BEFORE THE TEXAS BOARD OF NURSING

8888

In the Matter of Registered Nurse License Number 843055 issued to JUDE NGOZI UZOMBA AGREED ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of JUDE NGOZI UZOMBA, Registered Nurse License Number 843055, 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 June 30, 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 delinquent status.
- 4. Respondent received a Baccalaureate Degree in Nursing from Wagner College, Staten Island, New York, on December 31, 2008. Respondent was licensed to practice professional nursing in the State of Texas on August 20, 2013.
- 5. Respondent's nursing employment history includes:

08/2013 - 09/2015

RN

Methodist Specialty & Transplant Hospital San Antonio, Texas

Respondent's nursing employment history continued:

11/2015 – 08/2017 RN Brooke Army Medical Center San Antonio, Texas

11/2017 – 04/2018 RN Laurel Ridge Treatment Center San Antonio, Texas

05/2018-Present

Unknown

- 6. At the time of the initial incident, Respondent was employed as a Registered Nurse with Laurel Ridge Treatment Center, San Antonio, Texas, and had been in that position for five (5) months
- 7. On or about April 5, 2018, while employed as a Registered Nurse with Laurel Ridge Treatment Center, San Antonio, Texas, Respondent falsely documented nursing assessments and progress notes for Patient Account Number 1364261001 and Patient Account Number 13640950013, at 0400 and 0405, respectively, in that Respondent had already been dismissed from his duties and had clocked out at 0345. Respondent's conduct was likely to injure the patients in that subsequent care givers would rely on his documentation to further administer care to the patient.
- 8. Respondent denies the conduct outlined in Findings of Fact Numbers Seven (7) and states, his practice is to chart by exception and to review his documentation prior to the end of his shift to ensure accurate times, assessments, and notes have been documented, and since he was advised to leave immediately, he was unable to perform his final review.
- 9. Formal Charges were filed on January 24, 2020.

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(A),(1)(B)&(1)(D) and 22 TEX. ADMIN. CODE §217.12 (1)(A),(1)(B),(1)(C), (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 843055, heretofore issued to JUDE NGOZI UZOMBA.
- 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 WITH 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. As a result of this Order, RESPONDENT'S license(s) will be designated "single state" as applicable and RESPONDENT may not work outside the State of Texas in another nurse licensure compact party state using a Texas compact license.

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. <u>A Board-approved course in Texas nursing jurisprudence and ethics</u> 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. <u>The course "Sharpening Critical Thinking Skills,"</u> 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 <u>not</u> 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. MONETARY FINE

RESPONDENT SHALL pay a monetary fine in the amount of two hundred fifty dollars (\$250.00) within forty-five (45) days of the effective date 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.

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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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 28th day of July, 2020, by JUDE NGOZI UZOMBA, Registered Nurse License Number 843055, and said Agreed Order is final.

Effective this 6th day of August, 2020.

Katherine A. Thomas, MN, RN, FAAN

Executive Director on behalf

of said Board