



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

In the Matter of § REINSTATEMENT
Registered Nurse License Number 778149 §
issued to KAPINGA AGNES MUYUMBA § AGREED ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the Petition for Reinstatement of Registered Nurse License Number 778149, held by KAPINGA AGNES MUYUMBA, hereinafter referred to as Petitioner.

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 Petitioner and Petitioner was given an opportunity to show compliance with all requirements of the law for retention of the license(s).
2. Petitioner waived notice and hearing, and agreed to the entry of this Order.
3. Petitioner received an Associate Degree in Nursing from John A. Logan College, Carterville, Illinois, on May 15, 1997. Petitioner was licensed to practice professional nursing in the State of Texas on December 8, 2009.
4. Petitioner's professional nursing employment history includes:

1997 - 2002	RN Charge Nurse	Pine Acres Health Care DeKalb, Illinois
1998 - 2007	Med-Surgical Nurse	Kishwaukee Community Hospital DeKalb, Illinois
2007 - 2008	Surgical Oncology Nurse	Wesley Medical Center Wichita, Kansas
2008 - 2010	RN Charge Nurse	LifeCare Center of Wichita Wichita, Kansas
2010 - 2010	Weekend Supervisor	Trinity Mission of Burleson Burleson, Texas

Petitioner's professional nursing employment history continued:

2010 - 2011	Staff Nurse	Senior Care Centers Crowley, Texas
2010 - 2010	Charge Nurse	Estates of Fort Worth Fort Worth, Texas
2011 - 2013	Staff Nurse	HealthSouth Rehabilitation Hospital Fort Worth, Texas
2013 - present	Not employed in Nursing	

5. On or about November 13, 2012, Petitioner was issued the sanction of a Warning with Stipulations through an Agreed Order by the Board. A copy of the Findings of Fact, Conclusions of Law, and Agreed Order dated November 13, 2012, is attached and incorporated, by reference, as part of this Order.
6. On or about December 5, 2013, Petitioner voluntarily surrendered her license to practice nursing through an Order of the Board. A copy of the Findings of Fact, Conclusions of Law, and Order dated December 5, 2013, is attached and incorporated, by reference, as part of this Order.
7. On or about December 29, 2016, Petitioner submitted a Petition for Reinstatement of License to practice professional nursing in the State of Texas.
8. Petitioner presented the following in support of said petition:
 - 8.1. Letter of support, dated January 23, 2017, from Georgina Munguya, MSN, RN, RAC-CT, MDS/Case Management Consultant, Focus 1 Health, Wichita, Kansas, states she has known Petitioner since 2012 in different settings. According to Ms. Munguy, her discussions with Petitioner often evolve around nursing issues and nursing care, and Petitioner's critical thinking and nursing judgment as we discussed different situation is very evident, even though she has not practice due to illness. Petitioner shares her wealth of knowledge with others and was a good resource for new nurses.
 - 8.2. Letter of support, dated January 23, 2017, from Ngoyi Zacharie Bukonda, Department of Public Health Sciences, Wichita State University, Wichita, Kansas, states he and Petitioner are both members of Wichita African Union (WAU) and he has been socially involved to assist Petitioner during her time of surgeries and recovery. Following intensive physical rehabilitation therapy, she has very significantly improved her physical, social and mental status.

- 8.3 Letter of support, dated January 24, 2017, from Rose Atakpa, Wichita, Kansas, states she has known Petitioner since 2012, they are friends, and "I have been frequently visiting her over the past four years before and after her back and hip surgeries." In 2015, Petitioner had undergone several surgeries that limited her mobility, but after intensive rehabilitation over the past twelve months, she is functioning well physically, mentally and socially.
- 8.4 Letter of support, dated December 29, 2016, from Jennifer Cheng DO, Andover Family Medicine, Andover, Kansas, states Petitioner has been under Dr. Cheng's care for the past couple of years. Petitioner has struggled with osteoarthritis in her joints for many years and was unable to work due to these changes. Petitioner has recently gone through hip replacement bilaterally, and since then, her quality of life has significantly improved and her pain is improved. According to Dr. Cheng, "I believe she is able to return back to work without any restrictions."
9. Documentation of the required continuing education contact hours.
10. The Executive Director considered evidence of Petitioner's past behavior in light of the character factors set out in 22 Tex. Admin. Code §213.27 and determined that Petitioner currently demonstrates the criteria required for good professional character and relicensure.
11. Relicensure of Petitioner poses no direct threat to the health and safety of patients or the public provided Petitioner complies with the stipulations outlined in this Order.
12. The Executive Director's review of Petitioner's eligibility for relicensure has been made on the basis of Petitioner's disclosures.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.
2. Pursuant to Section 301.467, Texas Occupations Code, the Board may refuse to issue or renew a license, and may set a reasonable period that must lapse before reapplication. Pursuant to 22 TEX. ADMIN. CODE §213.26, the Board may impose reasonable conditions that a Petitioner must satisfy before reissuance of an unrestricted license.
3. The Board may license an individual with prior behaviors inconsistent with the Board's character requirements if, upon evaluation of the factors in 22 Tex. Admin. Code §213.27, and pursuant to 22 Tex. Admin. Code §213.33, the Board is satisfied that the individual is able to consistently conform her conduct to the requirements of the Nursing Practice Act, the Board's Rules and Regulations, and generally accepted standards of nursing practice.

4. This Order is conditioned upon the accuracy and completeness of Petitioner's disclosures. Any subsequently discovered discrepancies will result in investigation and possible disciplinary action, up to revocation of Petitioner's license(s).

TERMS OF ORDER

I. REINSTATEMENT OF LICENSURE

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that the petition of KAPINGA AGNES MUYUMBA for reinstatement of license to practice nursing in the state of Texas be **GRANTED** and Registered Nurse License Number 778149 is hereby **REINSTATED** in accordance with the terms of this Order.

II. COMPLIANCE WITH LAW AND APPLICABILITY

While under the terms of this Order, PETITIONER agrees to obtain, read, and 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. PETITIONER SHALL pay all re-registration fees, if applicable, and PETITIONER'S licensure status in the State of Texas will be updated to reflect the applicable conditions outlined herein.
- B. This Order SHALL be applicable to PETITIONER's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.
- C. PETITIONER 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 PETITIONER wishes to work.

III. REMEDIAL EDUCATION COURSE(S)

In addition to any continuing education requirements the Board may require for licensure renewal, Petitioner SHALL successfully complete the following remedial education course(s) within one (1) year of relicensure, 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. 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), Petitioner 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. Petitioner 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.*

IV. EMPLOYMENT REQUIREMENTS

In order to complete the terms of this Order, Petitioner 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:** Petitioner 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, Petitioner 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:** Petitioner 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. Petitioner 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:** Petitioner 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 Petitioner, 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 Petitioner is currently working. Petitioner SHALL work only regularly assigned, identified and predetermined unit(s). Petitioner SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. Petitioner SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

D. Nursing Performance Evaluations: Petitioner SHALL CAUSE each employer to submit, on forms provided to the Petitioner by the Board, periodic reports as to Petitioner'S capability to practice nursing. These reports shall be completed by the individual who supervises the Petitioner and these reports shall be submitted by the supervising individual 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 PETITIONER'S license(s) to practice nursing in the State of Texas and PETITIONER may be eligible for nurse licensure compact privileges, if any.

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PETITIONER'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Reinstatement Agreed Order. I waive representation by counsel. I certify that my past behavior, except as disclosed in my Petition for Reinstatement of Licensure, has been in conformity with the Board's professional character rule. I have provided the Board with complete and accurate documentation of my past behavior in violation of the penal law of any jurisdiction which was disposed of through any procedure short of convictions, such as: conditional discharge, deferred adjudication or dismissal. I have no criminal prosecution pending in any jurisdiction.

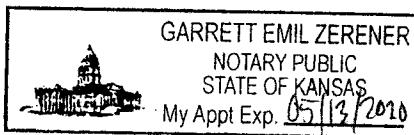
I have reviewed this Order. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order. I waive judicial review of this Order. I understand that this Order is subject to ratification by the Board. When this Order is ratified, the terms of this Order become effective, and a copy will be mailed to me. I agree to inform the Board of any other fact or event that could constitute a ground for denial of licensure prior to reinstating my license(s) to practice nursing in the state of Texas. I understand that if I fail to comply with all terms and conditions of this Order, my license(s) to practice nursing in the State of Texas will be revoked, as a consequence of my noncompliance.

Signed this 5 day of MAY, 2017

Kapinga Muyumba
KAPINGA AGNES MUYUMBA, Petitioner

Sworn to and subscribed before me this 5th day of May, 2017.

SEAL



[Signature]
Notary Public in and for the State of Kansas

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Reinstatement Agreed Order that was signed on the 5th day of May, 2017, by KAPINGA AGNES MUYUMBA, Registered Nurse License Number 778149, and said Order is final.

Effective this 13th day of June, 2017.

A handwritten signature in black ink, appearing to read "Katherine A. Thomas".

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.
Patricia A. Brown
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of
Registered Nurse License Number 778149
issued to KAPINGA AGNES MUYUMBA

§
§
§

ORDER OF THE BOARD

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Registered Nurse License Number 778149, issued to KAPINGA AGNES MUYUMBA, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived representation by counsel, informal proceedings, notice and hearing.

The Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Respondent is currently licensed to practice professional nursing in the State of Texas.
2. Respondent waived representation by counsel, informal proceedings, notice and hearing.
3. Respondent received an Associate Degree in Nursing from John A. Logan College, Carterville, Illinois, on May 15, 1997. Respondent was licensed to practice professional nursing in the State of Texas on December 8, 2009.

4. Respondent's nursing employment history includes:

6/97 - 7/02	LVN/RN Charge Nurse	Pine Acres Health Care DeKalb, Illinois
7/98 - 7/07	Staff Nurse	Kiswaukee Community Hospital DeKalb, Illinois

Respondent's nursing employment history continued:

8/07 - 10/08	Staff Nurse	Wesley Medical Center Wichita, Kansas
10/08 - 6/10	Charge Nurse	LifeCare Center of Wichita Wichita, Kansas
3/10 - 10/01	Weekend Supervisor	Trinity Mission of Burleson Burleson, Texas
6/10 - 1/11	Staff Nurse	Senior Care Centers Crowley, Texas
10/10 - Unknown	Charge Nurse	Estates of Fort Worth Fort Worth, Texas
4/11 - 3/12	Staff Nurse	HealthSouth Rehabilitation Hospital Fort Worth, Texas
4/12 - present	Unknown	

5. On November 13, 2012, Respondent was issued the sanction of a Warning with Stipulations by the Texas Board of Nursing. A copy of the November 13, 2012, Agreed Order, Finding of Fact, and Conclusions of Law is attached and incorporated, by reference, as part of this Order.

6. On June 21, 2013, the Board provided notice to Respondent for the following allegations:

On or about November 18, 2012, Respondent failed to comply with the Agreed Order issued to her on November 13, 2012, by the Texas Board of Nursing. Noncompliance is the result of her failure to comply with Stipulation Five (5) of the Agreed Order which states, in pertinent part:

(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....

On or about November 28, 2012, Respondent failed to comply with the Agreed Order issued to her on November 13, 2012, by the Texas Board of Nursing. Noncompliance is the result of her failure to comply with Stipulation Number Six (6) of the Agreed Order which states, in pertinent part:

(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....

On or about February 15, 2013, Respondent failed to comply with the Agreed Order issued to her on November 13, 2012, by the Texas Board of Nursing. Noncompliance is the result of her failure to comply with Stipulation Number Eight (8) of the Agreed Order which states, in pertinent part:

(8) 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....

7. On December 5, 2013, the Board received a notarized statement from Respondent voluntarily surrendering the right to practice nursing in Texas. A copy of Respondent's notarized statement, dated December 3, 2013, is attached and incorporated herein by reference as part 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 §217.12(11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(1) and (10), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 778149, heretofore issued to KAPINGA AGNES MUYUMBA, including revocation of Respondent's license(s) to practice nursing in the State of Texas.
5. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
6. Under Section 301.453(d), Texas Occupations Code, the Board may impose conditions for reinstatement of licensure.
7. Any subsequent reinstatement of this license will be controlled by Section 301.453(d), Texas Occupations Code, and 22 TAC §§213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

ORDER

NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Registered Nurse License Number 778149, heretofore issued to KAPINGA AGNES MUYUMBA, to practice nursing in the State of Texas, is accepted by the Executive Director on behalf of the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL NOT practice professional nursing, use the title of registered or the abbreviation RN or wear any insignia identifying herself as a registered nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a registered nurse during the period in which the license is surrendered.
2. RESPONDENT SHALL NOT petition for reinstatement of licensure until: one (1) year has elapsed from the date of this Order.
3. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

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.

Effective this day 5th of December, 2013.

TEXAS BOARD OF NURSING

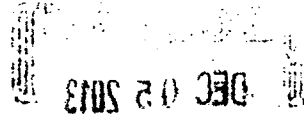
By:



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

KAPINGA AGNES MUYUMBA
8717 EAST 44TH STREET NORTH
WICHITA, KS 67226
Registered Nurse License Number 778149

Voluntary Surrender Statement



Dear Texas Board of Nursing:

I no longer desire to be licensed as a nurse. Accordingly, I voluntarily surrender my license(s) to practice in Texas in lieu of complying with the Agreed Order issued to me on November 13, 2012. I waive representation by counsel and consent to the entry of an Order which outlines requirements for reinstatement of my license. I understand that I may not petition for reinstatement until one (1) year from the effective date of the Order. I understand that I will be required to comply with the Board's Rules and Regulations in effect at the time I submit any petition for reinstatement.

Signature Kapinga Muyumba

Date 12/03/2013

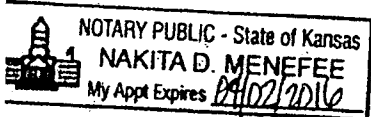
Registered Nurse License Number 778149

The State of Kansas

Before me, the undersigned authority, on this date personally appeared KAPINGA AGNES MUYUMBA who, being duly sworn by me, stated that he or she executed the above for the purpose therein contained and that he or she understood same.

Sworn to before me the 3rd day of December, 2013.

SEAL



Nakita D. Meneffee
Notary Public in and for the State of Kansas

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of § AGREED
Registered Nurse License Number 778149 §
issued to KAPINGA AGNES MUYUMBA § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of KAPINGA AGNES MUYUMBA, Registered Nurse License Number 778149, 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 representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on August 10, 2012, by Katherine A. Thomas, MN, RN, FAAN, Executive Director, 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 representation by counsel, 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 John A. Logan College, Carterville, Illinois, on May 15, 1997. Respondent was licensed to practice professional nursing in the State of Texas on December 8, 2009.
5. Respondent's nursing employment history includes:

6/1997 - 7/2002	LVN/RN Charge Nurse	Pine Acres Health Care DeKalb, Illinois
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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

Respondent's nursing employment history continued:

7/1998 - 7/2007	Med-Surgical Nurse	Kishwaukee Community Hospital DeKalb, Illinois
8/2007 - 10/2008	Surgical Oncology Nurse	Wesley Medical Center Wichita, Kansas
10/2008 - 6/2010	RN Charge Nurse	LifeCare Center of Wichita Wichita, Kansas
03/2010 - 10/2010	Weekend Supervisor	Trinity Mission of Burleson Burleson, Texas
6/2010 - 1/2011	Staff Nurse	Senior Care Centers Crowley Nursing Home & Rehab Crowley, Texas
10/2010 - Unknown	Charge Nurse	Estates of Fort Worth Fort Worth, Texas

6. At the time of the initial incident, Respondent was employed as a registered nurse with Senior Care Centers at Crowley Nursing Home and Rehabilitation Center, Crowley, Texas, and had been in this position for seven (7) months.
7. On or about January 17, 2011, while employed with Crowley Nursing and Rehabilitation Center, Crowley, Texas, Respondent failed to conduct a blood sugar reading from Resident Medical Record Number 2008148, however, falsely documented a blood sugar reading result of in the resident's medical record and reported this false blood sugar result to a family member and the Director of Nursing. Subsequently, the resident became unresponsive to verbal stimuli and required emergent treatment from Emergency Medical Service (EMS), who tested the resident's blood sugar and got a reading of "41" requiring Resident Medical Record Number 2008148 to be transported to the hospital to stabilize the resident's condition. Respondent's conduct put the resident at risk of the clinical complications of hypo/hyperglycemia, including possible coma and death.
8. In response to Finding of Fact Number Seven (7), Respondent admits that she gave false information to the resident's daughter and states that she was intimidated by the daughter of the resident and attempted to tell the daughter something to calm her down. Respondent states that subsequently, even though she had not yet tested the blood sugar of the resident, she then wrote the incorrect number in the medical record.
9. Respondent provided an additional response regarding Finding of Fact Number Seven (7) whereby she states that the resident was resting in her bed with her eyes closed and was easily aroused when Respondent called the resident's name. Also, Respondent states that the resident was alert when transported by EMS.

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)&(1)(M) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(4),(6)(A)&(6)(H)).
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 778149, heretofore issued to KAPINGA AGNES MUJUMBA, 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 WARNING WITH STIPULATIONS, 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 two hundred fifty dollars (\$250.00). 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 ONE (1) YEAR(S) OF EMPLOYMENT. THE LENGTH OF THE STIPULATION PERIOD WILL BE EXTENDED UNTIL SUCH TWELVE (12) MONTHS HAVE ELAPSED. 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 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) 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.

(8) 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. These reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) month period for one (1) year(s) of employment as a nurse.

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.

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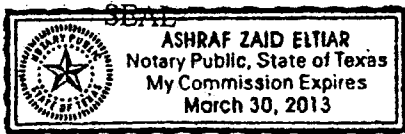
RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. 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 17th day of September, 2012.

Kapinga Agnes Muyumba
KAPINGA AGNES MU YUMBA, RESPONDENT

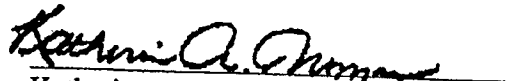
Sworn to and subscribed before me this 17th day of September, 2012.



Ashraf Zaid Eltiar
Notary Public in and for the State of Texas

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 17th day of September, 2012, by KAPINGA AGNES MUYUMBA, , Registered Nurse License Number 778149, said Order is final.

Effective this 13th day of November, 2012.


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