BEFORE THE TEXAS BOARD OF NURSING

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| In the Matter of | § | AGREED ORDER |
| Registered Nurse License Number 921069 | § | FOR |
| issued to SIRAJ HAMID MOHAMMED | § | KSTAR PROGRAM |
| | § | |

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered

the matter of SIRAJ HAMID MOHAMMED, Registered Nurse License Number 921069,

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 July 20, 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 a Baccalaureate Degree in Nursing from University of Manitoba, Winnipeg, Manitoba, Canada, on April 1, 2011. Respondent was licensed to practice professional nursing in the State of Texas on May 9, 2017.

5. Respondent's nursing employment history includes:

   8/2017 – Unknown    Registered Nurse    University Medical Center
                                                   Lubbock, Texas

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with University Medical Center, Lubbock, Texas, and had been in that position for five (5) months.

7. On or about August 22, 2018, while employed as a Registered Nurse with University Medical Center, Lubbock, Texas, Respondent failed to administer Total Parenteral Nutrition (TPN) to Patient MR# 0783750 at the correct rate, as ordered by the physician.

8. On or about August 22, 2018, while employed as a Registered Nurse with University Medical Center, Lubbock, Texas, Respondent failed to discontinue continuous tube feedings for Patient MR# 869762 and change to bolus tube feedings, as ordered by the physician.

9. On or about August 23, 2018, while employed as a Registered Nurse with University Medical Center, Lubbock, Texas, Respondent failed to initiate a blood transfusion, as ordered, for Patient MR# 0783750.

10. On or about September 16, 2018, while employed as a Registered Nurse with University Medical Center, Lubbock, Texas, Respondent failed to timely escalate the declining respiratory status of Patient MR# 0880783, a twenty-one-year old patient with Cystic Fibrosis and end-stage lung disease, exhibiting signs of respiratory distress. Additionally, Respondent failed to document a nursing note regarding the patient's respiratory status.

11. The Respondent acknowledges he did experience some issues during the first part of his time at University Medical Center. In part this was due to an inadequate preceptorship period and the fact this was his first time working in the United States. The Respondent states he retained the confidence of University Medical Center and these issues were corrected. In fact, at the end of his two-year contract University Medical Center asked him to stay for another contract.

In response to the incident in Finding of Fact Number Seven (7), Respondent states that he recalls failing to lower the infusion rate at the right time of day. Respondent states that he now programs the infusion pump to beep when it is time for it to be adjusted and will also set an alarm on his cell phone.

In response to the incident in Finding of Fact Number Eight (8), Respondent states that at the start of his shift, the patient still had orders for continuous tube feeding. Respondent states that later on, the physician visited and stated it was their plan to change to bolus feedings as the patient would soon be discharged. The physician instructed Respondent to teach the family how to administer a bolus feed. Respondent states that he interpreted this to mean the patient shouldn't be changed to bolus feeding until the family was available to be instructed. The family did not appear until later, at which time Respondent switched to bolus feeding and taught them how to administer a bolus feed. Respondent states that in

retrospect, he should have clarified the physician's intentions on when the bolus feedings should start.

In response to the incident in Finding of Fact Number Nine (9), Respondent states that he does not recall this incident but states that he administered hundreds of blood transfusions without issue while he was at University Medical Center.

In response to the Finding of Fact Number Ten (10), Respondent denies failing to act in a timely manner when the patient was in respiratory distress. Respondent states that when he assessed the patient in the morning, the patient's oxygen saturation and respiratory rate were within normal limits given his long-term diagnosis. Respondent states that sometime after, the respiratory therapist reassessed the patient and reportedly found the patient's respiratory rate to have increased to 52; however, the respiratory therapist did not indicate to the Respondent that the patient needed to be transferred to a higher level of care. When Respondent later determined the patient needed a higher level of respiratory monitoring, he notified the charge nurse and called the rapid response team.

## 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)(D),(1)(M),(1)(P)&(3)(A).

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 921069, heretofore issued to SIRAJ HAMID MOHAMMED.

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. KNOWLEDGE, SKILLS, TRAINING, ASSESSMENT AND RESEARCH (KSTAR) PROGRAM

IT IS AGREED and ORDERED that RESPONDENT SHALL, **within one (1) year of the effective date of this Order**, successfully complete the Knowledge, Skills, Training, Assessment and Research (KSTAR) Program and RESPONDENT SHALL:

A. **Within forty-five (45) days** following the effective date of this Order, apply to and enroll in the KSTAR Program, including payment of any fees and costs, unless otherwise agreed in writing;

B. Submit to an individualized assessment designed to evaluate RESPONDENT'S nursing practice competency and to support a targeted remediation plan;

C. Follow all requirements within the remediation plan, if any;

D. Successfully complete a Board-approved course in Texas nursing jurisprudence and ethics as part of the KSTAR Program; and

E. Provide written documentation of successful completion of the KSTAR Program to the attention of Monitoring at the Board's office.

## V. FURTHER COMPETENCY ISSUES AND VIOLATIONS

IT IS FURTHER AGREED, SHOULD RESPONDENT'S individualized KSTAR Program assessment identify further competency issues and violations of the Nursing Practice Act, including inability to practice nursing safely, further disciplinary action, up to and including revocation of RESPONDENT'S license(s) to practice nursing in the State of Texas, may be taken based on such results in the assessments.

## IV. 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) 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.
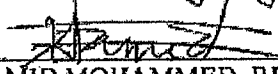
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## RESPONDENT'S CERTIFICATION

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.
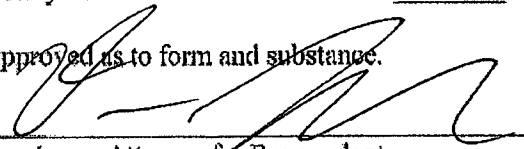
Signed this _22_ day of _July_, 20_20_

_____
SIRAJ HAMID MOHAMMED, RESPONDENT

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

SEAL

_____
Notary Public in and for the State of _____
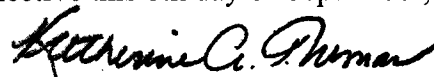
Approved as to form and substance.

_____
Dan Lype, Attorney for Respondent

Signed this _22_ day of _July_, 20_20_.

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WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 22nd day of July, 2020, by SIRAJ HAMID MOHAMMED, Registered Nurse License Number 921069, and said Agreed Order is final.

Effective this 8th day of September, 2020.

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