



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 ORDER
Registered Nurse License Number 680422	§	FOR
issued to ACHIENG DALIA OBALA	§	KSTAR PROGRAM
	§	

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of ACHIENG DALIA OBALA, Registered Nurse License Number 680422, 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 for KSTAR Program approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on June 18, 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 for KSTAR Program.
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 Louisiana, Lafayette, Louisiana, on December 18, 1999. Respondent was licensed to practice professional nursing in the State of Texas on July 31, 2001.
5. Respondent's nursing employment history includes:

7/2001 – 6/2009	Unknown
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Respondent's nursing employment history continued:

7/2009-Present	Registered Nurse	Memorial Herman Memorial City Medical Center Houston, Texas
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6. At the time of the incident, Respondent was employed as a Registered Nurse with Memorial Herman Memorial City Medical Center, Houston, Texas, and had been in that position for nine (9) years and (8) months.
7. On or about March 25, 2019, while employed as a Registered Nursing with Memorial Herman Memorial City Medical Center, Houston, Texas, Respondent failed to timely notify the physician of the elevated blood pressure of Patient JD, when the patient's blood pressure was noted to be in the 160's and continued to increase to 195/92mmHg. The order stated to notify the physician if the patient's systolic blood pressure was greater than 160. Subsequently, the physician was notified by the oncoming shift and the patient had to receive intravenous blood pressure medication in order to reduce her blood pressure. Respondent's conduct exposed the patient to a risk of harm from continued elevated blood pressure, including risk of stroke.
8. In response to the incident in Finding of Fact Number Seven (7), Respondent states that she received JD at approximately 11:30 am when JD was brought to the neurosurgery Intensive Care Unit (ICU) after cervical spine surgery. Between 12:00 and 12:30, JD's systolic blood pressure was 163-169 and at that time, Respondent notified JD's surgeon, who requested that a hospitalist evaluate JD's blood pressure issues. In the mid to late afternoon, the hospitalist examined JD and wrote medication orders, including restarting JD's home blood pressure medications, losartan and hydrochlorothiazide. At 4:00 pm, JD's systolic blood pressure was 163 and at 4:30 pm, Respondent gave pain medication. When she checked on JD an hour later after taking care of other patients, JD's systolic blood pressure was in the 180s. Respondent reviewed the hospitalist's orders, and noted that JD's blood pressure medications were ordered to be started the following morning. She obtained revised orders through the pharmacy allowing the blood pressure medications to be given at 7:00 pm, and she informed the next shift at shift report. On the next shift, JD refused administration of one of her two ordered blood pressure medications, hydrochlorothiazide, after which her systolic blood pressure increased to 195 at 8:00 pm and the night shift nurse called a hospitalist.

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)(P)&(3)(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 Registered Nurse License Number 680422, heretofore issued to ACHIENG DALIA OBALA.
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" 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 for KSTAR Program.

#### **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.

#### **IV. 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.

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

Upon full compliance with the terms of this Agreed Order for KSTAR Program, 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.

**RESPONDENT'S CERTIFICATION**

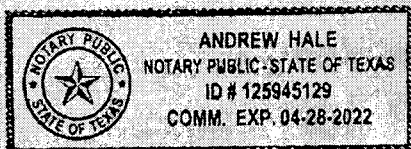
I understand that I have the right to legal counsel prior to signing this Order. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the entry of this Order, and any conditions of said Order, to avoid further disciplinary action 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 21 day of October, 2020.

Achieng D. Obala  
ACHIENG DALIA OBALA, RESPONDENT

Sworn to and subscribed before me this 21 day of OCT, 2020.

SEAL



Notary Public in and for the State of TX

Approved as to form and substance.

Jeff McClure  
Jeffrey McClure, Attorney for Respondent

Signed this 21 day of Oct, 2020.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order for KSTAR Program that was signed on the 21st day of October, 2020, by ACHIENG DALIA OBALA, Registered Nurse License Number 680422, and said Agreed Order for KSTAR Program is final.

Effective this 8th day of December, 2020.

A handwritten signature in black ink, reading "Katherine A. Thomas". The signature is written in a cursive style with a horizontal line extending from the end.

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