



I do hereby certify this to be a complete, accurate, and true copy of the document which is on file or is of record in the offices of the Texas Board of Nursing.
Patricia A. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of §
Registered Nurse License Number 758948 §
& Vocational Nurse License Number 213390 §
issued to MARTIN KINGORI §

ORDER OF THE BOARD

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of MARTIN KINGORI, Registered Nurse License Number 758948 and Vocational Nurse License Number 213390, hereinafter referred to as Respondent.

This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived notice and hearing and agreed to the entry of this Order.

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

FINDINGS OF FACT

1. Respondent's license to practice as a vocational nurse in the State of Texas is in delinquent status. Respondent's license to practice as a professional nurse in the State of Texas is in delinquent status.
2. Respondent waived notice and hearing, and agreed to the entry of this Order.
3. Respondent received a Certificate in Vocational Nursing from Lone Star College, Houston, Texas, on August 16, 2007, and received an Associate Degree from Lone Star College, Houston, Texas, on May 9, 2008. Respondent was licensed to practice vocational nursing in the State of Texas on November 27, 2008, and was licensed to practice professional nursing in the State of Texas on July 24, 2008.
4. Respondent's Professional nursing employment history includes:

8/2007 - 2/2008	LVN	Cypresswood Health and Rehab Center Houston, Texas
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Respondent's professional nursing employment history continued:

1/2008 - 11/2008	LVN	Park Manor of Cyfair Houston, Texas
11/2008 - 4/2012	RN	North Cypress Medical Center Houston, Texas
12/2011 - 1/2013	RN	Health South Rehab Hospital of Cypress Houston, Texas
02/2013 - 07/2013	RN	A&A Homehealth Houston, Texas
08/2013 - 12/2014	RN/ADON	Treemont Health Care Center Houston, Texas
12/2014 - 7/15	RN	Westchase Nursing and Rehab Houston, Texas
7/15 - present	Unknown	

6. On or about August 19, 2014, Respondent's licenses to practice professional and vocational nursing in the State of Texas were issued the sanction of a WARNING WITH STIPULATIONS AND A FINE. A copy of the Findings of Fact, Conclusions of Law and Order, dated August 19, 2014, is attached and incorporated by reference as part of this Order.
7. On or about July 13, 2015, Respondent's licenses to practice professional and vocational nursing in the State of Texas were issued the sanction of a REPRIMAND WITH STIPULATIONS. A copy of the Findings of Fact, Conclusions of Law and Order, dated July 13, 2015, is attached and incorporated by reference as part of this Order.
8. On or about September 15, 2016, Respondent entered a plea of Guilty to and was convicted of DWI W/CHILD UNDER 15 YOA, a State Jail Felony offense committed on August 16, 2015, in the 184th District Court of Harris County, Texas, under Cause No. 1478432. As a result of the conviction, Respondent was sentenced to confinement in the Texas Department of Criminal Justice Division for a period of two (2) years; however, imposition of the sentence of confinement was suspended, and Respondent was placed on probation for a period of two (2) years and ordered to pay court costs.
9. In response to Finding of Fact Number Eight (8), Respondent states the accident resulted in a fatality of the other party and after the reports were reviewed, it was determined that the other party was responsible for causing the accident. Therefore the original charge against him was dropped to Driving While Intoxicated with a passenger.

10. Formal Charges were filed on January 5, 2016.
11. Formal Charges were mailed to Respondent on January 5, 2016.
12. On September 21, 2017, the Board received a statement from Respondent voluntarily surrendering the right to practice nursing in Texas.
13. The Board policy implementing Rule 213.29 in effect on the date of this Agreed Order provides discretion by the Executive Director for consideration of conditional reinstatement after proof of twelve (12) consecutive months of abstinence from alcohol and drugs followed by licensure limitations/stipulations and/or peer assistance program participation.
14. The Board finds that there exists serious risks to public health and safety as a result of impaired nursing care due to intemperate use of controlled substances or chemical dependency.

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 cause pursuant to Section 301.452(b)(3), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 758948 and Vocational Nurse License Number 213390, heretofore issued to MARTIN KINGORI, including revocation of Respondent's license(s) to practice nursing in the State of Texas.
4. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
5. Under Section 301.453(d), Texas Occupations Code, as amended, the Board may impose conditions for reinstatement of licensure.
6. Any subsequent reinstatement of this license will be controlled by Section 301.453(d), Texas Occupations Code, and 22 TEX. ADMIN. CODE §213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

TERMS OF ORDER


NOW, THEREFORE, IT IS ORDERED that the **VOLUNTARY SURRENDER** of Registered Nurse License Number 758948 and Vocational Nurse License Number 213390, heretofore issued to MARTIN KINGORI, 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:

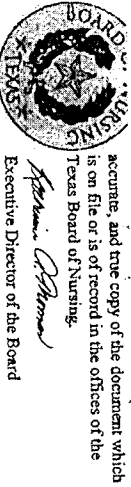
1. RESPONDENT SHALL NOT practice professional/registered nursing, use the title "registered nurse" or the abbreviation "RN" or wear any insignia identifying herself/himself as a registered nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a registered nurse during the period in which the license is surrendered.
2. RESPONDENT SHALL NOT practice vocational nursing, use the title "vocational nurse" or the abbreviation "LVN" or wear any insignia identifying herself/himself as a vocational nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a vocational nurse during the period in which the license is surrendered.
3. RESPONDENT SHALL NOT petition for reinstatement of licensure until:
 - A. At least one (1) year has elapsed from the date of this Order; and,
 - B. RESPONDENT has obtained objective, verifiable proof of twelve (12) consecutive months of sobriety immediately preceding the petition.
4. 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 21st day of September, 2017.

TEXAS BOARD OF NURSING

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



BEFORE THE TEXAS BOARD OF NURSING

In the Matter of	§	AGREED
Registered Nurse License Number 758948	§	
& Vocational Nurse License Number 213390	§	
issued to MARTIN KINGORI	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of MARTIN KINGORI, Registered Nurse License Number 758948 and Vocational Nurse License Number 213390, 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)(1),(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 July 1, 2015.

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 delinquent status. Respondent's license to practice as a professional nurse in the State of Texas is in current status.
4. Respondent received a Certificate in Vocational Nursing from Lone Star College North Harris Campus, Houston, Texas, on August 16, 2007, and an Associates Degree in Nursing from Lone Star College North Harris Campus, Houston, Texas, on May 9, 2008. Respondent was licensed to practice vocational nursing in the State of Texas on November 27, 2007, and Respondent was licensed to practice professional nursing in the State of Texas on July 24, 2008.

5. Respondent's nursing employment history includes:

8/2007 - 2/2008	LVN	Cypresswood Health and Rehab Center Houston, Texas
1/2008 - 11/2008	LVN	Park Manor of Cyfair Houston, Texas
11/2008 - 4/2012	RN	North Cypress Medical Center Houston, Texas
12/2011 - 1/2013	RN	Health South Rehab Hospital of Cypress Houston, Texas
02/2013 - 07/2013	RN	A&A Homehealth Houston, Texas
08/2013 - 12/2014	RN/ADON	Treemont Health Care Center Houston, Texas
12/2014 - Present	RN	Westchase Nursing and Rehab Houston, Texas

6. On or about August 19, 2014, Respondent's licenses to practice professional and vocational nursing in the State of Texas were issued the sanction of a WARNING WITH STIPULATIONS AND A FINE. A copy of the Findings of Fact, Conclusions of Law and Order, dated August 19, 2014, is attached and incorporated by reference as part of this Order.
7. At the time of the initial incident, Respondent was employed as an Assistant Director of Nursing with Treemont Health Care Center, Houston, Texas, and had been in that position for approximately one (1) day.
8. On or about August 22, 2013, Respondent provided false, deceptive and/or misleading information on his Application for Employment and Resume submitted to Treemont Health Care Center, Houston, Texas, by indicating he achieved a Bachelor's Degree in Nursing from the University of Texas at Arlington, Arlington, Texas. Respondent's conduct was likely to deceive the facility, and may have affected the facility's decision to employ him.
9. On or about August 20, 2014, through December 5, 2014, Respondent was noncompliant with the Agreed Order issued to him by the Texas Board of Nursing on August 19, 2014, in that he failed to notify his then present employer, Treemont Health Care Center, Houston, Texas, of the Board Order and stipulations placed on his license; failed to cause said employer to submit the Notification of Employment form and periodic reports to the Board; and failed to be supervised directly and/or indirectly while employed with said employer.

10. In response to Findings of Fact Numbers Eight (8) and Nine (9), Respondent states his employment with Treemont began prior to his previous case, and his old resume with the falsified education information was on the application. Respondent states he worked as the ADON at Treemont, and thought he only needed to notify the facility on the stipulations on his license only when he performed direct patient care.
11. Formal Charges were filed on March 13, 2015.
12. Formal Charges were mailed to Respondent on March 17, 2015.
13. On or about March 15, 2015, through present, while employed as a Registered Nurse with Westchase Nursing and Rehab, Houston, Texas, Respondent became noncompliant with the Agreed Order issued to him by the Texas Board of Nursing on August 19, 2014. Noncompliance is the result of Respondent's failure to cause his employer to submit the required quarterly nursing performance evaluations. Stipulation Number Seven (7) of the Agreed Order dated August 19, 2014, states:

(7) 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.

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) and 22 TEX. ADMIN. CODE §217.12(6)(A),(6)(H),(6)(I)&(11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(1),(10)&(13), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 758948 and Vocational Nurse License Number 213390, heretofore issued to MARTIN KINGORI, 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

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL receive the sanction of **REPRIMAND WITH STIPULATIONS AND FINE** 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.*

IV. MONETARY FINE

RESPONDENT SHALL **pay a monetary fine in the amount of seven hundred fifty dollars (\$750.00) 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.

V. EMPLOYMENT REQUIREMENTS

In order to complete the terms of this Order, RESPONDENT must work as a nurse, providing direct 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 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. 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. SUPERCEDING ORDER

IT IS FURTHER AGREED and ORDERED that the sanction and conditions of this Order SHALL supercede all previous stipulations required by any Order entered by the Texas Board of Nursing.

VII. RESTORATION OF UNENCUMBERED LICENSE(S)

Upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT'S license(s) to practice nursing in the State of Texas and RESPONDENT may be eligible for nurse licensure compact privileges, if any

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RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. I 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 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 13 day of JULY, 2015.
Martin Kingori
MARTIN KINGORI, Respondent

Sworn to and subscribed before me this 13th day of July, 2015.

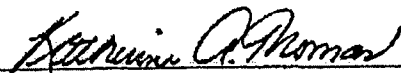
SEAL

[Signature]
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 13th day of July, 20 15, by MARTIN KINGORI, Registered Nurse License Number 758948 and Vocational Nurse License Number 213390, and said Order is final.

Effective this 11th day of August, 20 15.



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



accurate, and true copy of the document which is on file or its 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	§	AGREED
Registered Nurse License Number 758948	§	
& Vocational Nurse License Number 213390	§	
issued to MARTIN KINGORI	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of MARTIN KINGORI, Registered Nurse License Number 758948, and Vocational Nurse License Number 213390, 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 approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on December 17, 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 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. Respondent's license to practice vocational nursing in the State of Texas is in delinquent status.
4. Respondent received a Certificate in Vocational Nursing from North Harris College-MEEP, Houston, Texas, on August 16, 2007, and received an Associates Degree in Nursing from North Harris Community College, Houston, Texas, on May 9, 2008. Respondent was licensed to practice vocational nursing in the State of Texas on November 27, 2007 and was licensed to practice professional nursing in the State of Texas on July 24, 2008.

5. Respondent's nursing employment history includes:

8/2007 - 2/2008	LVN	Cypresswood Health and Rehabilitation Center Houston, Texas
1/2008 - 11/2008	LVN	Park Manor of Cyfair Houston, Texas
11/2008 - 4/2012	RN	North Cypress Medical Center Houston, Texas
12/2011 - 1/2013	RN	Health South Rehabilitation Hospital of Cypress Houston, Texas

6. At the time of the initial incident, Respondent was employed as a RN with Health South Rehabilitation Hospital of Cypress, Houston, Texas, and had been in this position for one (1) year and one (1) month.
7. On or about November 22, 2011, Respondent provided false, deceptive and misleading information on an Application for Employment submitted to Health South Rehabilitation Hospital of Cypress, Houston, Texas, by indicating that he had achieved a Bachelor's Degree in Nursing on October 15, 2011, from the University of Texas at Arlington, Arlington, Texas. Respondent's conduct was likely to deceive Health South Rehabilitation Hospital of Cypress, Houston, Texas, and may have affected their decision to employ him.
8. On or about January 13, 2013, while working as the Charge RN at Health South Rehabilitation Hospital of Cypress, Houston, Texas, Respondent failed to obtain physician authorization to reconcile medications for Patient Medical Record 00101543. Instead, Respondent entered the patient's medication list into the electronic medical record as verbal orders received from the physician. Respondent's conduct was likely to injure the patient in that medications would be administered without the benefit of a physician's expertise. In addition, Respondent's conduct resulted in an inaccurate medical record.
9. In response the incidents in Findings of Fact numbers Eight (8) and Nine (9), Respondent states that he was not the direct caretaker for the patient and was only acting in the capacity of a supervisor. Respondent states that the physician was called three times after the patient had arrived on the night shift, and some of the medications were administered as override, and on a one time basis. Respondent states that report was given to the current nurse who was notified to follow up with the physician in the morning and to pass on the report to the oncoming nurse, to follow up in the event that it had not been done yet.

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)(D),(1)(P)&(3) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(C),(1)(F),(4),(6)(A)&(I).
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 758948, and Vocational Nurse License Number 213390, heretofore issued to MARTIN KINGORI, 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 A 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 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>.*

(3) RESPONDENT SHALL pay a monetary fine in the amount of two hundred and 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:

(4) RESPONDENT SHALL notify each present employer in nursing of this Order of the Board and the stipulations conditions 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 conditions 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.

(5) 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.

(6) 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.

(7) 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 may be eligible for nurse licensure compact privileges, if any.

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CONTINUED ON NEXT PAGE.

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.

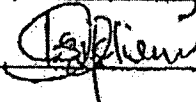
Signed this 1st day of JULY, 2014.



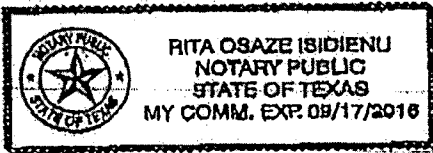
MARTIN KINGORI, RESPONDENT

Sworn to and subscribed before me this 1st day of July, 2014.

SEAL



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 1st day of July, 2014, by MARTIN KINGORI, Registered Nurse License Number 758948, and Vocational Nurse License Number 213390, and said Order is final.

Effective this 19th day of August, 2014.



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