



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
PATIENCE UKO UCHE,	§	FOR
Registered Nurse License Number 688781,	§	ELIGIBILITY &
Vocational Nurse License Number 164597	§	DISCIPLINE
& PETITIONER for Eligibility for Licensure	§	

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of Registered Nurse License Number 688781 & Vocational Nurse License Number 164597 and the Application for Licensure as an Advanced Practice Registered Nurse and Prescriptive Authority, which has been processed as a Petition for Declaratory Order, hereinafter referred to as the Petition, pursuant to 22 TEX. ADMIN. CODE §221.4(a)(7), and supporting documents filed by PATIENCE UKO UCHE, hereinafter referred to as Petitioner, requesting a determination of eligibility for licensure in compliance with Section 301.257, Texas Occupations Code, and the Board's Rules at 22 TEX. ADMIN. CODE §221.4(a), together with any documents and information gathered by staff and Petitioner's Certification contained herein.

Information received by the Board produced evidence that Petitioner may be subject to discipline and ineligible for licensure pursuant to Sections 301.452(b)(b)(10)&(13) and 301.453, Texas Occupations Code.

Petitioner 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 2, 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 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 Agreed Order.
3. Petitioner received a Certificate in Vocational Nursing from El Centro College, Dallas, Texas, on August 7, 1997. Petitioner received an Associate Degree in Nursing from Navarro College, Corsicana, Texas, on May 11, 2002. Petitioner received a Master's Degree in Nursing, Family Nurse Practitioner Program from Chamberlain College of Nursing, Chicago, Illinois, in December 2017. Petitioner was licensed to practice vocational nursing in the State of Texas on September 25, 1997. Petitioner was licensed to practice professional nursing in the State of Texas on July 23, 2002.
4. Petitioner's license to practice as a vocational nurse in the State of Texas is in delinquent status. Petitioner's license to practice as a professional nurse in the State of Texas is in current status.
5. On or about February 29, 2020, Petitioner submitted the Petition requesting a determination of eligibility for licensure.
6. Petitioner's nursing employment history includes:

9/1997 – 6/2004	Licensed Vocational Nurse	Brentwood Place Dallas, Texas
6/2002 – 4/2019	Registered Nurse	Methodist Dallas Medical Center Dallas, Texas
10/2003 – 3/2005	Registered Nurse	A-Unified Home Health Agency, Inc. Mesquite, Texas
4/2007 – Unknown	Registered Nurse / Owner	United Royal Care Health Services, Inc. Dallas, Texas
8/2007 – Unknown	Registered Nurse	Trendy Care Home Health Services Rowlett, Texas
5/2008 – 8/2008	Registered Nurse	Richardson Regional Medical Center Richardson, Texas
6/2012 – 7/2013	Registered Nurse	Juliet Fowler Homes Dallas, Texas

Petitioner's nursing employment history continued:

5/2017 – Unknown	Registered Nurse	Williamsburg Village Desoto, Texas
4/2019 – 6/2019	Registered Nurse	Garnet Hill Rehabilitation Wylie, Texas
8/2019 – 1/2020	Registered Nurse	Health Trust Workforce Solutions Irving, Texas
3/2020 – Present	Supervising Registered Nurse	Angel Care Hospice Richardson, Texas
3/2020 – Present	Supervising Registered Nurse	Axel Hospice Care Richardson, Texas

7. On or about April 15, 2011, Petitioner was issued the sanction of Remedial Education through an Order of the Board. On or about March 19, 2012, Petitioner successfully completed the terms of the Order. A copy of the April 15, 2011, Order is attached and incorporated herein by reference as part of this Agreed Order.
8. At the time of the initial incident, Petitioner was employed as a Registered Nurse with Methodist Dallas Medical Center, Dallas, Texas, and had been in that position for sixteen (16) years and nine (9) months.
9. On or about March 28, 2019, through March 29, 2019, while employed as a Registered Nurse with Methodist Dallas Medical Center, Dallas, Texas, Petitioner failed to appropriately reassess and intervene; including testing of blood glucose levels and vital signs at the intervals ordered by the physician, for Patient MHD0747318, who was experiencing declining blood pressures and hypoglycemia during the shift. Additionally, Petitioner failed to administer dextrose to the patient as ordered, and also failed to notify the physician or initiate the Rapid Response Team when the blood glucose level fell to 53mg/dl. Although Petitioner initiated a Code Blue for the patient five and one half (5 ½) hours later, at the end of her shift, the patient was ultimately pronounced deceased from complications resulting from a perforated gastric ulcer. Petitioner's conduct was likely to injure the patient from lack of appropriate nursing and medical care, and may have contributed to the patient's demise.
10. On or about March 28, 2019, through March 29, 2019, while employed as a Registered Nurse with Methodist Dallas Medical Center, Dallas, Texas, Petitioner failed to accurately and completely report and document events during the shift related to Patient Number MHD0747318; including, physical assessment, administration of intravenous medications, vital sign measurements, and the patient's response to low blood glucose levels and

hypotension. Petitioner's conduct created an incomplete medical record and was likely to injure the patient in that subsequent care givers would not have accurate and complete information on which to base their care decisions.

11. On or about December 27, 2019, while employed as a Registered Nurse with Health Trust Workforce Solutions, Irving, Texas, and assigned to Medical City Las Colinas, Irving, Texas, Petitioner failed to properly document removal from the pharmacy automated dispensing system of two (2) 5/325mg tablets of Norco for Patient M.E. Additionally, Petitioner failed to follow the facility's policy and procedures for return and/or wastage of the unused portions of the medication. Instead, Petitioner administered one (1) tablet to the patient and later discarded the other tablet in a sharps container. Furthermore, Petitioner failed to completely and accurately document the efficacy of the pain medication that was administered to the patient. Petitioner's conduct resulted in an inaccurate medical record and was likely to injure the patient in that subsequent care givers would not have accurate and complete information on which to base their care decisions. Petitioner's conduct also left medications unaccounted for and placed the pharmacy in violation of the Chapter 481 (Controlled Substances Act) of the Texas Health and Safety Code.
12. In response to the incidents in Findings of Fact Numbers Nine (9) and Ten (10), Petitioner states the unlicensed patient care technician's role was to check vital signs and glucose levels as ordered, and report any abnormal findings to the nurse caring for the patient, but she never notified Respondent that any of the vital signs or glucose levels obtained from the patient were abnormal. Petitioner states she did assist the patient with suctioning at one point during the shift and, at that time, Petitioner states the IV pump was on and infusing. Petitioner further states each time she passed the room she would look in to check on the patient. Petitioner states she did not want to awaken the patient any more than necessary. In response to the incident in Finding of Fact Number Eleven (11), Petitioner states the 2 Norco tablets came out of the Pyxis and she could not return the extra pill. She took the 2 tablets and administered the one to her patient, and administered an IV, and the extra pill inadvertently went into the trash/sharps container with the IV trash. She immediately reported the incident to the pharmacy and to the charge nurse, who went with her to the Pyxis and noted that the Pyxis did not register any miscount, and the Charge nurse said that there was nothing she could do since the the Pyxis did not register the error.
13. Formal Charges were filed on November 19, 2020.
14. On or about March 10, 2020, Petitioner successfully completed a Board-approved course in Texas Nursing Jurisprudence and Ethics, which would have been a requirement of this order.
15. 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 licensure as an Advanced Practitioner.

16. The Executive Director's review of the grounds for potential ineligibility has been made on the basis of Petitioner's disclosures.
17. Petitioner has been advised by the Board that any information found to be incomplete, incorrect or misleading to the Board or a subsequent discovery of a basis of ineligibility will be considered by the Board and may result in an ultimate determination of ineligibility or the later revocation of a license obtained through fraud or deceit.
18. Petitioner shall immediately notify the Board of any fact or event that could constitute a ground of ineligibility for licensure under Section 301.452(b), Texas Occupations Code.

#### CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.
2. On or about February 29, 2020, Petitioner submitted the Petition requesting a determination of eligibility for licensure in compliance with Section 301.257, Texas Occupations Code, and the Board's Rules at 22 TEX. ADMIN. CODE §221.4(a).
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) and 22 TEX. ADMIN. CODE §217.12 (1)(A),(1)(B),(1)(C),(4)&(10)(C).
4. Petitioner's history reflects conduct which may constitute grounds for discipline and denial of a license under Section 301.452(b)(10)&(13), Texas Occupations Code.
5. The Board may probate the denial of a license under conditions for a specified term pursuant to Section 301.453, Texas Occupations Code.
6. The Board may license 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.
7. 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).
8. 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, ELIGIBILITY FOR LICENSURE AND APPLICABILITY**

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that PETITIONER SHALL receive the sanction of **REPRIMAND WITH STIPULATIONS** and the PETITION for licensure as an Advanced Practice Registered Nurse and Prescriptive Authority is hereby **GRANTED**, and upon resubmitting a completed application for APRN licensure, payment of any required fees, and meeting all other applicable requirements, including obtaining/retaining certification as a Family Nurse Practitioner and completing the required 400 hours of directly supervised current practice as a Family Nurse Practitioner, PETITIONER SHALL be issued the applicable license to practice as an Advanced Practice Registered Nurse (APRN) in the State of Texas in accordance with the terms of this Order.

- A. Until successfully completed, any and all licenses issued to Petitioner shall be subject to the terms of this Order.
- B. 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.
- C. Until successfully completed, PETITIONER may not practice nursing in the State of Texas except in accordance with the terms of this Order.
- D. As a result of this Order, PETITIONER'S license(s) will be designated "single state" as applicable and PETITIONER 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, 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 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 the effective date of this Order, unless otherwise specifically indicated:**

- A. **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](http://www.bon.texas.gov/compliance).*

### IV. EMPLOYMENT REQUIREMENTS PRIOR TO OBTAINING LICENSURE AND EMPLOYMENT AS AN APRN

In order to complete the terms of this Order, prior to becoming licensed and employed as an advanced practice registered nurse, 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 eight (8) quarterly periods [two (2) years] of employment or until PETITIONER becomes licensed and employed as an advanced practice registered nurse. This requirement will not be satisfied until eight (8) quarterly periods of employment as either a RN and/or as an APRN, as applicable, have elapsed. Periods of unemployment or of employment that do not require the use of a registered

nurse (RN) 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. **Incident Reporting for Current Employment as a Supervising Registered Nurse with Angel Care Hospice, Richardson, Texas:** For so long as PETITIONER remains employed as a Supervising Registered Nurse with Angel Care Hospice, Richardson, Texas, PETITIONER SHALL CAUSE this employer to immediately submit any and all incident, counseling, variance, unusual occurrence, and medication or other error reports involving PETITIONER, as well as documentation of any internal investigations regarding action by PETITIONER, to the attention of Monitoring at the Board's office. Multiple employers are prohibited, and PETITIONER SHALL only be employed as a Supervising Registered Nurse with Angel Care Hospice, Richardson, Texas. Should PETITIONER's employment with Angel Care Hospice, Richardson, Texas, cease or change for any reason, PETITIONER shall be required to comply with the requirements of paragraph D of this section.
- D. **Supervision Requirements for Subsequent Employment as a Registered Nurse, if any:** The supervision requirements of this subsection SHALL APPLY if PETITIONER'S current employment as a Supervising Registered Nurse with Angel Care Hospice, Richardson, Texas, ceases or changes prior to obtaining licensure and employment as an APRN.
  - 1. **Direct Supervision for the Remainder of the First Year of Employment as a Registered Nurse under the Terms of this Order, if any:** PETITIONER SHALL be directly supervised by a Registered Nurse for the remainder of the first year [four (4) quarters] of employment as a Registered Nurse. Direct supervision requires another Registered Nurse to be working on the same unit as PETITIONER and immediately available



to provide assistance and intervention. PETITIONER SHALL work only on 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.

2. **Indirect Supervision for the Remainder of the Second Year of Employment as a Registered Nurse under the Terms of this Order, if any:** PETITIONER SHALL be supervised by a Registered Nurse who is on the premises for the remainder of the second year [four (4) quarters] of employment as a Registered Nurse under this order. 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.

- E. **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 eight (8) quarters [two (2) years] of employment as a nurse.

**V.        EMPLOYMENT REQUIREMENTS    AFTER LICENSURE AND EMPLOYMENT AS AN APRN**

Upon becoming licensed and employed as an Advanced Practice Registered Nurse, in order to complete any remaining terms of this Order, PETITIONER must work as an advanced practice registered 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 the remainder of the eight (8) quarterly periods [two (2) years] of employment, if any. This requirement will not be satisfied until a total of eight (8) quarterly periods of employment

as either a RN and/or as an APRN under the terms of this Order have elapsed. Periods of unemployment or of employment that do not require the use of an advanced practice registered nurse (APRN) license will not apply to this period and will not count towards completion of this requirement. Further, Petitioner may not work as a registered nurse (RN) or a vocational nurse (LVN) license while under the terms of this Order after becoming licensed and employed as an APRN.

- A. **Notifying Present and Future Employers, Practice Sites and Credentialing Agencies:** PETITIONER SHALL notify each present employer, practice site and/or credentialing agency in nursing of this Order of the Board and the stipulations on PETITIONER'S license(s). PETITIONER SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each present employer, practice site and/or credentialing agency in nursing within five (5) days of receipt of this Order. While under the terms of this Order, PETITIONER SHALL notify all future employers, practice sites and/or credentialing agencies in nursing and present a complete copy of this Order, including all attachments, if any, to each future employer, practice site and/or credentialing agency in nursing prior to accepting an offer of employment and/or assignment.
- B. **Notification of Employment Forms:** PETITIONER SHALL CAUSE each present employer, practice site and/or credentialing agency in nursing to submit the Board's "Notification of Employment" form, which is provided to the PETITIONER by the Board, to the Board's office within ten (10) days of receipt of this Order. PETITIONER SHALL CAUSE each future employer, practice site and/or credentialing agency in nursing to submit the Board's "Notification of Employment" form, which is provided to the PETITIONER by the Board, to the Board's office within five (5) days of employment as a nurse.
- C. **Indirect Supervision:** For the remainder of the stipulation/probation period, PETITIONER SHALL be supervised by an Advanced Practice Registered Nurse or Physician who is on the premises. The supervising Advanced Practice Registered Nurse or Physician 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 Advanced Practice Registered Nurse or Physician shall have a minimum of two (2) years of experience in the same or similar practice setting to which the PETITIONER is currently working. If being supervised by an Advanced Practice Registered Nurse, the supervising APRN must be in the same advanced role and population focus

area as PETITIONER. 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 supervising Advanced Practice Registered Nurse or Physician 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 Advanced Practice Registered Nurse or Physician who supervises the PETITIONER and these reports shall be submitted by the supervising Advanced Practice Registered Nurse or Physician to the office of the Board at the end of each three (3) month quarterly period for the remainder of the eight (8) quarters [two (2) years] of employment as a nurse, if any.

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

Upon full compliance with the terms of this 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 am the Petitioner in this matter. I have fully and truthfully disclosed all of my past conduct which could constitute grounds for licensure ineligibility, and I have caused a complete and accurate criminal history to be submitted to the Texas Board of Nursing from each jurisdiction in which I have been adjudged guilty by way of conviction or deferred order. I certify that my past behavior, except as disclosed in my application/petition, has been in conformity with the Board's character rule. I have provided the Board with complete and accurate documentation of my past conduct in violation of the penal law of any jurisdiction which was disposed of through any procedure short of conviction, such as: conditional discharge, deferred adjudication or dismissal. I have no criminal prosecution pending in any jurisdiction.

In connection with my application, I acknowledge that I have read and I understand Sections 301.157(d), 301.252, 301.253, 301.257, 301.258, 301.260, 301.452, and 301.453, Texas Occupations Code, and Chapter 53, Section 53.001 *et seq.*, Texas Occupations Code, and 22 TEX. ADMIN. CODE §§213.27, 213.28, 213.29, and 213.30. I agree with all terms of this Order, including the Findings of Fact and Conclusions of Law and any stipulations as set out in this Order. I acknowledge that this Order is stipulated and I understand that I am not eligible to receive a Temporary Permit to practice nursing. I agree to inform the Board of any other fact or event that could constitute a ground for denial of licensure prior to accepting any license from the Texas Board of Nursing.

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.

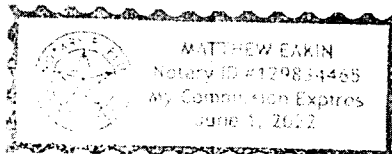
I understand that I can be represented by an attorney in this matter. I waive notice, administrative hearing, and judicial review of this Order and request that the Texas Board of Nursing ratify this Order.

Signed this 12 day of July, 2021.

Patience U. Uche  
PATIENCE UKO UCHE, PETITIONER

Sworn to and subscribed before me this 12 day of July, 2021.

SEAL



Matthew Eakin  
Notary Public in and for the State of TX

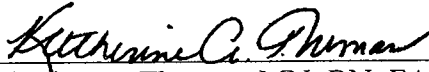
Approved as to form and substance.

Joyce Stamp Lilly  
Joyce Stamp Lilly, Attorney for Petitioner

Signed this 14 day of July, 2021.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 12<sup>th</sup> day of July, 2021, by PATIENCE UKO UCHE, Registered Nurse License Number 688781, Vocational Nurse License Number 164597 & PETITIONER for Eligibility for Licensure, and said Agreed Order is final.

Effective this 10<sup>th</sup> day of August, 2021.

A handwritten signature in cursive script, reading "Katherine A. Thomas", written over a horizontal line.

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.  
*Katherine A. Thomas*  
Executive Director of the Board

## BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Registered Nurse	§	AGREED
License Number 688781 and	§	
Vocational Nurse	§	
License Number 164597	§	
issued to PATIENCE UKO UCHE	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of PATIENCE UKO UCHE, Registered Nurse License Number 688781 and Vocational Nurse License Number 164597, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(10), Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on February 15, 2011, by Katherine A. Thomas, MN, RN, Executive Director.

### 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 licenses.
2. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice professional nursing in the State of Texas. Respondent's license to practice vocational nursing in the State of Texas is currently in delinquent status.
4. Respondent received a Certificate in Vocational Nursing from El Centro College, Dallas Texas, on August 7, 1997, and received an Associate Degree in Nursing from Navarro College, Corsicana, Texas, on May 11, 2002. Respondent was licensed to practice vocational nursing in the State of Texas on September 25, 1997, and was licensed to practice professional nursing in the State of Texas on July 23, 2002.

5. Respondent's nursing employment history includes:

09/1997 - 04/2002	LVN Charge Nurse	Brentwood Place 1 Dallas, Texas
05/2002 - 04/2003	RN Charge Nurse	Brentwood Place 1 Dallas, Texas
06/2002 - Unknown	RN Charge Nurse	Methodist Medical Hospital of Dallas Dallas, Texas
Unknown	Staff RN	RHD Memorial Hospital Dallas, Texas
10/2003 - 03/2005	Case Manager	A-Unified Home Health Agency, Inc. Mesquite, Texas
04/2005 - 07/2005	Unknown	
08/2005 - 05/2008	Staff RN	Richardson Regional Medical Center Richardson, Texas
04/2007 - Unknown	Owner / DON	United RoyalCare HealthServices, Inc. Dallas, Texas
08/2007 - Unknown	Administrator /DON	Trendy Care Home Health Services Rowlett, Texas

6. At the time of the initial incident, Respondent was employed as an Owner/Director of Nursing with United RoyalCare HealthServices, Inc., Dallas, Texas, and had been in this position for one (1) year.

7. April 2008 through October 2008, while employed with United RoyalCare HealthServices, Inc., Dallas, Texas, Respondent failed to complete documentation of multiple skilled nurse visits to Patients URH0001 and URH0002. Respondent's conduct resulted in incomplete medical records and was likely to injure the patients in that subsequent care givers would not have complete information on which to base their care decisions.

8. On or about July 2008 through October 2008, while employed with United RoyalCare Healthservices, Inc., Dallas, Texas, Respondent failed to maintain patient confidentiality in that she had medical records for Patients URH0001 and URH0002 in an unlocked back room of her residence and on her dining room table where they were easily viewed by her family members. Respondent's conduct exposed the patients unnecessarily to a risk of harm from disclosure of their confidential medical information without their written authorization.
9. In response to Findings of Fact Numbers Seven (7) and Eight (8) Respondent states that
  - "The missing nurse's notes identified during the agency's state survey had been corrected. The visits were made."
  - On the date of the state survey on October 29, 2008, the surveyor asked to see patients' charts. "The charts were taken from the home office, where they are usually locked up in a file cabinet, to a conference table where the surveyor was. This table is not our regular dining table. We have another dining table in the kitchen."
  - The surveyor went on a fifteen (15) minute break. When he returned, the chart for Patient URH 0002 was still on the table because that was the one he had been reviewing.
  - "To this issue, we have already written a plan of correction, which was accepted, it included appointment of a privacy officer to oversee and maintain confidentiality of patients records."

#### 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 violations of Section 301.452(b)(10)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §§217.11(1)(A),(1)(B),(1)(D)&(1)(E) and 217.12(1)(A),(1)(B)&(1)(C).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 688781 and Vocational Nurse License Number 164597, heretofore issued to PATIENCE UKO UCHE, including revocation of Respondent's licenses to practice nursing in the State of Texas.

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### ORDER

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL receive the sanction of REMEDIAL EDUCATION, and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Texas Occupations Code §§301.001 *et seq.*, the Rules and Regulations Relating to Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.1 *et seq.* and this Order.

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.

IT IS FURTHER AGREED and ORDERED that while Respondent's licenses are encumbered by this Order, Respondent may not work outside the State of Texas pursuant to a nurse licensure compact privilege without the written permission of the State of Texas and the Board of Nursing in the party state where Respondent wishes to work.

IT IS FURTHER AGREED that:

(1) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in Texas nursing jurisprudence and ethics. RESPONDENT SHALL obtain Board approval of the course prior to enrollment only if the course is not being offered by a pre-approved provider. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include nurses. It 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. RESPONDENT SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to the Office of the Board to verify RESPONDENT'S successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure. *Board-approved courses may be found at the following Board website address:*

<http://www.bon.state.tx.us/disciplinaryaction/stipscourses.html>.

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in nursing documentation. RESPONDENT SHALL obtain Board approval of the course prior to enrollment only if the course is not being offered by a pre-approved provider. Home study courses and video programs will not be approved. The course shall be a minimum of six (6) hours in length of classroom time. In order for the course to be approved, the target audience shall include Nurses. The course shall include content on the following: 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. RESPONDENT SHALL cause the instructor to submit a Verification of Course Completion form, provided by the Board, to the Board's office to verify RESPONDENT'S successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure. *Board-approved courses may be found at the following Board website address:*

<http://www.bon.state.tx.us/disciplinaryaction/stipscourses.html>.

(3) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete 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 program, RESPONDENT SHALL SUBMIT the continuing education certificate of completion for this program to the Board's office, to the attention of Monitoring. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure. *Information regarding this workshop may be found at the following web address: <http://learningext.com/hives/a0f6f3e8a0/summary>.*

(4) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete the course "Patient Privacy," a 5.4 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 program, RESPONDENT SHALL SUBMIT the continuing education certificate of completion for this program to the Board's office, to the attention of Monitoring. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure. *Information regarding this workshop may be found at the following web address: <http://learningext.com/hives/26c68c0322/summary>.*

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT'S licenses to practice nursing in the State of Texas and RESPONDENT shall be eligible for nurse licensure compact privileges, if any.

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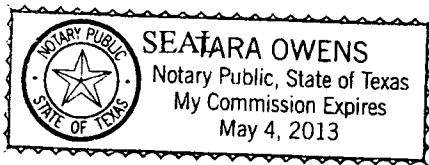
RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, 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 when this Order becomes final and the terms of this Order become effective, a copy will be mailed to me. 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 licenses to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 12<sup>th</sup> day of April, 2011.

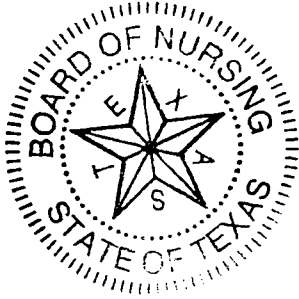
Patience Uko Uche  
PATIENCE UKO UCHE, Respondent

Sworn to and subscribed before me this 12 day of April, 2011.



Seafara Owens  
Notary Public in and for the State of Texas

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 12th day April, 2011, by PATIENCE UKO UCHE, Registered Nurse License Number 688781 and Vocational Nurse License Number 164597, and said Order is final.



Effective this 15th day of April, 2011.

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