



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

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In the Matter of § AGREED  
Vocational Nurse License Number 317268 §  
issued to DOLLY OARE-MOMODU § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of DOLLY OARE-MOMODU, Vocational Nurse License Number 317268, 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 August 4, 2017.

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was served on Respondent and Respondent was given an opportunity to show compliance with all requirements of the law for retention of the license(s).
2. Respondent waived notice and hearing, and agreed to the entry of this Order.
3. Respondent's license to practice as a vocational nurse in the State of Texas is in current status.
4. Respondent received a Certificate in Vocational Nursing from The College of Health Care Professions, Houston, Texas, on August 1, 2013. Respondent was licensed to practice vocational nursing in the State of Texas on October 31, 2013.
5. Respondent's nursing employment history includes:  
10/2013 - 5/2014                      Unknown

Respondent's nursing employment history continued:

6/2014 - 11/2016	Charge Nurse	The Concierge Houston, Texas
11/2016 - Present	Staff Nurse	Westwood Senior Living Houston, Texas

6. At the time of the incident in Finding of Fact Number Seven (7), Respondent was employed as a Charge Nurse with The Concierge, Houston, Texas, and had been in that position for two (2) years and four (4) months.
7. On or about October 23, 2016, while employed as a Charge Nurse with The Concierge, Houston, Texas, Respondent failed to notify the Director of Nursing (DON) and Weekend Supervisor when she found Resident MS slumped over in her wheelchair with her eyes fixed at 4 am. Additionally, Respondent failed to contact the Medical Director when there was no response from the on-call physician who she called at 4 am. Respondent's conduct exposed the patient unnecessarily to a risk of harm from ineffective treatment.
8. In response to the incident in Finding of Fact Numbers Seven (7), Respondent states that she found the resident while doing her rounds, and the resident was sitting in her wheelchair in the bathroom, with her head to the side, and her hand on the toilet seat. Respondent relates that she called for help and immediately took the resident back into the room, and placed her oxygen back on via nasal cannula. Respondent explains that used the descriptive terms "slumped" in her wheelchair, and "eyes fixed" to try to capture the resident's status at the time. Respondent adds that she took vital signs (VS) which were all within the established range for this resident, and performed a head to toe assessment indicating she was stable and in no distress. Respondent indicates that she then placed a call to the physician's office, and left a message with the answering service for the physician. Respondent relates that throughout the night the resident was assessed, and her VS remained stable, and her oxygen saturations were in the high 90's. Respondent explains that at the change of shift at 6 am, the resident was stable, and she gave report to the oncoming nurse including that the physician hadn't called back yet. Respondent adds that the only reason that she didn't call the Nursing Supervisor was because the resident was stable with normal VS and oxygen saturation.

#### 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)(M),(1)(P)&(2)(A) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B)&(4).
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 317268, heretofore issued to DOLLY OARE-MOMODU.
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 **REMEDIAL EDUCATION** 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. UNDERSTANDING BOARD ORDERS**

Within thirty (30) days of entry of this Order, RESPONDENT must successfully complete the Board's online course, "Understanding Board Orders," which can be accessed on the Board's website from the "Discipline & Complaints" drop-down menu or directly at: <http://www.bon.texas.gov/UnderstandingBoardOrders/index.asp>. Upon successful completion, RESPONDENT must submit the course verification at the conclusion of the course, which automatically transmits the verification to the Board.

#### IV. 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).*

**V. RESTORATION OF UNENCUMBERED LICENSE(S)**

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

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RESPONDENT'S CERTIFICATION

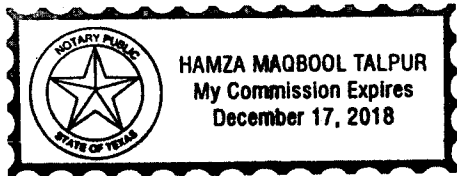
I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the entry of this Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that when this Order becomes final and the terms of this Order become effective, a copy will be mailed to me. I understand that if I fail to comply with all terms and conditions of this Order, I will be subject to investigation and disciplinary sanction, including possible revocation of my license(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 20 day of September 2017

Dolly Oare  
DOLLY OARE-MOMODU, Respondent

Sworn to and subscribed before me this 20<sup>th</sup> day of SEPTEMBER, 2017.

SEAL



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

Approved as to form and substance.

[Signature]  
Ekata Okpiabhele Attorney at Law, Attorney for Respondent

Signed this 22<sup>nd</sup> day of September, 2017.

WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby ratify and adopt the Agreed Order that was signed on the 20<sup>th</sup> day of September, 2017, by DOLLY OARE-MOMODU, Vocational Nurse License Number 317268, and said Order is final.

Effective this 25th day of October, 2017.



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