



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.
Patricia A. Harrison
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of
CHINYAVU VALDA MVOYI,
Registered Nurse License Number 685818

§
§
§
§

ORDER OF THE BOARD

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of CHINYAVU VALDA MVOYI, Registered Nurse License Number 685818, hereinafter referred to as Respondent.

This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived notice and hearing and agreed to the entry of this Order.

The Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Respondent's license to practice as a professional nurse in the State of Texas is in current status.
2. Respondent waived notice and hearing, and agreed to the entry of this Order.
3. Respondent received a Baccalaureate Degree in Nursing from the University of Eastern Africa, Baraton, Kenya, on June 1, 1994. Respondent was licensed to practice professional nursing in the Commonwealth of Massachusetts on July 8, 1997, and was licensed to practice professional nursing in the State of Texas on April 18, 2002.
4. Respondent's nursing employment history includes:

1997 – 09/2008	RN	Cross Country Trans Corp Boca Raton, FL
9/2008 – 6/2014	RN	AstroCare Home Health Houston, TX

Respondent's nursing employment history continued:

7/2014 – 09/2015	RN	Africa Air Rescue Mombasa, Kenya
10/2015 – 11/2017	RN	Epic Health Services Houston, TX
11/2017 – 04/2018	RN	AstroCare Home Health Houston, TX
4/2018 – 6/2018	Unknown	
7/2018 – Present		Not employed in nursing

5. On or about July 16, 2018, the Board accepted the Voluntary Surrender of Respondent's license to practice nursing in the State of Texas through an Order of the Board. A copy of the July 16, 2018, Order is attached and incorporated herein by reference as part of this Order.
6. On or about April 23, 2020, Respondent's license to practice nursing in the State of Texas was Reinstated through an Order of the Board. A copy of the April 23, 2020, Order is attached and incorporated herein by reference as part of this Order.
7. On January 1, 2021, the Board received a signed statement from Respondent voluntarily surrendering the right to practice nursing in Texas in lieu of completing the April 23, 2020, Order. A copy of Respondent's statement, dated January 1, 2021, is attached and incorporated herein by reference as part 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 §217.12(11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(1)&(10), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number

685818, heretofore issued to CHINYAVU VALDA MVOYI, including revocation of Respondent's license(s) to practice nursing in the State of Texas.

5. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
6. Under Section 301.453(d), Texas Occupations Code, as amended, the Board may impose conditions for reinstatement of licensure.
7. Any subsequent reinstatement of this license will be controlled by Section 301.453(d), Texas Occupations Code, and 22 TEX. ADMIN. CODE §213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

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TERMS OF ORDER

NOW, THEREFORE, IT IS ORDERED that the VOLUNTARY SURRENDER of Registered Nurse License Number 685818 is accepted by the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL NOT practice professional/registered nursing, use the title "registered nurse" or the abbreviation "RN" or wear any insignia identifying herself/himself as a registered nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a registered nurse during the period in which the license is surrendered.
2. RESPONDENT SHALL NOT petition for reinstatement of licensure until at least one (1) year has elapsed from the date of this Order.
3. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

IT IS FURTHER ORDERED that this Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

Effective this 1st day of January, 2021



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

January 1st 2021
Board of Nursing
333 Guadalupe
suite 460

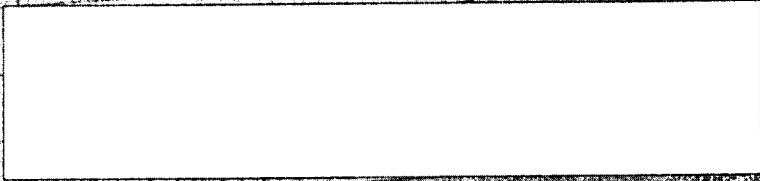
Austin, TX 78701
Attn: Jessica Sonen

Re: Voluntarily Surrender RN License No. 685818
for Chinyave V. Mroyi

Kindly receive my letter of voluntarily
surrendering my RN license. Number 685818.
It has been a pleasure serving as a RN and
my path leads me to a different journey.

Happy New Year to you all!
Kind Regards,

Chinyave V. Mroyi
3610 Daphne St
Houston, TX 77021





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 § REINSTATEMENT
Registered Nurse License Number 685818 § AGREED ORDER
issued to CHINYAVU VALDA MVOYI §
§

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the Petition for Reinstatement, hereinafter referred to as the Petition, of Registered Nurse License Number 685818, held by CHINYAVU VALDA MVOYI, hereinafter referred to as Petitioner.

Petitioner waived notice and hearing and agreed to the entry of this Reinstatement Agreed Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on February 7, 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 Petitioner and Petitioner was given an opportunity to show compliance with all requirements of the law for retention of the license(s).
2. Petitioner waived notice and hearing, and agreed to the entry of this Reinstatement Agreed Order.
3. Petitioner received a Baccalaureate Degree in Nursing from the University of Eastern Africa, Baraton, Kenya, on June 1, 1994. Petitioner was licensed to practice professional nursing in the Commonwealth of Massachusetts on July 8, 1997, and was licensed to practice professional nursing in the State of Texas on April 18, 2002.
4. Petitioner's nursing employment history includes:

1997 – 09/2008	RN	Cross Country Trans Corp Boca Raton, FL
9/2008 – 6/2014	RN	AstroCare Home Health Houston, TX

Petitioner's nursing employment history continued:

7/2014 – 09/2015	RN	Africa Air Rescue Mombasa, Kenya
10/2015 – 11/2017	RN	Epic Health Services Houston, TX
11/2017 – 04/2018	RN	AstroCare Home Health Houston, TX
4/2018 – 6/2018	Unknown	
7/2018 – Present		Not employed in nursing

5. On or about July 16, 2018, the Board accepted the Voluntary Surrender of Petitioner's license(s) to practice nursing in the State of Texas through an Order of the Board. A copy of the July 16, 2018, Order is attached and incorporated herein by reference as part of this Reinstatement Agreed Order.
6. On or about February 22, 2019, Respondent's license to practice professional nursing in the State of California, was issued a Default Decision and Order by the California State Board of Nursing, Sacramento, California. A copy of the Findings of Fact, Conclusions of Law, and Agreed Order dated February 22, 2019, is attached.
7. On or about January 20, 2020, Petitioner submitted a Petition for Reinstatement of License to practice nursing in the State of Texas.
8. Petitioner presented the following in support of said petition:
 - A. Letter of support from Shunte R. Johnson, Manager, Self Pay Operations, Parallon Houston Specialty Center, Houston, Texas. She states she highly recommends Petitioner. Petitioner is always pleasant and up lifting towards others. As an employee Petitioner is dependable, dedicated, and thorough. Petitioner has excellent customer service skills, extremely organized and computer literate. Petitioner has proven to be an excellent team player. She believes Petitioner will be a tremendous asset.
 - B. Letter of support dated January 6, 2020, from Leslie Joseph, Registrar-Bissonnet Campus Altierus Career College, Houston, Texas. She states she is pleased to write a letter of recommendation for Petitioner who is a brilliant student of their college. Petitioner has shown herself as an energetic, ambitious and motivating student. Petitioner has had to face several obstacles regarding scheduling and startup of their new surgical Tech program and Petitioner has handled all of those obstacles with professionalism and grace. There were several times where Petitioner was the only

student in her class being that Petitioner was the only one that continued to succeed in her cohort. Petitioner's drive is unmatched. Petitioner's desire is to begin nursing school as soon as she finished her diploma at Altierus Career College and she recommends Petitioner completely as she believes in her ability to be the best of the best.

- C. Letter of support dated January 6, 2020, from Delilah Olivares, Director of Career Services, Altierus Career college Bissonnet Campus, Houston, TX. She states she is writing in regards to Petitioner and the reinstatement of her nursing license. She has been coaching Petitioner for more than 15 months and believes she is in a great position to evaluate Petitioner's strengths and weaknesses. With those items in mind, she can easily recommend Petitioner for obtaining her nursing license without reservation. Petitioner is intelligent and applies herself to every task at hand. Petitioner is always eager to assist others and she has witnessed Petitioner's interactions in a classroom setting and Petitioner is well-liked. When she has sat with Petitioner one-on-one for her career coaching sessions, Petitioner is receptive to constructive criticism, eager to learn, and is always looking for ways to improve. Petitioner is a pleasure to be around and you can typically find her with a smile on her face. You will have no regrets in reinstating her nursing license and allowing her the opportunity to continue her career in the healthcare industry.
 - D. Letter of support dated January 13, 2020, from Gwendolyn Robinson, Surgical Technology Instructor Altierus Career College-Bissonnett Campus, Houston, Texas. She states she is writing this letter with great honor for Petitioner and the reinstatement of her nursing license. She has been Petitioner's primary instructor in the Surgical Technology Program for the past several months. Petitioner is an intelligent and self-motivated learner. Petitioner eagerly applies herself to every task encountered. Petitioner is engaged in her learning, receptive to constructive criticism, and continuously looking for ways to improve. Petitioner is a pleasure to have in her classes. The Board will have no regrets in reinstating Petitioner's nursing license and granting her the opportunity to continue with her career in healthcare.
 - E. Unofficial transcript from Altierus Career College, Houston, Texas, which indicates Petitioner has a 3.82 GPA with 98 credits.
 - E. Documentation of the required continuing education contact hours.
9. The Executive Director considered evidence of Petitioner's past behavior in light of the factors set out in 22 TEX. ADMIN. CODE §213.27 and determined that Petitioner currently demonstrates the criteria required for relicensure.
 10. Relicensure of Petitioner poses no direct threat to the health and safety of patients or the public provided Petitioner complies with the stipulations outlined in this Order.
 11. The Executive Director's review of Petitioner's eligibility for relicensure has been made on the basis of Petitioner's disclosures.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.
2. This reinstatement is made pursuant to Sections 301.453(c) and 301.467, Texas Occupations Code and 22 TEX. ADMIN. CODE §213.26.
3. The Board may relicense an individual upon evaluation of the factors in 22 TEX. ADMIN. CODE §213.27, and pursuant to 22 TEX. ADMIN. CODE §213.33, if the Board is satisfied that the individual is able to consistently conform her conduct to the requirements of the Nursing Practice Act, the Board's Rules and Regulations, and generally accepted standards of nursing practice.
4. This Order is conditioned upon the accuracy and completeness of Petitioner's disclosures. Any subsequently discovered discrepancies will result in investigation and possible disciplinary action, up to revocation of Petitioner's license(s).
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. **REINSTATEMENT OF LICENSURE AND APPLICABILITY**

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that the petition of CHINYAVU VALDA MVOYI for reinstatement of license to practice nursing in the State of Texas be **GRANTED** and Registered Nurse License Number 685818 is/are hereby **REINSTATED** in accordance with the terms of this Order.

- A. PETITIONER SHALL pay all re-registration fees, if applicable, and PETITIONER'S licensure status in the State of Texas will be updated to reflect the applicable conditions outlined herein.

- B. Until successfully completed, this Order SHALL apply to any and all future licenses issued to PETITIONER to practice nursing in the State of Texas.
- C. Until successfully completed, this Order SHALL be applicable to PETITIONER'S nurse licensure compact privileges, if any, to practice nursing in the State of Texas.
- D. As a result of this Order, PETITIONER'S license(s) will be designated "single state" and PETITIONER 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, PETITIONER 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 Reinstatement Agreed Order.

III. REMEDIAL EDUCATION COURSE(S)

In addition to any continuing education requirements the Board may require for licensure renewal, PETITIONER SHALL successfully complete the following remedial education course(s) **within one (1) year of relicensure, 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. **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), PETITIONER 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. PETITIONER 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.*

IV. EMPLOYMENT REQUIREMENTS

In order to complete the terms of this Order, PETITIONER 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:** PETITIONER 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, PETITIONER 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:** PETITIONER 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. PETITIONER 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:** PETITIONER 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 PETITIONER, 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 PETITIONER is currently working. PETITIONER SHALL work only regularly assigned, identified and predetermined unit(s). PETITIONER SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. PETITIONER SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

D. Nursing Performance Evaluations: PETITIONER SHALL CAUSE each employer to submit, on forms provided to the PETITIONER by the Board, periodic reports as to PETITIONER'S capability to practice nursing. These reports shall be completed by the individual who supervises the PETITIONER 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.

V. RESTORATION OF UNENCUMBERED LICENSE(S)

Upon full compliance with the terms of this Reinstatement Agreed Order, all encumbrances will be removed from PETITIONER'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, PETITIONER may be eligible for nurse licensure compact privileges, if any.

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PETITIONER'S CERTIFICATION

I understand this Order is conditioned upon the accuracy and completeness of my petition and disclosures. I further understand that subsequently discovered discrepancies in my petition and/or disclosures will result in investigation and possible disciplinary action, up to revocation of my license(s).

I have reviewed this Order. I understand that I have the right to legal counsel prior to signing this Order. I waive representation by counsel. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order. I waive judicial review of this Order. I understand that this Order is subject to ratification by the Board. When this Order is ratified, the terms of this Order become effective, and a copy will be mailed to me. I agree to inform the Board of any other fact or event that could constitute a ground for denial of licensure prior to reinstating my license(s) to practice nursing in the state of Texas. 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 REVOCATION of my license(s) and/or nurse licensure compact privileges, if any, to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 16th day of MARCH, 2020.

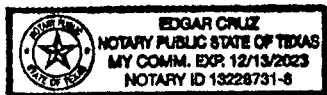
Chinyavu Valda Mvoiyi
CHINYAVU VALDA MVOYI, PETITIONER

Sworn to and subscribed before me this 16th day of MARCH, 2020.

SEAL

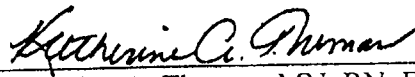
Edgar Cruz

Notary Public in and for the State of TEXAS



WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Reinstatement Agreed Order that was signed on the 16th day of March, 2020, by CHINYAVU VALDA MVOYI, Registered Nurse License Number 685818, and said Reinstatement Agreed Order is final.

Effective this 23rd day of April, 2020.



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



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.
Stephanie Johnson
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of §
Registered Nurse License Number 685818 §
issued to CHINYAVU VALDA MVOYI §

ORDER OF THE BOARD

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of CHINYAVU VALDA MVOYI, Registered Nurse License Number 685818, hereinafter referred to as Respondent.

This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived notice and hearing and agreed to the entry of this Order.

The Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Respondent's license to practice as a professional nurse in the State of Texas is in current status.
2. Respondent waived notice and hearing, and agreed to the entry of this Order.
3. On or about September 15, 2017, through October 13, 2017, while employed with Epic Health Services, Houston, Texas, and assigned to provide pediatric skilled nursing, Respondent admitted to billing more hours than she actually worked. Respondent's conduct deceived the facility and defrauded them of money paid to the Respondent for hours not actually worked.

4. Respondent's professional nursing employment history includes:

07/1990 - 09/2008

RN

Cross Country TravCorp
Boca Raton, FL

Respondent's professional nursing employment history continued:

09/2008 - 06/2014	RN	Astrocare Home Health Houston, Texas
07/2014 - 09/2015	Unknown	
10/2015 - 11/2017	RN	Epic Health Services Houston, Texas
12/2017 - Present	Unknown	

5. On or about February 9, 2018, the Board provided notice to Respondent that an investigation was being initiated into alleged violations of the Nursing Practice Act and/or the Board's Rules and Regulations Relating to Nurse Education, Licensure and Practice, as follows:
 - A. On or about September 15, 2017, through October 13, 2017, while employed with Epic Health Services, Houston, Texas, and assigned to provide pediatric skilled nursing, Respondent admitted to billing more hours than she actually worked.
6. On or about May 30, 2018, Respondent signed a Warning with Stipulations Agreed Order that had been offered by Board Staff and was to be ratified at the July Board Meeting. However, Respondent subsequently submitted a voluntary surrender statement.
7. On July 16, 2018, the Board received a statement from Respondent voluntarily surrendering the right to practice nursing in Texas. A copy of Respondent's statement, dated July 13, 2018, is attached and incorporated herein by reference as part 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) and 22 TEX. ADMIN. CODE §217.12(1)(B),(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 685818, heretofore issued to CHINYAVU VALDA MVOYI, including revocation of Respondent's license(s) to practice nursing in the State of Texas.

5. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
6. Under Section 301.453(d), Texas Occupations Code, as amended, the Board may impose conditions for reinstatement of licensure.
7. Any subsequent reinstatement of this license will be controlled by Section 301.453(d), Texas Occupations Code, and 22 TEX. ADMIN. CODE §213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

TERMS OF ORDER

NOW, THEREFORE, IT IS ORDERED that the VOLUNTARY SURRENDER of Registered Nurse License Number 685818, heretofore issued to CHINYAVU VALDA MVOYI, to practice nursing in the State of Texas, is accepted by the Executive Director on behalf of the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL NOT practice professional/registered nursing, use the title "registered nurse" or the abbreviation "RN" or wear any insignia identifying herself/himself as a registered nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a registered nurse during the period in which the license is surrendered.
2. RESPONDENT SHALL NOT petition for reinstatement of licensure until at least one (1) year has elapsed from the date of this Order.
3. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

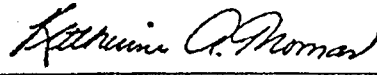
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IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

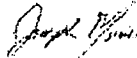
Effective this 16th day of July, 2018.

TEXAS BOARD OF NURSING

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

I hereby certify the foregoing to be a true copy of the documents on file in our office.

BOARD OF REGISTERED NURSING



Joseph L. Morris, PhD, MSN, RN
Executive Officer



BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

CHINYAVU VALDA MVOYI
8282 Cambridge St #2404
Houston, TX 77054

Registered Nurse License No. 569299

Respondent.

Case No. 2019-323

DEFAULT DECISION AND ORDER

[Gov. Code, §11520]

FINDINGS OF FACT

1. On October 30, 2018, Complainant Joseph L. Morris, PhD, MSN, RN, in his official capacity as the Executive Officer of the Board of Registered Nursing (Board), Department of Consumer Affairs, filed Accusation No. 2019-323 against Chinyavu Valda Mvoyi (Respondent) before the Board. (Accusation attached as Exhibit A.)

2. On July 27, 2000, the Board issued Registered Nurse License No. 569299 to Respondent. The Registered Nurse License expired on May 31, 2006, and has not been renewed.

3. On October 30, 2018, Respondent was served by Certified and First Class Mail copies of Accusation No. 2019-323, Statement to Respondent, Notice of Defense, Request for Discovery, and Discovery Statutes (Government Code sections 11507.5, 11507.6, and 11507.7) at Respondent's address of record which, pursuant to California Code of Regulations, title 16,

///

1 section 1409.1, is required to be reported and maintained with the Board. Respondent's address
2 of record was and is 8282 Cambridge St #2404, Houston, TX 77054.

3 4. Service of the Accusation was effective as a matter of law under the provisions of
4 Government Code section 11505(c) and/or Business and Professions Code section 124.

5 5. Government Code section 11506(c) states, in pertinent part:

6 (c) The respondent shall be entitled to a hearing on the merits if the
7 respondent files a notice of defense . . . and the notice shall be deemed a specific
8 denial of all parts of the accusation . . . not expressly admitted. Failure to file a
9 notice of defense . . . shall constitute a waiver of respondent's right to a hearing,
10 but the agency in its discretion may nevertheless grant a hearing.

11 6. The Board takes official notice of its records and the fact that Respondent failed
12 to file a Notice of Defense within 15 days after service upon her of the Accusation, and therefore
13 waived her right to a hearing on the merits of Accusation No. 2019-323.

14 7. California Government Code section 11520(a) states, in pertinent part:

15 (a) If the respondent either fails to file a notice of defense . . . or to appear
16 at the hearing, the agency may take action based upon the respondent's express
17 admissions or upon other evidence and affidavits may be used as evidence
18 without any notice to respondent

19 8. Pursuant to its authority under Government Code section 11520, the Board finds
20 Respondent is in default. The Board will take action without further hearing and, based on the
21 relevant evidence contained in the Default Decision Evidence Packet in this matter, as well as
22 taking official notice of all the investigatory reports, exhibits and statements contained therein on
23 file at the Board's offices regarding the allegations contained in Accusation No. 2019-323, finds
24 that the charges and allegations in Accusation No. 2019-323, are separately and severally, found
25 to be true and correct by clear and convincing evidence.

26 DETERMINATION OF ISSUES

27 1. Based on the foregoing findings of fact, Respondent Chinyavu Valda Mvoyi has
28 subjected her Registered Nurse License No. 569299 to discipline.

2. The agency has jurisdiction to adjudicate this case by default.

///

Exhibit A

Accusation

(CHINYAVU VALDA MVOYI)

1 XAVIER BECERRA
Attorney General of California
2 JAMES M. LEDAKIS
Supervising Deputy Attorney General
3 ROBERT TOMLIN WHITE
Deputy Attorney General
4 State Bar No. 222504
600 West Broadway, Suite 1800
5 San Diego, CA 92101
P.O. Box 85266
6 San Diego, CA 92186-5266
Telephone: (619) 738-9608
7 Facsimile: (619) 645-2061
Attorneys for Complainant

8
9 **BEFORE THE**
BOARD OF REGISTERED NURSING
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2019-323

13 **CHINYAVU VALDA MVOYI**
8282 Cambridge St #2404
14 Houston, TX 77054

ACCUSATION

15 Registered Nurse License No. 569299

16 Respondent.

17
18 Complainant alleges:

19 **PARTIES**

20 1. Joseph L. Morris, PhD, MSN, RN (Complainant) brings this Accusation solely in
21 his official capacity as the Executive Officer of the Board of Registered Nursing (Board),
22 Department of Consumer Affairs.

23 2. On July 27, 2000, the Board issued Registered Nurse License Number 569299 to
24 Chinyavu Valda Mvoyi (Respondent). The Registered Nurse License expired on May 31, 2006,
25 and has not been renewed.

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1 JURISDICTION

2 3. This Accusation is brought before the Board, under the authority of the following
3 laws. All section references are to the Business and Professions Code (Code) unless otherwise
4 indicated.

5 4. Code section 2750 provides, in pertinent part, that the Board may discipline any
6 licensee, including a licensee holding a temporary or an inactive license, for any reason provided
7 in Article 3 (commencing with section 2750) of the Nursing Practice Act.

8 5. Code section 2764 provides, in pertinent part, that the expiration of a license shall
9 not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the
10 licensee or to render a decision imposing discipline on the license.

11 STATUTORY PROVISIONS

12 6. Code section 2761 states, in pertinent part:

13 The board may take disciplinary action against a certified or licensed
14 nurse or deny an application for a certificate or license for any of the following:

15 (a) Unprofessional conduct, which includes, but is not limited to, the
16 following:

17 (4) Denial of licensure, revocation, suspension, restriction, or any
18 other disciplinary action against a health care professional license or certificate by
19 another state or territory of the United States, by any other government agency, or
20 by another California health care professional licensing board. A certified copy of
21 the decision or judgment shall be conclusive evidence of that action.

22 COST RECOVERY

23 7. Code section 125.3 provides, in pertinent part, that the Board may request the
24 administrative law judge to direct a licentiate found to have committed a violation or violations
25 of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
26 enforcement of the case, with failure of the licentiate to comply subjecting the license to not
27 being renewed or reinstated. If a case settles, recovery of investigation and enforcement costs
28 may be included in a stipulated settlement.

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1 CAUSE FOR DISCIPLINE

2 (2017 Texas - Out of State Discipline)

3 8. Respondent has subjected her Registered Nurse License to disciplinary action
4 under Code section 2761, subdivision (a)(4), in that her Texas registered nurse license was
5 disciplined by the State of Texas Board of Nursing (Texas Board). The circumstances are as
6 follows.

7 9. On July 16, 2018, under Texas Occupation Code sections 301.451-301.555, the
8 Disciplinary Committee of the Texas Board entered a disciplinary action against Respondent's
9 Texas nurse license in a matter entitled, *In the Matter of Registered Nurse License Number*
10 *685818 Issued to Chinyavu Valda Mvoyi*. The Texas Board accepted Respondent's Voluntary
11 Surrender Statement and issued an Order of the Board imposing conditions upon Respondent's
12 registered nurse license and nurse licensure compact privileges to practice professional nursing
13 in Texas. In addition, the Texas Board imposed a period of one year before Respondent may
14 apply for reinstatement of licensure.

15 10. The facts that led to the discipline are that on September 15 through October 13,
16 2017, while employed with Epic Health Services in Houston, Texas and assigned to provide
17 pediatric skilled nursing, Respondent billed more hours than she actually worked. On February 9,
18 2018, the Texas Board provided notice to Respondent that an investigation was being initiated
19 into her admissions of over billing, which is in violation of the Nursing Practice Act and the
20 Texas Board's Rules and Regulations. On May 30, 2018, Respondent signed a Warning with
21 Stipulations Agreed Order. However, on July 13, 2018, Respondent executed a Statement of
22 Voluntary Surrender before the Texas Board could ratify the Warning with Stipulations Agreed
23 Order.

24 PRAYER

25 WHEREFORE, Complainant requests that a hearing be held on the matters herein
26 alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

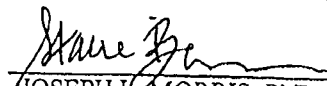
27 1. Revoking or suspending Registered Nurse License Number 569299, issued to
28 Chinyavu Valda Mvoyi;

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2. Ordering Chinyavu Valda Mvoyi to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3; and,

3. Taking such other and further action as deemed necessary and proper.

DATED: October 30, 2018


JOSEPH L. MORRIS, PhD, MSN, RN
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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