



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

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of § AGREED ORDER  
Registered Nurse License Number 721543 § FOR  
issued to NMASIKA CAROLINE OZIM § KSTAR PILOT PROGRAM

An investigation by the Texas Board of Nursing, hereinafter referred to as the Board, produced evidence indicating that NMASIKA CAROLINE OZIM, Registered Nurse License Number 721543, 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 April 26, 2016, in accordance with Section 301.464, Texas Occupations Code. Respondent appeared in person. Respondent was represented by Andre D'Souza, 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 professional nurse in the State of Texas is in current status.
4. Respondent received an Associate Degree in Nursing from Ebonyi State School of Nursing Mater Misericordiae Hospital, Nigeria on November 3, 1998. Respondent was licensed to practice professional nursing in the State of Texas on October 24, 2005.
5. Respondent's nursing employment history includes:

10/2005 - 5/2007	Registered Nurse	Mariner Health Care Houston, Texas
6/2007 - 5/2008	Registered Nurse	Harris County Sheriff Department Houston, Texas

Respondent's nursing employment history continued:

8/2008 - Present      Registered Nurse      Richmond State Supported Living Center  
Richmond, Texas

6. At the time of the incident, Respondent was employed as a Registered Nurse with Richmond State Supported Living Center, Richmond, Texas, and had been in that position for five (5) years and nine (9) months.
7. On or about May 5, 2014, while employed as a Registered Nurse with the Richmond State Supported Living Center, Richmond, Texas, Respondent failed to verify the identity of an off-campus patient, Resident 2748, who was a local school student, before administering Synthroid and Klonopin to the patient. As a result, Respondent unknowingly administered the medications to the wrong student at a different school who was not a patient residing at the facility. Respondent's conduct was likely to injure the student from adverse effects of contraindicated medications.
8. On or about May 5, 2014, while employed as a Registered Nurse with the Richmond State Supported Living Center, Richmond, Texas, Respondent failed to correct her documentation in the medical record of Resident 2748 after learning that the medications had actually been administered to a student who was not residing at the facility. Respondent's conduct resulted in an inaccurate medical record and was likely to injure the resident in that subsequent care givers would not have accurate and complete information on which to base their care decisions.
9. In response to the incidents in Findings of Fact Numbers Seven (7) and Eight (8), Respondent states that she was ordered to provide medications to a resident because another nurse assigned to the resident did not come to work on the day of the incident, and it was at that time the Respondent noticed the medication was not given to the resident before she was taken to school. Respondent states the error was easy to make as the two schools are adjacent to each other on the same street. Respondent states that she was not familiar with resident / patient because she was not assigned to the patient / resident's unit. Respondent states that she was with her supervisor the entire time and the Supervisor should have been familiar with the patient, so the error was the Supervisor's to prevent.

#### 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)(C)&(1)(D) 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 Registered Nurse License Number 721543, heretofore issued to NMASIKA CAROLINE OZIM.
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. KNOWLEDGE, SKILLS, TRAINING, ASSESSMENT AND RESEARCH (KSTAR) PILOT PROGRAM**

IT IS AGREED and ORDERED that RESPONDENT SHALL, within one (1) year

of entry of this Order, successfully complete the Knowledge, Skills, Training, Assessment and Research (KSTAR) Pilot Program and RESPONDENT SHALL:

- (A) Within forty-five (45) days of entry of this Order, apply to and enroll in the KSTAR Pilot Program, including payment of any fees and costs, unless otherwise agreed in writing;
- (B) Submit to an individualized assessment designed to evaluate RESPONDENT'S nursing practice competency and to support a targeted remediation plan;
- (C) Follow all requirements within the remediation plan, if any;
- (D) Successfully complete a Board-approved course in Texas nursing jurisprudence and ethics as part of the KSTAR Pilot Program; and
- (E) Provide written documentation of successful completion of the KSTAR Pilot Program to the attention of Monitoring at the Board's office.

**IV. FURTHER COMPETENCY ISSUES AND VIOLATIONS**

IT IS FURTHER AGREED, SHOULD RESPONDENT'S individualized KSTAR Pilot Program assessment identify further competency issues and violations of the Nursing Practice Act, including inability to practice nursing safely, further disciplinary action, up to and including revocation of Respondent's license(s) to practice nursing in the State of Texas, may be taken based on such results in the assessments.

**V. 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 10<sup>th</sup> day of JUNE, 2016.

Nmasika Ozim  
NMASIKA CAROLINE OZIM, Respondent

Sworn to and subscribed before me this 10<sup>th</sup> day of JUNE, 2016.



Maliha Khan  
Notary Public in and for the State of TEXAS

Approved as to form and substance.

Andre D'Souza  
Andre D'Souza, Attorney for Respondent

Signed this 17 day of JUNE, 2016.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 10th day of June, 2016, by NMASIKA CAROLINE OZIM, Registered Nurse License Number 721543, and said Order is final.

Effective this 21st day of July, 2016.



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