 2012.

SEAL




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 accept the voluntary surrender of Vocational Nurse License Number 157522, previously issued to HELEN ONUABUCHI OKONKWO.



Effective this 12th day of January, 2012.

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