



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 Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of	§	AGREED
Vocational Nurse License Number 213431	§	
issued to UMU JALLOH	§	ORDER

An investigation by the Texas Board of Nursing, hereinafter referred to as the Board, produced evidence indicating that UMU JALLOH, Vocational Nurse License Number 213431, hereinafter referred to as Respondent, may be subject to discipline pursuant to Sections 301.452(b)(10)&(13) and 301.453, Texas Occupations Code.

An informal conference was conducted on March 3, 2015, in accordance with Section 301.464, Texas Occupations Code. Respondent appeared in person. Respondent was represented by Nancy Roper-Willson, Attorney at Law.

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 agreed to the entry of this Order.
3. Respondent's license to practice as a vocational nurse in the State of Texas is in current status.
4. Respondent received a Certificate in Vocational Nursing from Texas State Technical College West Texas, Sweetwater, Texas on August 18, 2007. Respondent was licensed to practice vocational nursing in the State of Texas on November 29, 2007.
5. Respondent's nursing employment history includes:

2007 - 2008	LVN	Heritage Gardens Nursing Home Carrollton, Texas
2008 - 2010	LVN	Prestonwood Rehabilitation & Nursing Center Plano, Texas

Respondent's nursing employment history continued:

2/2009 - 6/2014	LVN	Maxim Healthcare Services Dallas, Texas
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10/2010 - Present	LVN	Epic Healthcare Dallas, Texas
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6. At the time of the incident, Respondent was employed as a Licensed Vocational Nurse (LVN) with Maxim Healthcare Services, Dallas, Texas, and had been in that position for five (5) years and three (3) months.
7. On or about May 20, 2014, while employed as a Licensed Vocational Nurse for Maxim Healthcare Services, Dallas, Texas, Respondent failed to perform an adequate focused assessment and provide necessary interventions when Patient DK had coffee ground emesis, difficulty breathing, and critically low blood oxygen levels. The patient's condition began to deteriorate around 1 o'clock a.m. when he began to consistently vomit. The patient's mother was notified at 5:20 a.m. and Emergency Medical Services (EMS) did not arrive until 6:00 a.m. Prior to EMS arrival, the patient was pale, unresponsive and had an oxygen saturation level in the 40's. Respondent's conduct was likely to injure the patient in that significant changes in the patient's status were undetected and thus prevented timely interventions as the patient became unresponsive and needed advanced care as soon as possible and could have died.
8. In response to the incident in Finding of Fact Number Seven (7) Respondent states she started the feeding of the patient, which consisted of two (2) cans of Compleat Pediatric Jr, infusing at 110 mL per hour via gastrostomy tube (G-tube), after venting the tube. Respondent states the patient started coughing and gagging. Respondent states at 1:00 a.m., the patient vomited the feeding and the oxygen saturations were above 94%. Respondent states at 4:00 am she listened to the patient's lung sounds and they were clear. Respondent states around 5:20 a.m. through 5:30 a.m., the patient' oxygen level began to de-saturate to about 90%.
9. On or about September 6, 2014, Respondent successfully completed a Board approved class in Texas nursing jurisprudence and ethics, which would have been a requirement of this Order.
10. On or about September 14, 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 December 15, 2014, Respondent successfully completed a Board approved class in physical assessment, which would have been a requirement of this Order.

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 22 TEX. ADMIN. CODE §217.11(1)(A),(1)(B),(1)(M),(1)(P)&(2)(A) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B)&(4).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10)&(13), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 213431, heretofore issued to UMU JALLOH.
5. Pursuant to Section 301.463(d), Texas Occupations Code, this Agreed Order is a settlement agreement under Rule 408, Texas Rules of Evidence, in civil or criminal litigation.

TERMS OF ORDER

I. SANCTION AND APPLICABILITY

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL receive the sanction of **WARNING WITH STIPULATIONS** in accordance with the terms of this Order.

- A. This Order SHALL apply to any and all future licenses issued to Respondent to practice nursing in the State of Texas.
- B. This Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.
- C. Respondent may not work outside the State of Texas in another nurse licensure compact party state without first obtaining the written permission of the Texas Board of Nursing and the Board of Nursing in the nurse licensure compact party state where Respondent wishes to work.

II. COMPLIANCE WITH LAW

While under the terms of this Order, RESPONDENT agrees to 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.

III. EMPLOYMENT REQUIREMENTS

In order to complete the terms of this Order, RESPONDENT must work as a nurse, providing direct patient care in a licensed healthcare setting, for a minimum of sixty-four (64) hours per month for four (4) quarterly periods [one (1) year] of employment. This requirement will not be satisfied until four (4) quarterly periods of employment as a nurse have elapsed. Any quarterly period without continuous employment with the same employer for all three (3) months will not count towards completion of this requirement. 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 period and will not count towards completion of this requirement.

- A. **Notifying Present and Future Employers:** RESPONDENT SHALL notify each present employer in nursing and present each with a complete copy of this Order, including all attachments, if any, within five (5) days of receipt of this Order. While under the terms of this Order, RESPONDENT SHALL notify all future employers in nursing and present each with a complete copy of this Order, including all attachments, if any, prior to accepting an offer of employment.
- B. **Notification of Employment Forms:** RESPONDENT SHALL CAUSE each present employer in nursing to submit the Board's "Notification of Employment" form to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Board's "Notification of Employment form" to the Board's office within five (5) days of employment as a nurse.
- C. **Indirect Supervision:** 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.

- D. Nursing Performance Evaluations:** 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 and these reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) month quarterly period for four (4) quarters [one (1) year] of employment as a nurse.

IV. RESTORATION OF UNENCUMBERED LICENSE(S)

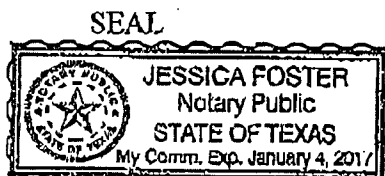
Upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT'S license(s) to practice nursing in the State of Texas and RESPONDENT may be eligible for nurse licensure compact privileges, if any.

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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 entry of this 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 possible revocation of my license(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 19 day of October, 2015.Umu Jalloh
UMU JALLOH, RespondentSworn to and subscribed before me this 19th day of October, 2015.Jessica Foster
Notary Public in and for the State of TexasApproved as to form and substance newNancy Roper Willson
Nancy Roper Willson, Attorney for RespondentSigned this 19th day of October, 2015

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 19th day of October, 2015, by UMU JALLOH, Vocational Nurse License Number 213431, and said Order is final.

Effective this 8th day of December, 2015.

A handwritten signature in cursive script, appearing to read "Katherine A. Thomas", is written over a horizontal line.

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