



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
Registered Nurse License Number 853090 §
issued to BEATRICE MPOKE MWAZAKA §
§

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of BEATRICE MPOKE MWAZAKA, Registered Nurse License Number 853090, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may be subject to discipline pursuant to Sections 301.452(b)(13)(effective through 08/31/2021), 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 October 18, 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 a Baccalaureate Degree in Nursing from Midwestern State University, Wichita Falls, Texas, on December 14, 2013. Respondent was licensed to practice professional nursing in the State of Texas on March 11, 2014.
5. Respondent's nursing employment history includes:

4/2014 – 9/2017 Unknown Unknown

| | | |
|----------------|------------------|-----------------------------------|
| 2015 – Present | Registered Nurse | Medical City Denton Denton, TX |
|----------------|------------------|-----------------------------------|

Respondent's nursing employment history continued:

| | | |
|-------------------|----|--|
| 10/2017 – 11/2019 | RN | Baylor Scott & White Grapevine Grapevine, TX |
|-------------------|----|--|

| | | |
|-------------------|---------|---------|
| 12/2019 – 01/2020 | Unknown | Unknown |
|-------------------|---------|---------|

| | | |
|-------------------|------------------|--|
| 01/2020 – Present | Registered Nurse | John Peter Smith Hospital Fort Worth, Texas |
|-------------------|------------------|--|

6. At the time of the incident, Respondent was employed as a Registered Nurse with Baylor Scott & White Grapevine, Grapevine, Texas, and had been in that position for two (2) years.

7. On or about October 29, 2019, while employed as a Registered Nurse with Baylor Scott & White Grapevine, Grapevine, Texas, and assigned to patient TH, Respondent failed to clarify the Emergency Department's physician's order, which called for neuro checks and blood glucose checks to be completed every four (4) hours, with the day shift physician assigned to the floor. Further, Respondent completed one (1) neuro check and one (1) blood glucose check but failed to complete additional checks during her shift. At the end of her shift, Respondent told the oncoming nurse that she forgot about the neuro checks and blood glucose checks. Respondent's conduct could have contributed to patient injury and could have resulted in non-efficacious treatment.

8. On or about October 29, 2019, while employed as a Registered Nurse with Baylor Scott & White Grapevine, Grapevine, Texas, Respondent failed to document an attempted neuro check and blood glucose check, that occurred at noon, in a timely manner. Respondent instead documented the neuro check and blood glucose check at the end of her shift, after 1900, and inaccurately documented the checks as having taken place at 1740. Respondent's conduct resulted in an inaccurate medical record.

9. In response to Findings of Fact Numbers Seven (7) and Eight (8), Respondent states that because the patient moved from one unit to another and the patient's diagnosis changed from one point in time to another, that the MD orders that were still in effect during the Respondent's shift were not applicable. Respondent further states that she attempted to perform the ordered checks at one point in time but was refused by the patient. Respondent states that upon advising the physician, no additional orders were given nor concern expressed. Respondent states she takes accountability for her charting, and further states it was not her intention to cover-up something, but to complete documentation for the day.

10. On or about April 21, 2021, Respondent completed a Board-approved course in Sharpening Critical Thinking Skills that would have been a requirement of this order.
11. On or about April 23, 2021, Respondent completed a Board-approved course in Nursing Jurisprudence and Ethics that would have been a requirement of this order.
12. On or about April 24, 2021, Respondent completed a Board-approved course in Nursing Documentation that would have been a requirement of this order.
13. Formal Charges were filed on May 11, 2021.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.
2. Notice was served in accordance with law.
3. The evidence received is sufficient to prove violation(s) of 22 TEX. ADMIN. CODE §217.11 (1)(A),(1)(B),(1)(D)&(1)(N).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(13)(effective through 08/31/2021), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 853090, heretofore issued to BEATRICE MPOKE MWAZAKA.
5. Pursuant to Section 301.463(d), Texas Occupations Code, this Agreed Order is a settlement agreement under Rule 408, Texas Rules of Evidence, in civil or criminal litigation.

TERMS OF ORDER

I. SANCTION AND APPLICABILITY

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL receive the sanction of **WARNING WITH STIPULATIONS** in accordance with the terms of this Order.

- A. This Order SHALL apply to any and all future licenses issued to RESPONDENT to practice nursing in the State of Texas.

- B. This Order SHALL be applicable to RESPONDENT'S nurse licensure compact privileges, if any, to practice nursing in the State of Texas.
- C. Until successfully completed, RESPONDENT 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, 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. 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 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:** 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. **Indirect Supervision:** 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.

For purposes of this Order, Respondent may be simultaneously employed as a Registered Nurse at John Peter Smith Hospital, Fort Worth, TX, and/or Medical City Denton, Denton, TX. No other additional employers are permitted while under the terms of this Order. Respondent must meet all other requirements of this order for both employers.

- D. **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 individual who supervises the RESPONDENT 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 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.

BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK.

CONTINUED ON NEXT PAGE.

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 18 day of October, 20 21.

Beatrice Mpoke Mwazaka
BEATRICE MPOKE MWAZAKA, 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. NRW

Nancy Roper-Willson
Nancy Roper-Willson, Attorney for Respondent

Signed this 19th day of October, 20 21.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 18th day of October 2021, by BEATRICE MPOKE MWAZAKA, Registered Nurse License Number 853090, and said Agreed Order is final.

Effective this 9th day of November 2021.



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