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Katherine A. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of § AGREED ORDER
Vocational Nurse License Number 328807 §
issued to DORIS ULOMA AJUZIEOGU §
§

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of DORIS ULOMA AJUZIEOGU, Vocational Nurse License Number 328807, 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 Agreed Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on September 16, 2019.

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 Agreed 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 Houston Community College, Houston, Texas, on December 12, 2014. Respondent was licensed to practice vocational nursing in the State of Texas on October 20, 2015.
5. Respondent's nursing employment history includes:

10/2015 – 01/2016 Unknown

Respondent's nursing employment history continued:

10/2015 – 10/2018	Licensed Vocational Nurse	Sugarland Trinity Home Health Houston, Texas
02/2016 – 02/2017	Licensed Vocational Nurse	Memorial Hermann University Place Houston, Texas
02/2016 – 03/2018	Licensed Vocational Nurse	Royal Oaks Residence and Rehabilitation Houston, Texas
03/2018 – 10/2018	Licensed Vocational Nurse	Divine Professionals Home Health Houston, Texas
11/2017 – Present	Licensed Vocational Nurse	Erickson Living Post Acute Care Houston, Texas
08/2018 – Present	Licensed Vocational Nurse	Med Relief Staffing Houston, Texas

6. At the time of the initial incident, Respondent was employed as a Licensed Vocational Nurse with Royal Oaks Residence and Rehabilitation, Houston, Texas, and had been in that position for two (2) years.
7. On or about February 26, 2018, through February 27, 2018, while employed as a Licensed Vocational Nurse with Royal Oaks Residence and Rehabilitation, Houston, Texas, Respondent failed to timely intervene and notify a physician, the resident's family, and/or staff when Resident JH experienced a fall. The resident was transferred to the hospital approximately eleven (11) hours later and diagnosed with left acute cerebral artery stroke. Respondent's conduct exposed the resident to a risk of harm from a delay in escalation of care.
8. On or about February 26, 2018, through February 27, 2018, while employed as a Licensed Vocational Nurse with Royal Oaks Residence and Rehabilitation, Houston, Texas, Respondent failed to complete and/or document a complete assessment of the condition of Resident JH when the resident experienced a fall to include neurological checks. Respondent's conduct resulted in an inaccurate medical record and was likely to injure the resident in that subsequent care givers would not have complete information on which to base their care decisions.

9. In response to the incidents in Findings of Fact Number Seven (7) and Eight (8), Respondent explains that during shift change the resident was seen seated on her chair in her room and subsequently rounded on. Respondent states that at 2220 the aide on duty notified her that the resident was found on the floor in a supine position. Respondent states that a head to toe assessment was completed while the resident was on the floor, and vital signs were normal along with respirations. Respondent states that the resident moved all of her upper and lower extremities with no difficulty and denied pain. Respondent states that she offered to transfer her to the Emergency Room (ER) but the resident refused. Respondent states that neuro checks were initiated with no abnormal findings and a call was made to the MD via the call center. Respondent states that the resident's first emergency contact was called according to protocol and a voicemail was left. Respondent states that she continued to monitor the resident closely, and respirations remained even and unlabored, and the resident denied pain. At 0500, Respondent states that she reassessed the resident and writing impairment was noted, therefore another call was placed to the doctor. Respondent states that she requested that the resident be sent to the ER and have a head CAT scan, but the doctor declined. Respondent states that an order for bilateral hip x-ray was received and Respondent again requested the resident be transferred to the ER. Respondent states that she reached out to the facility Director of Nursing (DON) and expressed concern about the physician's transfer decline and the resident's condition, but the DON suggested that Respondent follow the physician's order. Respondent states that she gave report at 0630, and the resident was awake, alert, in no acute distress, and responded to her positively. Respondent states that she spent an extra hour after her shift assisting the resident and the oncoming nurse. Respondent states that she was told by the oncoming nurse that the resident's family came up to the facility to thank Respondent for notifying them, but that they were unhappy with management for a delay in formally notifying them of the incident.

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)(M)&(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 328807, heretofore issued to DORIS ULOMA AJUZIEOGU.
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. As a result of this Order, RESPONDENT'S license(s) will be designated "single state" and RESPONDENT may not work outside the State of Texas in another nurse licensure compact party state.

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 Nursing Education, Licensure and Practice, 22 TEX. ADMIN. CODE §§211.1 *et seq.*, and this Agreed 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 and video programs will not be approved.
- B. **A Board-approved course in nursing documentation** that shall be a minimum of six (6) hours in length. The course's content shall include: nursing standards related to accurate and complete documentation; legal guidelines for recording; methods and processes of recording; methods of alternative record-keeping; and computerized documentation. Home study courses and video programs will not be approved.
- C. **The course "Sharpening Critical Thinking Skills,"** a 3.6 contact hour online program provided by the National Council of State Boards of Nursing (NCSBN) Learning Extension.

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

V. 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. 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. **Indirect Supervision:** 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 of 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.
- 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 individual who supervises the RESPONDENT 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.

VI. RESTORATION OF UNENCUMBERED LICENSE(S)

Upon full compliance with the terms of this Agreed Order, all encumbrances will be removed from RESPONDENT'S license(s) and/or privilege(s) to practice nursing in the State of Texas and, subject to meeting all existing eligibility requirements in Texas Occupations Code Chapter 304, Article III, 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 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 this Order is subject to ratification by the Texas Board of Nursing and a copy of this Order will be mailed to me once the Order becomes effective. 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) and/or privileges to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 05 day of November, 2019.



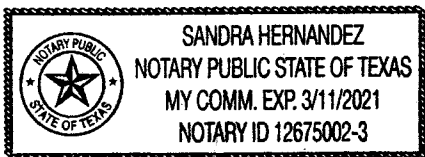
DORIS ULOMA AJUZIEOGU, RESPONDENT

Sworn to and subscribed before me this 5 day of Nov, 2019.

SEAL



Notary Public in and for the State of _____



WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 5th day of November, 2019, by DORIS ULOMA AJUZIEOGU, Vocational Nurse License Number 328807, and said Agreed Order is final.

Effective this 10th day of December, 2019.

Katherine A. Thomas

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