



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

In the Matter of
Registered Nurse License Number 769309
issued to DORIS EBAI EBOT

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AGREED ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of DORIS EBAI EBOT, Registered Nurse License Number 769309, 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) (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 February 28, 2020.

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 professional nurse in the State of Texas is in current status.
4. Respondent received an Associate Degree in Nursing from Trinity Valley Community College, Kaufman, Texas, on May 11, 2009, and received a Baccalaureate Degree in Nursing from Texas Tech University, Lubbock, Texas, in May 2013. Respondent was licensed to practice professional nursing in the State of Texas on June 11, 2009.
5. Respondent's nursing employment history includes:

2009-July 2019	Registered Nurse	First Precious Home Care Grand Prairie, Texas
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Respondent's nursing employment history continued:

2009 – 2019	Registered Nurse	First precious Home Care Grand Prairie, Texas
2009 –2012	Registered Nurse	Angels of Care Pediatric Home Health Unknown
2009 – 2015	Registered Nurse	Additional Kare for Kids Inc. Unknown
2010 – 2012	Registered Nurse	Epic Health Services Unknown
2011-2012	Baylor University Medical Center	Dallas, Texas
1/2012 – 2/2014	Registered Nurse	Hennepin County Medical Center Minneapolis, Minnesota
3/2014 – Present	Registered Nurse	Texas Health Resources Dallas, Texas
7/2015-1/2019	Registered Nurse	Vivicare Health Partners Fort Worth, Texas

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with Vivicare Health Partners, Fort Worth, Texas, and had been in that position for three (3) years and six (6) months.
7. On or about January 25, 2019, while employed as a Registered Nurse with Vivicare Health Partners, Fort Worth, Texas, Respondent failed to use an Ambu bag to manually ventilate Patient BT, who had a tracheostomy and was ventilator dependent, when the patient turned blue and required cardiopulmonary resuscitation (CPR). Subsequently, the patient was transported to the hospital by EMS and expired.
8. In response to the incident in Finding of Fact Number Seven (7), Respondent states that while she was caring for the patient alone in the home, the patient was putting her fingers in her mouth and seemed like she was going to gag or throw up. Respondent states she checked the patient's mouth, but there was nothing there. Respondent states that the patient's oxygen saturation started to drop, so she suctioned the patient's trach, though the saturation continued to drop. Respondent states that she increased the patient's continuous

oxygen rate, but the patient continued to desaturate and turned blue even as the oxygen was increased to 4 or 5 liters. Respondent states that she called 911, and then could barely feel a pulse so she started chest compressions and mouth to mouth ventilation until EMS arrived. Respondent states that she considered using the Ambu bag, but she knew the patient was ventilator dependent and she made the decision instantly in this emergency situation. Respondent adds that the situation was very different from codes she had experienced in a hospital setting, with an entire team to intervene and assume various roles. Respondent states that before a trach change was initiated, the paramedics arrived, though they also did not change the trach. Respondent states that she never stopped trying to help the patient.

9. On or about March 20, 2019, Respondent successfully completed a Board approved course in Sharpening Critical Thinking Skills, which would have been a requirement of this Order.
10. On or about June 5, 2019, Respondent successfully completed a Board approved course in Texas Nursing Jurisprudence and Ethics, which would have been a requirement 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 §217.11(1)(A),(1)(B),(1)(C)&(1)(M).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(13), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 769309, heretofore issued to DORIS EBAI EBOT.
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** 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. 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 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. 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:** For the first year [four (4) quarters] of employment as a Nurse under this order, 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. **Incident Reporting:** For the remainder of the stipulation/probation period, RESPONDENT SHALL CAUSE each employer to immediately submit any and all incident, counseling, variance, unusual occurrence, and medication or other error reports involving RESPONDENT, as well as documentation of any internal

investigations regarding action by RESPONDENT, to the attention of Monitoring at the Board's office.

- E. **Incident Reporting while employed as a nurse at Texas Health Resources, Dallas, Texas:** For the duration of this Order, RESPONDENT SHALL CAUSE Texas Health Resources, Dallas, Texas to immediately submit any and all incident, counseling, variance, unusual occurrence, and medication or other error reports involving RESPONDENT, as well as documentation of any internal investigations regarding action by RESPONDENT, to the attention of Monitoring at the Board's office. While employed as a nurse with Texas Health Resources, Dallas, Texas, Respondent is not required to comply with paragraphs C and D of this section. Should Respondent's employment at Texas Health Resources, Dallas, Texas, cease while under the terms of this Order, Respondent shall comply with the requirements of paragraphs C and D of this section, as applicable, for the remainder of the Order, if any.
- F. **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 employer or individual who supervises the RESPONDENT, as applicable, and these reports shall be submitted by the employer or supervising individual 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.
- G. Respondent shall not be employed by a home health agency in the area of home health care for the duration of this Order.

V. **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 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 28 day of February, 2020.

Doris Ebot

DORIS EBAI EBOT, RESPONDENT

Sworn to and subscribed before me this _____ day of _____, 20 ____.

SEAL

Notary Public in and for the State of _____

Approved as to form and substance. ^{NRW}

Nancy Rope Willson
Nancy Rope Willson, Attorney for Respondent

Signed this 28th day of February, 2020

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 28th day of February, 2020, by DORIS EBAI EBOT, Registered Nurse License Number 769309, and said Agreed Order is final.

Effective this 23rd day of April, 2020.

A handwritten signature in cursive script, appearing to read "Katherine A. Thomas".

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