BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of	§	AGREED ORDER
Registered Nurse License Number 825810	§	
& Vocational Nurse License Number 308386	§	
issued to NKEM KIMBERLY CHIEDU	§	FOR KSTAR PILOT PROGRAM

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of NKEM KIMBERLY CHIEDU, Registered Nurse License Number 825810 and Vocational Nurse License Number 308386, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may be subject to discipline pursuant to Section 301.452(b)(10)&(13), Texas Occupations Code. Respondent waived notice and hearing and agreed to the entry of this Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on January 12, 2017.

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. Respondent's license to practice as a professional nurse in the State of Texas is in current status.

4. Respondent received a Certificate in Vocational Nursing from Indian Hills Community College, Ottumwa, Iowa on May 19, 2011, and received an Associate Degree in Nursing from Indian Hills Community College, Ottumwa, Iowa on May 2012. Respondent was licensed to practice vocational nursing in the State of Texas on July 31, 2012, and was licensed to practice professional nursing in the State of Texas on September 10, 2012.

5. Respondent's nursing employment history includes:

4/2013 - 1/2014	Registered Nurse	Evergreen Private Care Houston, Texas
2/2014 - 8/2014	Registered Nurse	Kindred Healthcare Houston, Texas
9/2014 - 10/2015	Registered Nurse	Memorial Hermann SW Hospital Houston, Texas

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with Memorial Hermann SW Hospital, Houston, Texas, and had been in that position for one (1) year and one (1) month.

7. On or about October 4, 2015, while employed as a Registered Nurse at Memorial Hermann SW Hospital, Houston, Texas, Respondent failed to correctly administer Ketorolac 30 mg intravenously (IV) to Patient Number 46006756 when Respondent administered the Keorolac every 3-4 hours instead of every 6 hours, as ordered. Respondent's conduct was likely to injure the patient in that failure to administer medications as ordered by the physician could have resulted in non-efficacious treatment of the patient's pain, or possible over dosage of pain medication.

8. On or about October 4, 2015, while employed as a Registered Nurse at Memorial Hermann SW Hospital, Houston, Texas, Respondent mistakenly obtained Ketorolac from the Pyxis Dispensing System too early to administer and failed to return and/or waste the medication. Later in the day, Respondent documented the medication she administered was "In Error". Respondent's conduct resulted in an inaccurate medical record and was likely to injure the patient in that subsequent care givers would rely on her documentation in making their own care decisions..

9. In response to Findings of Fact Numbers Seven (7) and Eight (8), Respondent states she was working with this patient, and also assigned to five (5) patients with very high acuity levels coupled with the fact that she had several distractions during medication administration from other departments. Respondent states the medication Ketorolac 30mg was given intravenously (IV) as prescribed but that Respondent, in error, pre-pulled the first dose around 8:50 AM. However, during medication administration, around 9:21 AM, as she scanned both the patient and the Ketorolac, she realized the medication was due at 12:00 noon and therefore, refrained from administering the IV Ketorolac to the patient. Respondent states she then placed the medication on her computer on wheels for later disposition. Respondent states that due to many distractions, she failed to return it back to the Pyxis, and at 12:15, Respondent pulled the 12:00 noon dose of Ketorolac and administered it to the patient as per order. Respondent states she then pulled out the last dose of IV Ketorolac at 3:56 PM and administered it at the time indicated, but she could not find the dose she pulled out at 8:50 AM.

10. Formal Charges were filed on August 8, 2016

11. Formal Charges were mailed to Respondent on August 10, 2016.

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)&(6).

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 825810 and Vocational Nurse License Number 308386, heretofore issued to NKEM KIMBERLY CHIEDU.

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 13th day of February, 2017.

Mkem M. Chiedu
NKEM KIMBERLY CHIEDU, Respondent

Sworn to and subscribed before me this 13th day of February, 2017.

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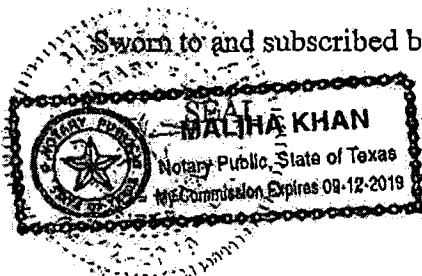
Notary Public in and for the State of Texas

Approved as to form and substance.

Pauline C. Ike
Pauline C. Ike, Attorney for Respondent

Signed this 14 day of Feb, 2017.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the _13th_ day of _February_, 20_17_, by NKEM KIMBERLY CHIEDU, Registered Nurse License Number 825810 and Vocational Nurse License Number 308386, and said Order is final.

Effective this _21st_ day of _March_, 20_17_.

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