



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 933571
issued to SUSAN MUMBI WIKINA

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AGREED ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of SUSAN MUMBI WIKINA, Registered Nurse License Number 933571, 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 February 23, 2021.

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 Iowa Central Community College, Fort Dodge, Iowa, on June 1, 2015. Respondent was licensed to practice professional nursing in the State of Texas on November 10, 2017.
5. Respondent's nursing employment history includes:

04/2017 – 08/2019

Registered Nurse

McKinney Health and
Rehabilitation
McKinney, Texas

04/2017 – Present	Registered Nurse	Aveanna Healthcare Dallas, Texas
03/2018 – Present	Registered Nurse	Life Care Center of Plano Plano, Texas
05/2019 – 09/2019	Registered Nurse	Texoma Medical Center Denison, Texas

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with Texoma Medical Center, Denison, Texas, and had been in that position for four (4) months.
7. On or about September 10, 2019 through September 11, 2019, while employed as a Registered Nurse with Texoma Medical Center, Denison, Texas, Respondent failed to correctly administer four (4) medications to Patient FIN 28592186. Although documented as being given, the medications, including Tramadol, were found on the nightstand in the patient's room while the patient was present. One of the medications Namzaric, which is an extended release medication that comes in capsule form, was found to be pulled apart with no medication in the capsule. Respondent's conduct resulted in an inaccurate medical record and could have injured the patient in that failure to administer medications, as ordered by the physician, could have resulted in non-efficacious treatment.
8. On or about September 10, 2019 through September 11, 2019, while employed as a Registered Nurse with Texoma Medical Center, Denison, Texas, and caring for Patient FIN 28592186, Respondent failed to timely administer Rythmol. The medication was scheduled to be administered at 2100. Respondent did not administer the scheduled dose until the following morning at 0117. Respondent's conduct could have injured the patient in that failure to administer medications as ordered by the physician could have resulted in non-efficacious treatment.
9. On or about September 10, 2019 through September 11, 2019, while employed as a Registered Nurse with Texoma Medical Center, Denison, Texas, Respondent inappropriately administered Ativan to Patient FIN 28592186, who had a decreased level of consciousness. Additionally, Respondent failed to report the decreased level of consciousness to the patient's physician and clarify the orders. Respondent's conduct could have injured the patient from adverse reactions, including increased drowsiness, confusion, lethargy, diminished reflexes, low blood pressure, and/or respiratory depression.
10. In response to the incident in Finding of Fact Number Seven (7), Respondent states that she was asked by the patient's daughter to hold the medications as the daughter fed the patient. Respondent states that she intended to return to administer the medications, but other patients demanded her attention. Respondent states that she did not intend to incorrectly administer the medications. Respondent states that it was a lapse in judgment on her part to leave the medication in the room. Respondent states that she scanned the

medications, scanned the patient, and educated the patient and daughter per protocol. Respondent states that, at the moment she was ensuring the patient consumed the medication, the patient's daughter requested that Respondent hold the medications. Respondent adds that the patient's daughter administered the Namzaric, by pulling it apart after she advised her of the correct way to administer the medication. Respondent states that she did not intentionally document medication administration that she did not administer. Respondent states that, scanning the medications automatically registers as "administered" in eMAR. Respondent states that management escorted her out of the building at 2 A.M. and did not allow her to amend eMAR charting to reflect the medication administration. Respondent states that the amendment would have shown that the patient did not consume the medications, including the tramadol. In response to the incident in Finding of Fact Number Eight (8), Respondent states that Rythmol was not available in the Pyxis at the time it was due for administration. Respondent states that she sent a message to pharmacy per Vocera concerning delivery of the medication. Respondent states that the medication was tubed by pharmacy and another team member retrieved it, however, the team member neglected to inform her. Respondent states that she spent hours looking for the medication. Respondent states this resulted in late administration. In response to the incident in Finding of Fact Number Nine (9), Respondent states that, Ativan was retrieved from the Pyxis and wasted with another team member per protocol. Respondent states that when she went to the bedside, she discovered that the vial was not available, therefore, she located another vial to scan. Respondent states that locating a vial took time. Respondent states that she eventually administered the medication past the due time. Additionally, Respondent notes that the medication was administered after the patient had recent seizure/myoclonic jerking and increased heart rate. The medical provider commented in the morning that Respondent's administration of Ativan had a positive effect on the patient. Per the records, the provider noted that the administered Ativan contributed to the patient's calmness through the night. Respondent states that the incidents occurred on her second week of working independently at the hospital.

11. On January 9, 2020, Respondent completed a Texas Board of Nursing approved sharpening critical thinking skills course, which would have been a requirement of this order.
12. On April 28, 2020, Respondent completed a Texas Board of Nursing approved jurisprudence and ethics course, which would have been a requirement of this order.
13. On May 6, 2020, Respondent completed a Texas Board of Nursing approved documentation course, which would have been a requirement of this order.
14. On May 22, 2020, Respondent completed a Texas Board of Nursing approved medication administration course with clinical components, which would have been a requirement of this order.
15. Formal Charges were filed on September 8, 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 (1)(A),(1)(B),(1)(C),(1)(D),(1)(M)&(3)(A) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(C),(4),(6)(A)&(10)(B).
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 933571, heretofore issued to SUSAN MUMBI WIKINA.
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" 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. **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. **A Board-approved course in medication administration** with a didactic portion of not less than six (6) hours and a clinical component of not less than twenty-four (24) hours. Both the didactic and clinical components must be provided by the same Registered Nurse. The course's content shall include: a review of proper administration procedures for all standard routes; computation of drug dosages; the six (6) rights of medication administration; factors influencing the choice of

route; and possible adverse effects resulting from improper administration. The clinical component SHALL focus on tasks of medication administration only. The course description shall indicate goals and objectives for the course, resources to be utilized, and the methods to be used to determine successful completion of the course. Successful completion of this course requires RESPONDENT to successfully complete both the didactic and clinical portions of the course.

- C. **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.
- D. **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), 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 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.*

V. 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. **Direct Supervision:** In conjunction with paragraphs D and E of this Section V, as applicable, for the first year [four (4) quarters] of employment as a Nurse under this Order, RESPONDENT SHALL be directly 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. Direct supervision requires another nurse, as applicable, to be working on the same unit as RESPONDENT and immediately available to provide assistance and intervention. RESPONDENT SHALL work only on 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. **Indirect Supervision:** In conjunction with paragraphs D and E of this Section V, as applicable, for the remainder of the stipulation/probation period, 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.
- E. **Exception for Employment at Life Care Center of Plano, Plano, Texas:** For the first year [four (4) quarters] of employment as a Nurse under this order, and

while employed at Life Care Center of Plano, Plano, Texas, 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.

After completion of the first year [four (4) quarters] of employment as a Nurse under this order, and for the remainder of the stipulation/probation period, RESPONDENT SHALL CAUSE Life Care Center of Plano, Plano, 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.

RESPONDENT may be employed by both Life Care Center of Plano, Plano, Texas, at the same time for purposes of this paragraph's requirements. However, should Respondent's employment at Life Care Center of Plano, Plano, 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.

- 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.

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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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 5TH day of MAY, 2021.

Susan Mumbi Wikina

SUSAN MUMBI WIKINA, 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.

Eugenia Apraku

Eugenia Apraku, Attorney for Respondent

Signed this 5th day of MAY, 2021

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 5th day of May, 2021, by SUSAN MUMBI WIKINA, Registered Nurse License Number 933571, and said Agreed Order is final.

Effective this 8th day of June, 2021

A handwritten signature in cursive script, reading "Katherine A. Thomas".

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