



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	§	AGREED ORDER
Vocational Nurse License Number 1046149	§	
issued to JOHN EHIOSU AIMIUWU	§	
	§	

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of JOHN EHIOSU AIMIUWU, Vocational Nurse License Number 1046149, 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)(1),(2)&(10), 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 September 14, 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 was temporarily suspended on September 8, 2021 and as a result license to practice as a vocational nurse in the State of Texas is currently in suspended status.
4. The dean of the Practical Nurse Course, Fort Sam Houston, Texas, submitted on June 17, 2021 an Affidavit of Graduation for Respondent. Respondent was subsequently licensed to practice vocational nursing in the State of Texas on July 9, 2021.
5. Respondent's nursing employment history is unknown.
6. On or about June 15, 2021, Respondent applied for a Graduate Vocational Nurse Permit and authorization to test from the Board. On or about June 17, 2021 the LPN program at

Fort Bliss, El Paso, Texas provided an Affidavit of Graduation, certifying that Respondent met the requirements for graduation. Respondent received the Board's authorization to test and Graduate Vocational Nurse Permit on June 28, 2021. On or about June 28, 2021, Respondent received notice from the LPN Program that he was being considered for "relief" or dismissal from the program. The LPN Program indicates he was verbally instructed not to sit for the NCLEX examination. On or about July 8, 2021, while holding a temporary nursing permit Respondent sat for the NCLEX examination. Respondent passed the NCLEX examination and was licensed as a LVN on July 9, 2021. Respondent was academically relieved from the LPN program at Fort Bliss, El Paso, Texas on July 13, 2021, due to failing two (2) clinical rotations, failing multiple clinical remediations, Military Occupation Specialty (MOS) position unsuitability due to inability to work with patients, and unprofessional conduct. Respondent is not entitled under the law to hold nursing licensure since he failed to meet educational requirements of the Nursing Practice Act and Board rules.

7. In response to Finding of Fact Number Six (6), Respondent denies he was verbally instructed not to sit for the NCLEX examination. Respondent states he was instructed with the rest of his peers to sign up and pay for the examination during class. At the time when Respondent registered to take the examination, the LPN Program had not yet dismissed him. Respondent was already licensed on July 9, 2021 when the LPN Program dismissed him on July 13, 2021. Respondent denies the allegation of unprofessional conduct and appealed the action to relieve him from the nursing program to continue remediation but was denied.
8. Formal Charges were filed on September 8, 2021.
9. Respondent by his signature expresses his desire to voluntarily surrender the licenses.

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(1)(A),(1)(B),(4),(6)(I)&(11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(1),(2)&(10), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 1046149, heretofore issued to JOHN EHIOU SU AIMIUWU.
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

NOW, THEREFORE, IT IS AGREED and ORDERED that the VOLUNTARY SURRENDER of Vocational Nurse License Number 1046149 is accepted by the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL NOT practice vocational nursing, use the title "vocational nurse" or the abbreviation "LVN" or wear any insignia identifying herself/himself as a vocational nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a vocational nurse during the period in which the license is surrendered.
2. RESPONDENT SHALL NOT petition for reinstatement of licensure until at least Respondent has graduated from an appropriate nursing education program, which includes the required clinical component. Respondent is not prohibited from enrolling in a nursing education program.
3. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

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.

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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 becomes effective upon acceptance by the Executive Director on behalf of the Texas Board of Nursing and 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 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 16th day of September, 20 21.



JOHN EHIOSU AIMIUWU, 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.

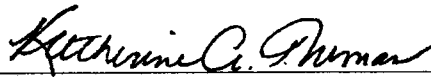


Rodney Montes, Attorney for Respondent

Signed this 16th day of September, 20 21.

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 16th day of September, 2021, by JOHN EHIOSU AIMIUWU, Vocational Nurse License Number 1046149, and said Agreed Order is final.

Effective this 16th day of September, 2021.

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

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