



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.  
*Michelle P. Thomas*  
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of § AGREED  
Vocational Nurse License Number 323547 §  
issued to OLALEKAN WILSON OGUNDARE § ORDER

An investigation by the Texas Board of Nursing, hereinafter referred to as the Board, produced evidence indicating that OLALEKAN WILSON OGUNDARE, Vocational Nurse License Number 323547, 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 February 21, 2017, in accordance with Section 301.464, Texas Occupations Code. Respondent appeared in person. Respondent was represented by Nancy Roper Wilson, 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 Concord Career Institute, Arlington, Texas, on November 26, 2014. Respondent was licensed to practice vocational nursing in the State of Texas on December 2, 2014.
5. Respondent's nursing employment history includes:
 

1/2015 - 5/2016	Licensed Vocational Nurse	Oxford Glen at Grand Prairie Grand Prairie, Texas
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Respondent's nursing employment history continued:

7/2016 - Present      Licensed Vocational Nurse      Emerald Hills Rehabilitation & Healthcare Center  
North Richland Hills, Texas

7/2016 - Present      Licensed Vocational Nurse      Hugeley Nursing & Rehabilitation  
Burleson, Texas

6. At the time of the incident, Respondent was employed as a Licensed Vocational Nurse with Oxford Glen at Grand Prairie, Grand Prairie, Texas, and had been in that position for four (4) months.
7. On or about May 1, 2016, through May 2, 2016, while employed as a Licensed Vocational Nurse (LVN) at Oxford Glen at Grand Prairie, Grand Prairie, Texas, Respondent left the facility without clocking out and failed to notify the Supervisor that he left. Subsequently, patients in the facility did not have nursing staff to provide care, and were left solely in the care of Certified Nurse Assistants (CNA). Respondent's conduct was likely to injure patients in that leaving the nursing assignment could have resulted in patients not receiving the care they needed.
8. On or about May 1, 2016, through May 2, 2016, while employed as a Licensed Vocational Nurse (LVN) with Oxford Glen at Grand Prairie, Grand Prairie, Texas, Respondent failed to provide nursing care for Patient H.S. during the time Respondent had left the building. During the time Respondent was not at the facility, the patient had fallen and hit his head. The CNA was trying to call out for the Respondent to come help her when she was informed the Respondent had left the facility. Upon Respondent's arrival back at the facility a couple of hours later, he assessed the patient and activated Emergency Medical Services (EMS) and the patient was transported to the Emergency Room where he received four (4) stitches. Respondent's conduct was likely to injure patients in that leaving the nursing assignment could have resulted in patients not receiving the care they needed.
9. In response to the incidents in Findings of Fact Numbers Seven (7) and Eight (8), Respondent states his wife kept calling in a panic stating she felt ill. Respondent states his wife was pregnant and was due within two weeks. Respondent states he called the other LVN that works nights and thought coverage was to be provided. Respondent states he did not intentionally fail to clock out, he didn't think of it as he was concerned his wife and baby were in trouble. Respondent states he did not notify the Supervisor because he had never responded to calls before 6-7 hours after a call was placed, when called during the night shift. Respondent states as soon as he was able to return to the facility, the CNA told him the patient had fallen. Respondent states he assessed and treated this patient for the fall, and Respondent called 911.

## 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)(I)&(1)(P) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(4)&(12).
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 323547, heretofore issued to OLALEKAN WILSON OGUNDARE.
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. 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 course(s) **within one (1) year of the effective date of this Order, unless otherwise specifically indicated:**

- A. **A Board-approved 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. 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. EMPLOYMENT REQUIREMENTS

In order to complete the terms of this Order, RESPONDENT must work as a nurse in the State of Texas, providing direct patient care in a clinical 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. Incident Reporting:** RESPONDENT SHALL CAUSE each employer to immediately submit any and all incident, counseling, variance, unusual occurrence, and medication or other error reports involving RESPONDENT, as well as documentation of any internal investigations regarding action by RESPONDENT, to the attention of Monitoring at the Board's office.
- 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.

**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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From: Broadstone

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RESPONDENT'S CERTIFICATION

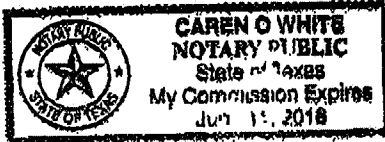
I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the entry of this Order, and any conditions of said Order, to avoid further disciplinary 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 31<sup>st</sup> day of MARCH, 2017

[Signature]  
OLALEKAN WILSON OGUNDARE, Respondent

Sworn to and subscribed before me this 31<sup>st</sup> day of March, 2017.

SEAL



[Signature]  
Notary Public in and for the State of TEXAS.

Approved as to form and substance [Signature]

[Signature]  
Nancy Roper Willson, Attorney for Respondent

Signed this 31<sup>st</sup> day of March, 2017

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 31st day of March, 2017, by OLALEKAN WILSON OGUNDARE, Vocational Nurse License Number 323547, and said Order is final.

Effective this 9th day of May, 2017.



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