



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 § REINSTATEMENT
Registered Nurse License Number 723538 § AGREED ORDER
issued to CHIAZOM UGOC §
OPARAOCHAEKWE §

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the Petition for Reinstatement, hereinafter referred to as the Petition, of Registered Nurse License Number 723538, held by CHIAZOM UGOC OPARAOCHAEKWE, hereinafter referred to as Petitioner.

Petitioner waived notice and hearing and agreed to the entry of this Reinstatement Agreed Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on May 31, 2023.

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 Reinstatement Agreed Order.
3. Petitioner received a Baccalaureate Degree in Nursing from Texas Christian University, Fort Worth, Texas, on December 15, 2005. Petitioner was licensed to practice professional nursing in the State of Texas on January 24, 2006.
4. Petitioner's nursing employment history includes:

2006 - 2007	RN	EST Professional Healthcare Mesquite, Texas
2006 – 2011	RN	Naaman Home Health Desoto, Texas
2006 – 2008	RN	Kadel Home Health Desoto, Texas

Petitioner's nursing employment history continued:

2007 – 2008	RN	Cimoic Home Health Dallas, Texas
2007 – 2009	RN	Ultimate Home Healthcare Grand Prairie, Texas
2008 – 2010	RN	Belo Home Health Grand Prairie, Texas
2011 – 2017	RN/DON	Prime World Homecare Mansfield, Texas
2017 – 2020	RN	Kindred at Home Fort Worth, Texas
2020 – 2021	RN	Accentcare Home Health Arlington, Texas
2021 – Present		Not employed in nursing

5. On or about March 22, 2021, Petitioner's license(s) to practice nursing in the State of Texas was Revoked through an Order of the Board. A copy of the March 22, 2021, Order is attached and incorporated herein by reference as part of this Reinstatement Agreed Order.
6. On or about March 29, 2023, Petitioner submitted a Petition for Reinstatement of License to practice nursing in the State of Texas.
7. Petitioner presented the following in support of said petition:
 - A. Letter of support dated July 31, 2020, from Robert Cleveland, RN, BSN, Area Director, Kindred at Home
 - B. Letter of support dated July 15, 2020, from David A. Lane, RN, Clinical Manager, Kindred at Home
 - C. Letter of Support, from Itheria Jones
 - D. Letter of support from Peggy Donerlson
 - E. Letter dated November 29, 2022, from US District Court Probation and Pretrial Services Northern District of Texas, Petitioner was released from prison on February 22, 2022, and will be released from Parole on February 21, 2023.
 - F. Documentation of the required continuing education contact hours.

8. On or about May 11, 2023, Petitioner completed a forensic psychological evaluation, performed by Paul Andrews, Ph.D. The current assessment results do not suggest deception in what the examinee reported to the Board or during the evaluation. Test results do not suggest the presence of significant mental health, substance abuse, or behavior problems. The examinee is in the Very Low Risk range based on relevant factors for predicting criminal recidivisms. Dr. Andrews's assessment leads him to conclude that Examinee meets the criteria that are outlined for consideration in evaluating "good professional character," and she appears to be a productive and stable member of society without criminal leanings or substance abuse problems. It's his opinion that she is capable to perform responsibly and without impairment as a licensee and is not a threat to the profession, patients, or the community.
9. 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 relicensure.
10. There is no evidence of any subsequent criminal conduct.
11. The Executive Director considered evidence of Petitioner's past criminal conduct in light of the considerations and criteria provided in 22 TEX. ADMIN. CODE §§213.28 & 213.33, and, as applicable, Chapter 53, Section 53.001 *et seq.*, Texas Occupations Code.
12. Relicensure of Petitioner poses no direct threat to the health and safety of patients or the public provided Petitioner complies with the stipulations outlined in this Order.
13. The Executive Director's review of Petitioner's eligibility for relicensure has been made on the basis of Petitioner's disclosures.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.
2. This reinstatement is made pursuant to Sections 301.453(c) and 301.467, Texas Occupations Code and 22 TEX. ADMIN. CODE §213.26.
3. The Board may relicense 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.

4. The Board may license an individual who has been previously convicted, adjudged guilty by a court, pled guilty or pled nolo contendere to any crime whether or not a sentence was imposed upon consideration of the factors set out in 22 TEX. ADMIN. CODE §213.28 and evaluating the direct relationship to nursing according to 22 TEX. ADMIN. CODE §213.28 and, as applicable, Chapter 53, Section 53.001 *et seq.*, Texas Occupations Code.
5. 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).
6. 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. REINSTATEMENT OF LICENSURE AND APPLICABILITY

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that the petition of CHIAZOM UGOC OPARAOCHAEKWE for reinstatement of license to practice nursing in the State of Texas be **GRANTED** and Registered Nurse License Number 723538 is/are hereby **REINSTATED** in accordance with the terms of this Order.

- A. PETITIONER SHALL submit an application for licensure renewal/reactivation, as applicable, and pay all re-registration fees, if any, and PETITIONER'S licensure status in the State of Texas will be activated and updated to current status and to reflect the applicable conditions outlined herein.
- B. Until successfully completed, this Order SHALL apply to any and all future licenses issued to PETITIONER to practice nursing in the State of Texas.
- C. 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.
- D. Until successfully completed, PETITIONER may not practice nursing in the State of Texas except in accordance with the terms of this Order.

- E. 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 Reinstatement 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 relicensure, 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. **The course "Righting a Wrong,"** a 3.0 contact hour online program provided by the National Council of State Boards of Nursing (NCSBN) International Center for Regulatory Scholarship (ICRS).

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.

IV. EMPLOYMENT REQUIREMENTS

In order to complete the terms of this Order, 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. 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:** 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. **Direct Supervision:** For the first year [four (4) quarters] of employment as a Nurse under this order, PETITIONER 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 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.

D. **Indirect Supervision:** For the remainder of the stipulation/probation period, PETITIONER 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 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. **RESTORATION OF UNENCUMBERED LICENSE(S)**

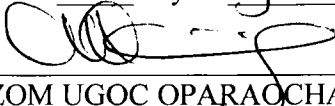
Upon full compliance with the terms of this Reinstatement Agreed Order, all encumbrances will be removed from PETITIONER'S license(s) and/or privilege(s) to practice nursing in the State of Texas and, subject to meeting all existing eligibility requirements in Texas Occupations Code Chapter 304, Article III, PETITIONER may be eligible for nurse licensure compact privileges, if any.

PETITIONER'S CERTIFICATION

I understand this Order is conditioned upon the accuracy and completeness of my petition and disclosures. I further understand that subsequently discovered discrepancies in my petition and/or disclosures will result in investigation and possible disciplinary action, up to revocation of my license(s).

I have reviewed this Order. I understand that I have the right to legal counsel prior to signing this Order. I waive representation by counsel. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order. I waive judicial review of this Order. I understand that this Order is subject to ratification by the Board. When this Order is ratified, the terms of this Order become effective, and a copy will be mailed to me. I agree to inform the Board of any other fact or event that could constitute a ground for denial of licensure prior to reinstating my license(s) to practice nursing in the state of Texas. 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.

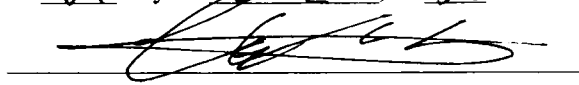
Signed this 21st day of June, 2023



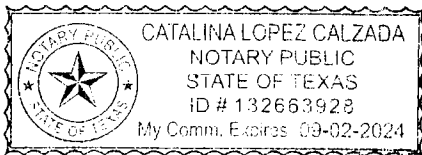
CHIAZOM UGOC OPARAOCHAEKWE, PETITIONER

Sworn to and subscribed before me this 21 day of June, 2023.

SEAL



Notary Public in and for the State of Tx



WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Reinstatement Agreed Order that was signed on the 21st day of June, 2023, by CHIAZOM UGOC OPARAOCHAEKWE, Registered Nurse License Number 723538, and said Reinstatement Agreed Order is final.

Effective this 8th day of August, 2023.

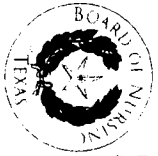


Katherine A. Thomas, MN, RN, FAAN
Executive Director on behalf
of said Board



Texas Board of Nursing

333 Guadalupe Street, Ste. 3-460, Austin, Texas 78701
Phone: (512) 305-7400 Fax: (512) 305-7401 www.bon.texas.gov
Kathleen A. Thomas, MN, RN, FAAN
Executive Director



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.
Kathleen A. Thomas
Executive Director of the Board

May 10, 2021

Certified Mail No. 9214 8901 9403 8300 0039-4324 06
Return Receipt Requested
Copy Via USPS First Class Mail

Chiazom Ugoc Oparaochaekwe
450 Century Parkway Ste. 250
Allen, TX 75013

We previously provided you with notice that an investigation was being initiated into the following alleged violations of the Nursing Practice Act and/or the Board's Rules and Regulations Relating to Nurse Education, Licensure, and Practice:

- On or about December 3, 2020, you entered a plea of Guilty to and were convicted of count 1 of CONSPIRACY TO COMMIT HEALTHCARE FRAUD, a felony offense committed December 2011 through May 2017, in the United States District Court for the Northern District of Texas Dallas Division, under Cause No. 3-17CR-00633-B(2). As a result of the conviction, you were sentenced to confinement in the United States Bureau of Prisons for a term of eleven (11) months and ordered to pay restitution in the amount of two hundred ninety-six thousand nine hundred fifty dollars and sixty-nine cents (\$296,950.69).

We have received information confirming you were physically incarcerated in the FCI Aliceville beginning approximately March 22, 2021, based on your conviction of CONSPIRACY TO COMMIT HEALTH CARE FRAUD, a Felony offense, in the US District Court Northern District of Texas Dallas Division, under Cause No. 3:17-CR-00633-B(2).

Therefore, pursuant to Texas Occupations Code, Chapter 53.021(b), Permanent Registered Nurse License Number 723538 was revoked, by operation of law, on March 22, 2021, the date that your incarceration commenced.

You are entitled to a formal Complaint, Notice of Hearing, and a hearing in which you may present evidence to show that you are not physically incarcerated or have not been physically incarcerated due to your felony conviction(s) or felony probation revocation. You are also entitled to representation by an attorney if you desire. In the event you are not physically incarcerated or have not been physically incarcerated, your written request for a hearing before the State Office of Administrative Hearings must be received in this office within twenty (20) days of receipt of this letter.

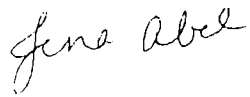
Please be advised that you may not practice as a nurse or engage in any activities that require a license issued by this Board. Should you desire to return to the practice of nursing in Texas, you may contact our office to request a reinstatement petition. However, you will not be eligible for reinstatement until: at least one (1) year has elapsed from the effective date of your revocation, and you are released from imprisonment. Any reinstatement will then be subject to the regulations in effect at that time.

Kathleen Shipp, MSN, RN, FNP
Lubbock, President

Allison Porter-Edwards, DrPH, MS, RN, CNE
Bellaire, Vice-President

If you have any questions, please contact me at (512) 305-6822.

Sincerely,

A handwritten signature in cursive script that reads "Jena R. Abel".

Jena R. Abel, Deputy General Counsel
Board Certified - Administrative Law - Texas Board of Legal Specialization

cc: Chiazom Ugod Oparaochaekwe No. 56579-177
FCI Aliceville
Federal Correctional Institution
P.O. Box 4000
Aliceville, AL 35442

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