



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.  
*Katherine A. Thomas*  
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

\*\*\*\*\*

|   |   |        |
|---|---|--------|
| In the Matter of Advanced Practice Registered | § | AGREED |
| Nurse License Number AP117433 with            | § |        |
| Prescription Authorization Number 9004        | § |        |
| & Registered Nurse License Number 728821      | § |        |
| issued to FRANCES EGO ONUOHA                  | § |        |
| a.k.a FRANCES EGO CHILAKA                     | § | ORDER  |

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of FRANCES EGO ONUOHA, a.k.a FRANCES EGO CHILAKA, Advanced Practice Registered Nurse License Number AP117433 with Prescription Authorization Number 9004 and Registered Nurse License Number 728821, 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 March 27, 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 professional nurse in the State of Texas is in suspended status. Respondent's license to practice as an advanced practice registered nurse in the State of Texas is in suspended status.

4. Respondent received an Associate Degree in Nursing from Los Angeles Southwest College, Los Angeles, California, on January 7, 1995, and received a Masters Degree in Nursing from University of Phoenix, Costa Mesa, California, on January 22, 2005. Respondent was licensed to practice professional nursing in the State of Texas on June 12, 2006, and was licensed to practice registered nursing in the role of a Family Nurse Practitioner with Prescription Authorization in the State of Texas on October 27, 2008.

5. Respondent's nursing employment history includes:

|                   |                           |   |
|-------------------|---------------------------|---|
| 11/1996 - 6/2006  | School Nurse              | LA Unified School District<br>Los Angeles, CA               |
| 10/1994 - 8/2006  | Charge Nurse              | Brotman Medical Center<br>Culver, CA                        |
| 9/2006 - 10/2007  | Staff Nurse               | Twelve Oaks Hospital<br>Houston, Texas                      |
| 4/2007 - 11/2009  | Registered Nurse          | Michael E. DeBakery<br>Veterans' Hospital<br>Houston, Texas |
| 6/2008 - 11/2008  | Staff Nurse               | Harris County Psychiatric Ctr<br>Houston, Texas             |
| 11/2008 - 11/2009 | Family Nurse Practitioner | Harwin Diagnostic & Family<br>Clinic<br>Houston, Texas      |
| 8/2009 - Present  | Family Nurse Practitioner | Ideal Family Wellness Center<br>Houston, Texas              |

6. On or about July 18, 2013, Respondent was issued the sanction of a REPRIMAND WITH STIPULATIONS through an Agreed Order by the Board. Respondent has successfully completed the terms of the order. A copy of the Findings of Fact, Conclusions of Law, and Order, dated July 18, 2013, is attached and incorporated herein by reference as part of this Order.

7. On or about August 25, 2014, Respondent was issued a Decision and Order by the Board of Registered Nursing Department of Consumer Affairs State of California. A copy of the Decision and Order by the Board of Registered Nursing Department of Consumer Affairs State of California, dated August 25, 2014, is attached and incorporated herein by reference as part of this Order.

8. On or about September 10, 2011, through October 18, 2012, while employed as a Family Nurse Practitioner with AVC Wellness Center, Houston, Texas, Respondent's practice fell below the minimum standards of nursing practice in that she engaged in non-therapeutic prescribing practices. More specifically, Respondent issued prescriptions for controlled substances to patients: AR, BH, CG, CS, RA, RR, and SB, without conducting appropriate assessments to justify her prescribing practices and/or exploring/ordering other treatment options in lieu of prescribing dangerous controlled substances to her patients. Respondent repeatedly prescribed hydrocodone and Soma to patients in the same doses, quantities, and strengths, indicating a failure to individually assess each patient and develop a treatment plan in response to each patient's individualization assessment. This type of prescribing falls below the standard of care in that the combination of Central Nervous System (CNS) depressants in such a unsupported quantities has greater risks than therapeutic benefit.

Further, Respondent failed to: (a) obtain all pertinent previous medical records; (b) appropriately assess and/or reassess function; (c) exhaust low-risk, evidence-based treatments before resorting to high-risk, non-evidence based treatment; (d) perform multi-site pain evaluations as appropriate; (e) appropriately monitor patients for aberrant and/or drug-seeking behavior; and (f) adequately collaborate and/or adequately document collaboration with a delegating physician.

9. On or about August 13, 2012, through December 4, 2015, while employed as a Family Nurse Practitioner with Ideal Family Wellness, Houston, Texas, Respondent's practice fell below the minimum standards of nursing practice in that she engaged in non-therapeutic prescribing practices. More specifically, Respondent issued prescriptions for controlled substances to patients: AM, EM, MC, MW, and VW, without conducting appropriate assessments to justify her prescribing practices and/or exploring/ordering other treatment options in lieu of prescribing dangerous controlled substances to her patients. Respondent repeatedly prescribed Tylenol with Codeine or hydrocodone, with Soma, and/or Alprazolam to patients in the same doses, quantities, and strengths, indicating a failure to individually assess each patient and develop a treatment plan in response to each patient's individualization assessment. This type of prescribing falls below the standard of care in that the combination of Central Nervous System (CNS) depressants in such a unsupported quantities has greater risks than therapeutic benefit.

Further, Respondent failed to: (a) obtain all pertinent previous medical records; (b) appropriately assess and/or reassess function; (c) exhaust low-risk, evidence-based treatments before resorting to high-risk, non-evidence based treatment; (d) perform multi-site pain evaluations as appropriate; (e) appropriately monitor patients for aberrant and/or drug-seeking behavior; and (f) adequately collaborate and/or adequately document collaboration with a delegating physician.

10. On or about March 1, 2013, through April 17, 2015, while employed as a Family Nurse Practitioner with Ideal Family Wellness, Houston, Texas, Respondent's practice fell below the minimum standards of nursing practice in that she engaged in non-therapeutic prescribing practices. During this time period, Respondent's prescription profile reflected that she issued thirteen thousand five hundred fifty five (13,555) prescriptions for controlled substances, which included dangerous drug cocktails. Respondent admits that she prescribed approximately two thousand seven hundred (2,700) prescriptions for controlled substances during that period, but contends that the remaining prescriptions for controlled substances were made fraudulently without her knowledge or consent.

Dangerous drug cocktails are combinations of controlled substances, such as Tylenol with Codeine or hydrocodone, with Soma, and/or Alprazolam, which have greater risks than therapeutic benefit when taken together.

Respondent repeatedly prescribed Tylenol with Codeine or hydrocodone, with Soma, and/or Alprazolam to patients in the same doses, quantities, and strengths, indicating a failure to individually assess each patient and develop a treatment plan in response to each patient's individualized assessment. This type of prescribing falls below the standard of care in that the combination of Central Nervous System (CNS) depressants in such unsupported quantities has greater risks than therapeutic benefit.

11. Formal Charges were filed and Respondent's license(s) to practice nursing in the State of Texas were temporarily suspended on May 17, 2016.
12. Formal Charges were mailed to Respondent on May 17, 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 §217.11 217.11(1)(A),(1)(B),(1)(C),(1)(R),(1)(T),&(4)(effective November 15, 2007 to Current) and 217.12(1)(A),(1)(B),(1)(E),(4),&(11)(B)(effective September 28, 2004 to Current); 221.12 (effective February 25, 2001 to Current); 221.13 (effective February 25, 2001 to Current); 222.4(a)&(b)(effective February 14, 2010 to November 19, 2013); 222.4(a)(effective November 20, 2013 to Current); 222.5 (November 20, 2013 to Current); 222.6 (effective February 14, 2010 to November 19, 2013); 222.8(b)(1)&(b)(2)(effective November 20, 2013 to Current); 222.8 (effective February 14, 2010 to November 20, 2013); and 222.8(b)(1)&(b)(2)(effective November 20, 2013 to Current).

4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10)&(13), Texas Occupations Code, to take disciplinary action against Advanced Practice Registered Nurse License Number AP117433 with Prescription Authorization Number 9004 and Registered Nurse License Number 728821, heretofore issued to FRANCES EGO ONUOHA, a.k.a FRANCES EGO CHILAKA, including revocation of Respondent's license(s) to practice nursing in the State of Texas.
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**

NOW, THEREFORE, IT IS AGREED and ORDERED that the **VOLUNTARY SURRENDER** of Advanced Practice Registered Nurse License Number AP117433 with Prescriptive Authorization Number 9004, heretofore issued to FRANCES EGO ONUOHA, a.k.a FRANCES EGO CHILAKA, is accepted by the Texas Board of Nursing.

RESPONDENT SHALL NOT practice advanced practice nursing, use or wear any title or insignia identifying herself as an advanced practice registered nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is an advanced practice registered nurse during the period in which her advanced practice registered nurse license is surrendered.

IT IS FURTHER AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that Registered Nurse License Number 728821 previously issued to RESPONDENT, to practice nursing in Texas is hereby **SUSPENDED** with the suspension **STAYED** and Respondent is hereby placed on **PROBATION**, in accordance with the terms of this Order, for a minimum of two (2) years **AND** until Respondent fulfills the requirements of this Order.

## II. COMPLIANCE WITH LAW AND APPLICABILITY

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.

- A. This Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.
- B. 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.

## III. REMEDIAL EDUCATION COURSE(S)

In addition to any continuing education requirements the Board may require for licensure renewal, RESPONDENT SHALL successfully complete the following remedial education courses within one (1) year of the effective date of this Order, unless otherwise specifically indicated:

- A. A course in Texas nursing jurisprudence and ethics that 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. Home study courses and video programs will not be approved.
- B. A Board-approved course in nursing documentation that shall be a minimum of six (6) hours in length. The course's content shall include: nursing standards related to accurate and complete documentation; legal guidelines for recording; methods and processes of recording; methods of alternative record-keeping; and computerized documentation. Home study courses and video programs will not be approved.

- C. **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/these course(s), RESPONDENT SHALL CAUSE the instructor to submit a Verification of Course Completion form or SHALL submit the continuing education certificate, as applicable, to the attention of Monitoring at the Board's office. RESPONDENT SHALL first obtain Board approval of any course prior to enrollment if the course is not being offered by a pre-approved provider. *Information about Board-approved courses and Verification of Course Completion forms are available from the Board at [www.bon.texas.gov/compliance](http://www.bon.texas.gov/compliance).*

**IV. MONETARY FINE**

RESPONDENT SHALL **pay a monetary fine in the amount of one thousand five hundred dollars (\$1500.00). RESPONDENT SHALL pay this fine within one hundred thirty five (135) days of the effective date of this Order.** Payment is to be made directly to the Texas Board of Nursing in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

**V. EMPLOYMENT REQUIREMENTS**

In order to complete the terms of this Order, RESPONDENT must work as a registered nurse, providing patient care in a licensed healthcare setting, for a minimum of sixty-four (64) hours per month for eight (8) quarterly periods [two (2) years] of employment. This requirement will not be satisfied until eight (8) quarterly periods of employment as a registered 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) 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 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 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. Direct Supervision:** For the first year [four (4) quarters] 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). 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. Indirect Supervision:** 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.
- E. 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 eight (8) quarters [two (2) years] of employment as a nurse.

**VI. FURTHER COMPLAINTS**

If, during the period of probation, an additional allegation, accusation, or petition is reported or filed against the Respondent's license(s), the probationary period shall not expire and shall automatically be extended until the allegation, accusation, or petition has been acted upon by the Board.

**VII. RESTORATION OF UNENCUMBERED LICENSE(S) AND/OR FULL PRESCRIBING AUTHORIZATION**

With the exception of RESPONDENT'S Advanced Practice Registered Nurse license and Prescription Authorization, upon full compliance with the terms of this Order, all other 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.

- A. RESPONDENT shall not petition the Board for reinstatement of her Advanced Practice Registered Nurse license and the authority to prescribe controlled substances until RESPONDENT has successfully completed all of the terms and requirements of this Order.
- B. Upon petitioning for reinstatement of her Advanced Practice Registered Nurse license and authority to prescribe controlled substances, RESPONDENT SHALL also satisfy all then existing requirements in addition to having completed ten (10) hours of continuing education (CE) approved by the Board that relates to diagnosis and treatment of chronic pain. The topics covered by such CE must include: risk assessment, urine drug testing, addictions, evidence based conservative treatment options, care of patients with mental health co-morbidities and accidental lethal drug overdose.
- C. The Board may impose additional restrictions or stipulations to accompany the re-issuance of the RESPONDENT'S Advanced Practice Registered Nurse license and authority to prescribe controlled substances, as deemed appropriate and necessary by the Board.

- D. Respondent shall not re-register or otherwise obtain a DEA Controlled Substances Registration Certificate(s) or any other government issued certificates or authorizations to prescribe controlled substances until Respondent obtains authorization in writing from the Board to prescribe controlled substances.

BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK.

CONTINUED ON NEXT PAGE.

TIME RECEIVED  
April 21, 2017 at 11:01:44 AM EDT

REMOTE CSID

DURATION  
49

PAGES  
2

STATUS  
Received

APR-22-2017 01:12 FROM:

To: 7137857780

Page: 1/2

RESPONDENT'S CERTIFICATION

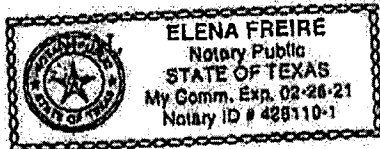
I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the entry of this Order, and any conditions of said Order, to avoid further disciplinary 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 21 day of April, 2017.

Frances Ego Onuoha

FRANCES EGO ONUOHA, Respondent  
a.k.a FRANCES EGO CHILAKA, Respondent

Sworn to and subscribed before me this 21<sup>st</sup> day of April, 2017.



Elena Freire

Notary Public in and for the State of TEXAS.

Approved as to form and substance.

John R. Shepperd

John R. Shepperd, Attorney for Respondent

Signed this 21<sup>st</sup> day of April, 2017.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 21<sup>st</sup> day of April, 2017, by FRANCES EGO ONUOHA, a.k.a FRANCES EGO CHILAKA, Advanced Practice Registered Nurse License Number AP117433 with Prescription Authorization Number 9004 and Registered Nurse License Number 728821, and said Order is final.

Effective this 9<sup>th</sup> day of May, 2017.

A handwritten signature in black ink, appearing to read "Katherine A. Thomas". The signature is written in a cursive style with a horizontal line underneath it.

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.  
*Katherine A. Thomas*  
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

\*\*\*\*\*

In the Matter of Family Nurse Practitioner & § AGREED  
Registered Nurse License Number 728821 §  
issued to FRANCES EGO CHILAKA § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board considered the matter of FRANCES EGO CHILAKA, Family Nurse Practitioner and Registered Nurse License Number 728821, 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) and 301.453, Texas Occupations Code. Respondent waived informal proceedings, notice and hearing, and agreed to the entry of this Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on March 6, 2013, subject to ratification by the Board.

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 informal proceedings, notice and hearing, and agreed 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 Los Angeles Southwest College, Los Angeles, California on January 7, 1995. Respondent received a Bachelor of Science Degree in Business Management from Texas College, Tyler, Texas, in December 1984. Respondent received a Master of Science in Nursing and Family Nurse Practitioner from the University of Phoenix, Phoenix, Arizona, in January 2005. Respondent was licensed to practice professional nursing in the State of Texas on June 12, 2006. Respondent was authorized by the Texas Board of Nursing to practice as a Family Nurse Practitioner with prescriptive authorization in the State of Texas on October 27, 2012.

5. Respondent's nursing employment history includes:

|                   |                           |   |
|-------------------|---------------------------|---|
| 11/1996 - 6/2006  | School Nurse              | LA Unified School District<br>Los Angeles, CA               |
| 10/1994 - 8/2006  | Charge Nurse              | Brotman Medical Center<br>Culver, CA                        |
| 9/2006 - 10/2007  | Staff Nurse               | Twelve Oaks Hospital<br>Houston, Texas                      |
| 4/2007 - 11/2009  | Staff Nurse               | Michael E. DeBakery<br>Veterans' Hospital<br>Houston, Texas |
| 6/2008 - 11/2008  | Staff Nurse               | Harris County Psychiatric Ctr<br>Houston, Texas             |
| 11/2008 - 11/2009 | Family Nurse Practitioner | Harwin Diagnostic<br>& Family Clinic<br>Houston, Texas      |
| 8/2009 - Present  | Family Nurse Practitioner | Ideal Family Wellness Center<br>Houston, Texas              |

6. At the time of the initial incident, Respondent was employed as a Family Nurse Practitioner with Ideal Family Wellness Center, Houston, Texas, and had been in this position for two (2) years.
7. On or about September 12, 2011, while self employed as a Family Nurse Practitioner with Ideal Family Wellness Center, Houston, Texas, Respondent left improperly packaged and labeled medications at the home of Patient TW, in that the medication was in a plastic bag and had Clonidine 0.1mg written with a marking pen. Respondent's conduct deprive the patient of written instructions and violated Chapter 483 (Dangerous Drugs), of the Texas Health and Safety Code.
8. On or about September 12, 2011, while self employed as a Family Nurse Practitioner with Ideal Family Wellness Center, Houston, Texas, Respondent falsely documented the administration of Clonidine 0.1mg to Patient TW. Respondent's conduct resulted in an inaccurate medical record which subsequent care givers would rely on to provide further patient care.
9. In response to Finding of Fact Number Seven (7), Respondent states she did leave Clonidine 0.1mg samples with the family, in consideration of their financial situation, and she did mark the package as Clonidine 0.1mg. Further, Respondent states she did record in the past

tense unintentionally and insists she did not administer any medications. In response to Finding of Fact Number Eight (8), Respondent states she did not administer any medications to the patient on September 21, 2011.

#### 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)(B),(1)(D)&(4)(B) and 22 TEX. ADMIN. CODE §217.12(1)(B),(4)&(6)(A).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10)&(13), Texas Occupations Code, to take disciplinary action against Family Nurse Practitioner and Registered Nurse License Number 728821, heretofore issued to FRANCES EGO CHILAKA, including revocation of Respondent's license(s) to practice nursing in the State of Texas.

#### ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that RESPONDENT SHALL receive the sanction of a REPRIMAND WITH STIPULATIONS AND FINE, 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 Texas nursing jurisprudence and ethics. RESPONDENT 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. RESPONDENT 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 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>

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in nursing documentation. RESPONDENT 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. The course shall be a minimum of six (6) hours in length of classroom time. In order for the course to be approved, the target audience shall include Nurses. The course shall include content on the following: nursing standards related to accurate and complete documentation; legal guidelines for recording; methods and processes of recording; methods of alternative record-keeping; and computerized documentation. RESPONDENT SHALL cause the instructor to submit a Verification of Course Completion form, provided by the Board, to the Board's office 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>.

(3) RESPONDENT SHALL, within one (1) year of entry of this Order, 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, RESPONDENT 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>.

(4) RESPONDENT SHALL pay a monetary fine in the amount of five hundred dollars (\$500). RESPONDENT SHALL pay this fine within forty-five (45) days of entry of this Order. Payment is to be made directly to the Texas Board of Nursing in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

**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) LICENSE WITH ADVANCED PRACTICE AUTHORIZATION WILL NOT APPLY TO THIS STIPULATION PERIOD:**

(5) 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.

(6) 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.

(7) Should RESPONDENT choose to work as a Family Nurse Practitioner, RESPONDENT'S practice will be monitored for two (2) years by a Physician or Family Nurse Practitioner who has been approved by the Board. RESPONDENT must provide a list of three (3) Physicians and/or three (3) Family Nurse Practitioners from which the Board shall select. For the Physician and/or Family Nurse Practitioner, the list must include the following for each: name, license number or social security number, educational background and professional employment history. Monitoring shall commence no later than thirty (30) days following the date of RESPONDENT'S receipt of the name of the monitor selected by the Board. The monitor will offer guidance, advice and assistance to the RESPONDENT as necessary to ensure that deficiencies such as those set forth in this Order do not reoccur. RESPONDENT SHALL meet with the monitor at least twice a month, at least one (1) hour duration each. RESPONDENT SHALL ensure that the monitor submits reports, addressing RESPONDENT'S progress in overcoming these deficiencies to the office of the Board at the end of each three (3) months for the two (2) year stipulation period. Meetings may be longer and more frequent if the monitor determines necessary. Multiple employers are prohibited.

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 shall be eligible for nurse licensure compact privileges, if any.

BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK.

CONTINUED ON NEXT PAGE.

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.

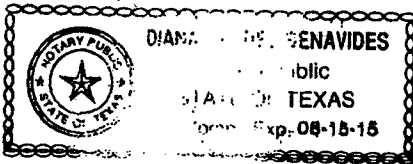
Signed this 20 day of May, 2013.

Frances Ego Chilaka

FRANCES EGO CHILAKA, RESPONDENT

Sworn to and subscribed before me this 20<sup>th</sup> day of May, 2013.

SEAL



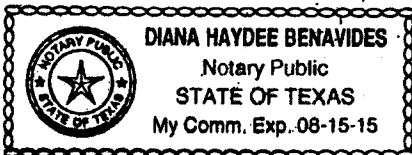
Notary Public in and for the State of Texas

Approved as to form and substance.

Silvia Tiller

Silvia Tiller, Attorney for Respondent

Signed this 20<sup>th</sup> day of May, 2013



WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 20th day of May, 2013, by FRANCES EGO CHILAKA, Family Nurse Practitioner and Registered Nurse License Number 728821, and said Order is final.

Effective this 18th day of July, 2013.



---

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.  
*Alicia Johnson*  
Executive Director of the Board

BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

FRANCES E. CHILAKA,

Case No. 2014-995

Registered Nurse License No. 513726  
Nurse Practitioner Certificate No. 15625

Respondent.

DECISION AND ORDER

Pursuant to Title 16 of the California Code of Regulations, section 1403, the attached Stipulated Settlement is hereby adopted by the Board of Registered Nursing as its Decision and Order in the above-entitled matter.

This Decision shall become effective on August 25, 2014

IT IS SO ORDERED this 25th day of August, 2014.

*Louise R. Bailey*  
Louise R. Bailey, M.Ed., RN  
Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California

I hereby certify the foregoing to be a true copy of the documents on file in our office.

BOARD OF REGISTERED NURSING

*Louise R. Bailey M.Ed., RN*  
Louise R. Bailey, M. ED., RN  
Executive Officer



1 KAMALA D. HARRIS  
Attorney General of California  
2 DIANN SOKOLOFF  
Supervising Deputy Attorney General  
3 CARTER OTT  
Deputy Attorney General  
4 State Bar No. 221660  
1515 Clay Street, 20th Floor  
5 P.O. Box 70550  
Oakland, CA 94612-0550  
6 Telephone: (510) 622-2219  
Facsimile: (510) 622-2270  
7 E-mail: Carter.Ott@doj.ca.gov  
*Attorneys for Complainant*

8  
9 **BEFORE THE**  
**BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

12 **FRANCES E. CHILAKA**  
13 **1826 Granite Field Lane**  
**Richmond, TX 77469**  
14 **Registered Nurse License No. 513726**  
**Nurse Practitioner Certificate No. 15625**

15  
16 Respondent.

Case No. 2014-995

OAH No.

**STIPULATED SURRENDER OF  
LICENSE AND ORDER**

17  
18 **IT IS HEREBY STIPULATED AND AGREED** by and between the parties to the above-  
19 entitled proceedings that the following matters are true:

20 **PARTIES**

21 1. Louise R. Bailey, M.Ed., RN ("Complainant") is the Executive Officer of the Board  
22 of Registered Nursing. She brought this action solely in her official capacity and is represented in  
23 this matter by Kamala D. Harris, Attorney General of the State of California, by Carter Ott,  
24 Deputy Attorney General.

25 2. Frances E. Chilaka ("Respondent") is represented in this proceeding by attorney  
26 Silvia Tiller, whose address is Tiller & Associates, P.O. Box 1263, Fresno, TX 77545, (281)  
27 780-2362.  
28





1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

CULPABILITY

9. Respondent admits the truth of each and every charge and allegation in the Accusation, agrees that cause exists for discipline and hereby surrenders her Registered Nurse License No. 513726 for the Board's formal acceptance.

10. Respondent understands that by signing this stipulation she enables the Board to issue an order accepting the surrender of her Registered Nurse License without further process.

11. Respondent admits the truth of each and every charge and allegation in the Accusation, agrees that cause exists for discipline and hereby surrenders her Nurse Practitioner Certificate No. 15625 for the Board's formal acceptance.

12. Respondent understands that by signing this stipulation she enables the Board to issue an order accepting the surrender of her Nurse Practitioner Certificate without further process.

RESERVATION

13. The admissions made by Respondent herein are only for the purposes of this proceeding, or any other proceedings in which the Board or other professional licensing agency is involved, and shall not be admissible in any other criminal or civil proceeding.

CONTINGENCY

14. This stipulation shall be subject to approval by the Board. Respondent understands and agrees that counsel for Complainant and the staff of the Board may communicate directly with the Board regarding this stipulation and surrender, without notice to or participation by Respondent or her counsel. By signing the stipulation, Respondent understands and agrees that she may not withdraw her agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision And Order, the Stipulated Surrender Of License And Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

////

////

////



1           3.    Respondent shall cause to be delivered to the Board any and all pocket licenses and, if  
2 issued, her wall certificates on or before the effective date of the Decision And Order.

3           4.    If Respondent ever files an application for licensure or a petition for reinstatement in  
4 the State of California, the Board shall treat it as a petition for reinstatement. Respondent must  
5 comply with all the laws, regulations and procedures for reinstatement of a revoked license(s) in  
6 effect at the time the petition is filed, and all of the charges and allegations contained in the  
7 Accusation shall be deemed to be true, correct and admitted by Respondent when the Board  
8 determines whether to grant or deny the petition.

9           5.    If and when Respondent's license(s) is reinstated, she shall pay to the Board costs  
10 associated with its investigation and enforcement pursuant to Business and Professions Code  
11 section 125.3 in the amount of \$1,605. Respondent shall be permitted to pay these costs in a  
12 payment plan approved by the Board. Nothing in this provision shall be construed to prohibit the  
13 Board from reducing the amount of cost recovery upon reinstatement of the license.

14           6.    If Respondent should ever apply or reapply for a new license or certification, or  
15 petition for reinstatement of a license, by any other health care licensing agency in the State of  
16 California, all of the charges and allegations contained in the Accusation shall be deemed to be  
17 true, correct, and admitted by Respondent for the purpose of any Statement of Issues or any other  
18 proceeding seeking to deny or restrict licensure.

19    /////  
20    /////  
21    /////  
22    /////  
23    /////  
24    /////  
25    /////  
26    /////  
27    /////  
28


7. Respondent shall not apply for licensure or petition for reinstatement for two (2) years from the effective date of the Board's Decision And Order.

ACCEPTANCE

I have carefully read the above Stipulated Surrender Of License And Order and have fully discussed it with my attorney, Silvia Tiller. I understand the stipulation and the effect it will have on my Registered Nurse License and Nurse Practitioner Certificate. I enter into this Stipulated Surrender Of License And Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision And Order of the Board of Registered Nursing.

DATED: 6/27/14   
FRANCES E. CHILAKA  
Respondent

I have read and fully discussed with Respondent Frances E. Chilaka the terms and conditions and other matters contained in this Stipulated Surrender Of License And Order. I approve its form and content.

DATED: 6/27/14   
SILVIA TILLER  
Attorney for Respondent

ENDORSEMENT

The foregoing Stipulated Surrender Of License And Order is hereby respectfully submitted for consideration by the Board of Registered Nursing of the Department of Consumer Affairs.

Dated: \_\_\_\_\_ Respectfully submitted,  
KAMALA D. HARRIS  
Attorney General of California  
DIANN SOKOLOFF  
Supervising Deputy Attorney General

CARTER OTT  
Deputy Attorney General  
Attorneys for Complainant



**Exhibit A**

**Accusation No. 2014-995**

1 KAMALA D. HARRIS  
Attorney General of California  
2 ALFREDO TERRAZAS  
Senior Assistant Attorney General  
3 DIANN SOKOLOFF  
Supervising Deputy Attorney General  
4 State Bar No. 161082  
1515 Clay Street, 20th Floor  
5 P.O. Box 70550  
Oakland, CA 94612-0550  
6 Telephone: (510) 622-2221  
Facsimile: (510) 622-2270  
7 *Attorneys for Complainant*

8 **BEFORE THE**  
9 **BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. 2014-995

12 **FRANCES E. CHILAKA**  
13 **1826 Granita Field Lane**  
**Richmond, TX 77469**

**ACCUSATION**

14 **Registered Nurse License No. 513726**

15 **Nurse Practitioner Certificate No. 15625**

16 **Respondent,**

17  
18 **Complainant alleges:**

19 **PARTIES**

20 1. Louise R. Bailey, M.Ed., RN ("Complainant") brings this Accusation solely in her  
21 official capacity as the Executive Officer of the Board of Registered Nursing, Department of  
22 Consumer Affairs.

23 2. On or about August 2, 1995, the Board of Registered Nursing issued Registered  
24 Nurse License Number 513726 to Frances E. Chilaka ("Respondent"). The Registered Nurse  
25 License was in full force and effect at all times relevant to the charges brought in this Accusation.  
26 The Registered Nurse License expired on June 30, 2013 and has not been renewed.

27 3. On or about April 6, 2005, the Board of Registered Nursing issued Nurse  
28 Practitioner Certificate Number 15625 to Frances E. Chilaka ("Respondent"). The Nurse

1 Practitioner Certificate was in full force and effect at all times relevant to the charges brought in  
2 this Accusation. The Registered Nurse License expired on June 30, 2013 and has not been  
3 renewed.

4 JURISDICTION

5 4. This Accusation is brought before the Board of Registered Nursing ("Board"),  
6 Department of Consumer Affairs, under the authority of the following laws. All section  
7 references are to the Business and Professions Code ("Code") unless otherwise indicated.

8 5. Section 2750 of the Code provides, in pertinent part, that the Board may discipline  
9 any licensee, including a licensee holding a temporary or an inactive license, for any reason  
10 provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.

11 6. Section 2764 of the Code provides, in pertinent part, that the expiration of a license  
12 shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the  
13 licensee or to render a decision imposing discipline on the license. Under section 2811,  
14 subdivision (b) of the Code, the Board may renew an expired license at any time within eight  
15 years after the expiration.

16 STATUTORY PROVISIONS

17 7. Section 2761 of the Code states:  
18 "The board may take disciplinary action against a certified or licensed nurse or deny an  
19 application for a certificate or license for any of the following:

20 "(a) Unprofessional conduct, which includes, but is not limited to, the following:

21 ...

22 "(4) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action  
23 against a health care professional license or certificate by another state or territory of the United  
24 States, by any other government agency, or by another California health care professional  
25 licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that  
26 action."

27 COST RECOVERY

28





1 employment as a nurse; and (5) work under direct monitoring by a Physician or Family Nurse  
2 Practitioner approved by the Texas Board.

3 11. The circumstances supporting the Texas Board's Agreed Order are that on or  
4 about September 12, 2011, while Respondent was self-employed as a Family Nurse Practitioner  
5 with Ideal Family Wellness Center in Houston, Texas, Respondent falsely documented the  
6 administration of Clonidine 0.1 mg to Patient T.W. On or about the same date, Respondent left  
7 improperly packaged and labeled medications at the home of Patient T.W. In response to the  
8 allegations, Respondent admitted that she did not administer any medications to Patient T.W. on  
9 September 12, 2011. Respondent also admitted that she left improperly marked Clonidine 0.1 mg  
10 samples with the family and recorded the medication in the past tense.

11 PRAYER

12 WHEREFORE, Complainant requests that a hearing be held on the matters alleged in this  
13 Accusation, and that following the hearing, the Board of Registered Nursing issue a decision:

- 14 1. Revoking or suspending Registered Nurse License Number 513726, issued to Frances  
15 E. Chilaka;
- 16 2. Revoking or suspending Nurse Practitioner Certificate Number 15625, issued to  
17 Frances E. Chilaka;
- 18 3. Ordering Frances E. Chilaka, to pay the Board of Registered Nursing the reasonable  
19 costs of the investigation and enforcement of this case, pursuant to Business and Professions  
20 Code section 125.3; and
- 21 4. Taking such other and further action as deemed necessary and proper.

22  
23  
24 DATED: FEBRUARY 19, 2014

*Louise R. Bailey*  
LOUISE R. BAILEY, M.E.D., RN  
Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
Complainant