



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 739651 §
issued to OLUWATOYIN AFOLABI §
OLUWASOLA §

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of OLUWATOYIN AFOLABI OLUWASOLA, Registered Nurse License Number 739651, 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)(effective through 8/31/2021), 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 August 25, 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 the University of Texas at Arlington, Arlington, Texas, on December 14, 2006. Respondent was licensed to practice professional nursing in the State of Texas on March 27, 2007.
5. Respondent's nursing employment history includes:

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| 3/2007 – Unknown | ADON | Naaman Primary Home Health Care, Inc. Arlington, Texas |
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Respondent's nursing employment history continued:

12/2015 – Present Administrator Makavic Home Health, LLC
Grand Prairie, Texas

12/2016 – Present DON/Owner/
Administrator Parker Health Care Services, Inc.
Grand Prairie, Texas

6. On or about December 2016, to the present, while employed as the owner, Director of Nurses (DON), and Administrator of Parker Health Care Services, Inc., Grand Prairie, Texas, Respondent failed to adopt written policies for skilled nursing procedures, including but not limited to: wound care, and aseptic technique/infection control. Respondent's conduct unnecessarily exposed the patients to a risk of harm in that facility nursing staff would not have adequate resources to provide appropriate wound care or maintain infection control.
7. On or about June 24, 2020, while employed as the owner, Director of Nurses (DON), and Administrator of Parker Health Care Services, Inc., Grand Prairie, Texas, Respondent documented on the Medication Profile for Patient MW that Silvadene Cream 1% had been discontinued on June 18, 2020; however, Respondent failed to update the Recertification Plan of Care to reflect that the Silvadene Cream had been discontinued. Additionally, Respondent failed to ensure that the Plan of Care for Patient MW was reviewed and signed by the physician. Respondent's conduct created an inaccurate medical record and was likely to injure the patient in that subsequent care givers would not have accurate information to base their future care decisions. Additionally, Respondent's conduct was likely to injure the patient from unverified treatments and medications.
8. On or about July 18, 2020, and August 8, 2020, while employed as the owner, Director of Nurses (DON), and Administrator of Parker Health Care Services, Inc., Grand Prairie, Texas, Respondent failed to ensure that the Plan of Care(s) for Patient SG were reviewed and signed by the physician. Respondent's conduct unnecessarily exposed the patient to a risk of harm from unverified treatments and medications.
9. On or about July 18, 2020, and August 8, 2020, while employed as the owner, Director of Nurses (DON), and Administrator of Parker Health Care Services, Inc., Grand Prairie, Texas, Respondent failed to clarify the physician's order for a normal saline and heparin flush for the aforementioned Patient SG in that the Plan of Care(s) did not indicate the amount of flush to be used. Respondent's conduct created an incomplete medical record and was likely to injure the patient in that subsequent caregivers would not have complete information to base their decisions for future care.
10. On or about August 8, 2020, while employed as the owner, Director of Nurses (DON), and Administrator of Parker Health Care Services, Inc., Grand Prairie, Texas, Respondent performed a Resumption of Care assessment for the aforementioned Patient SG after being

discharged from the hospital, but failed to reconcile her medication list. Additionally, Respondent failed to update the Plan of Care to include the physician's order for Rocephin 2G IV. Respondent's conduct created an incomplete and inaccurate medical record and was likely to injure the patient in that subsequent caregivers would not have accurate information to base their decisions for further care.

11. On or about August 10, 2020, through August 22, 2020, while employed as the owner, Director of Nurses (DON), and Administrator of Parker Health Care Services, Inc., Grand Prairie, Texas, Respondent performed nursing visits for the aforementioned Patient SG and documented that he administered "IV infusion therapy of antibiotic," but failed to document the name and dosage of the antibiotic that was administered. Respondent's conduct created an incomplete medical record and was likely to injure the patient in that subsequent care givers would not have accurate information to base their decisions for further care.
12. On or about August 20, 2020, while employed as the owner, Director of Nurses (DON), and Administrator of Parker Health Care Services, Inc., Grand Prairie, Texas, Respondent removed both caps from the lines of the heparin lock for the aforementioned Patient SG and placed them on the bedside table. Additionally, Respondent replaced the caps without cleansing them first. Respondent's conduct unnecessarily exposed the patient to a risk of harm from infection.
13. On or about August 20, 2020, while employed as the owner, Director of Nurses (DON), and Administrator of Parker Health Care Services, Inc., Grand Prairie, Texas, Respondent performed wound care for Patient SG but failed to cleanse the patient's wound with normal saline, as ordered by the physician. Additionally, Respondent falsely documented that he cleansed the patient's wound with normal saline. Respondent's conduct created an inaccurate medical record and was likely to injure the patient in that failing to perform wound care as ordered by the physician could result in the patient suffering from adverse reactions.
14. On or about August 21, 2020, while employed as the owner, Director of Nurses (DON), and Administrator of Parker Health Care Services, Inc., Grand Prairie, Texas, Respondent performed wound care for Patient MW, but inappropriately cleansed the wound with alcohol instead of normal saline as ordered by the physician. Respondent's conduct was likely to injure the patient in that failing to perform wound care as ordered by the physician could result in the patient suffering from adverse reactions.
15. In response to Findings of Fact Numbers Six (6) through Fourteen (14), regarding the policies, Respondent states the facility implemented IV policies, but does not address the lack of wound care and aseptic technique/infection control policies. Regarding Patient MW, Respondent claims the discontinued use of Silvadene Cream 1% was documented on the plan of care and a new medication was added as per the physician's instructions. Respondent also states the patient requested alcohol vs saline during wound care to make sure the wound was properly cleansed. Respondent states he spoke with the physician

regarding this request, and the physician said it was okay to use alcohol to clean a wound. Regarding Patient SG, Respondent admits the Plan of Care was not signed upfront. Respondent does not address his failure to reconcile medications, or update the Plan of Care. Respondent admits that he did not routinely document the name and dosage of the antibiotic that was administered for Patient SG, but states the name and dosage of the antibiotic is found throughout the chart. Respondent admits that he did take the caps off the heparin lines and place them on the table face up. Finally, Respondent states he did provide wound care for Patient SG by pouring normal saline over the wound, but states he did not touch the wound at the patient's request.

16. Formal Charges were filed on June 24, 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)(C),(1)(D),(1)(N),(1)(O)&(1)(P) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(C),(4),.
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 739651, heretofore issued to OLUWATOYIN AFOLABI OLUWASOLA.
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. 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 "Infection Control in Long Term Care,"** a 1.75 contact hour webinar presented by Texas Health and Human Services, information about which can be found at <https://apps.hhs.texas.gov/providers/Training/jointtraining.cfm>.
- E. **The course "How to be a Successful DON in a Texas Nursing Facility,"** a 3-day workshop presented in various locations by Texas Health and Human Services.
- F. **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 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, or Physician, who is on the premises. The supervising nurse or physician 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 or physician 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; SHALL NOT be self-employed or contract for services; and multiple employers are prohibited, **except that RESPONDENT shall be permitted to work at Makavic Home Health, LLC, Grand Prairie, Texas, and Parker Health Care Services, Inc., Grand Prairie, Texas, while under the terms of this Order.**

- 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.

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.

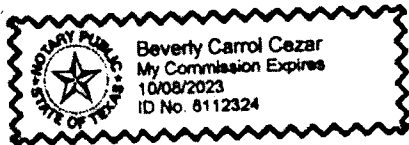
Signed this 22 day of Oct, 2021.

[Handwritten Signature]

OLUWATOYIN AFOLABI OLUWASOLA, RESPONDENT

Sworn to and subscribed before me this 22nd day of October, 2021.

SEAL



[Handwritten Signature]

Notary Public in and for the State of TEXAS

Approved as to form and substance.

[Handwritten Signature]

Derek R. Staub, Attorney for Respondent

Signed this 22 day of Oct, 2021.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 22nd day of October, 2021, by OLUWATOYIN AFOLABI OLUWASOLA, Registered Nurse License Number 739651, and said Agreed Order is final.

Effective this 14th day of December, 2021.



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