



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.
Kristin K. Benton, DNP, RN
Kristin K. Benton, DNP, RN
Executive Director
Texas Board of Nursing

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of § AGREED ORDER
Vocational Nurse License Number 326126 § FOR
issued to CHERYL BROWN OGEGERE § KSTAR PROGRAM
§

On this day the Texas Board of Nursing, hereinafter referred to as the Board, consider the matter of CHERYL BROWN OGEGERE, Vocational Nurse License Number 326126, 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)&(14)(effective 9/1/21), Texas Occupations Code.

Respondent waived notice and hearing and agreed to the entry of this Agreed Order for KSTAR Program approved by Kristin K. Benton, DNP, RN, Executive Director, on May 5, 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 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 for KSTAR Program.
3. Respondent's license to practice as a vocational nurse in the State of Texas is in current status.
4. Respondent received a Certificate in Vocational Nursing from Horry-Georgetown Technical College, Conway, South Carolina, on August 9, 2006. Respondent was licensed to practice vocational nursing in the State of Texas on June 2, 2015.
5. Respondent's nursing employment history includes:

11/2005 – 1/2008	Licensed Practical Nurse	Little Creek Sanitarium Knoxville, Tennessee
2/2008 – 1/2015	Licensed Practical Nurse	Georgetown County School System Georgetown, South Carolina
2/2008 – 1/2015	Licensed Practical Nurse	Tidelands Community Hospice Georgetown, South Carolina
2/2009 – 5/2015	Licensed Practical Nurse	Sandpiper Rehab & Nursing Mount Pleasant, South Carolina
1/2011 – 12/2014	Licensed Practical Nurse	Riverside Health & Rehab North Charleston, South Carolina
5/2015 – 8/2016	Licensed Vocational Nurse	Brook Hollow Heights Transitional Center Houston, Texas
9/2016 – 10/2019	Unknown	
11/2019 – 7/2020	Licensed Vocational Nurse	Maxim Healthcare Services Stafford, Texas
7/2020 – 1/2021	Contact Tracer	Genuent Global, LLC Houston, Texas
1/2021 – Present	Licensed Vocational Nurse	Baylor College of Medicine Houston, Texas
7/2022 – 7/2023	Licensed Vocational Nurse	Humble Independent School District Humble, Texas
6/2023 – Present	Licensed Vocational Nurse Care Coordinator	CareHarmony, Inc. Brentwood, Tennessee

6. At the time of the incident, Respondent was employed as a Licensed Vocational Nurse with Humble Independent School District, Humble, Texas, and had been in that position for three (3) months.

7. On or about October 28, 2022, while employed as a Licensed Vocational Nurse with Humble Independent School District, Humble, Texas, and assigned to Ridge Creek Elementary School, Humble, Texas, Respondent failed to maintain the standard of care regarding head injuries for Student P.W. in that she failed to observe the student for a

minimum of thirty minutes to monitor for any changes in condition. Additionally, Respondent failed to timely document the injury and treatment, and inform the student's parent regarding the student's injury, her assessment findings, as well as signs and symptoms for the parent and/or district staff to monitor pursuant to the Concussion Signs and Symptoms Checklist. Respondent's conduct was likely to injure the student in that the failure to monitor the student after the student hit his head and advise of the need for further monitoring could have led to undetected changes in the student's condition.

8. In response to the incident in Finding of Fact Number Seven (7), Respondent states that the student was escorted to the clinic by a teacher. Respondent states the student did not exhibit any signs or symptoms of a concussion, had no noted injuries from the incident, and denied pain or discomfort. Respondent states that she provided the student with a cold compress pack to apply to his head for comfort. Respondent states that student-to-student incidents are reported to student's parents by school administration staff. Nurses are advised to verbally inform the administration staff of the nursing assessment findings and treatment provided.

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)(M),(1)(P)&(2)(A) and 22 TEX. ADMIN. CODE §217.12(1)(B)&(4).
4. The evidence received is sufficient cause pursuant to Section 301.452(b) (10)&(14)(effective 9/1/21), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 326126, heretofore issued to CHERYL BROWN OGEGERE.
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 for KSTAR Program.

III. KNOWLEDGE, SKILLS, TRAINING, ASSESSMENT AND RESEARCH (KSTAR) PROGRAM

IT IS AGREED and ORDERED that RESPONDENT SHALL, **within one (1) year of the effective date of this Order**, successfully complete the Knowledge, Skills, Training, Assessment and Research (KSTAR) Program and RESPONDENT SHALL:

- A. **Within forty-five (45) days** following the effective date of this Order, apply to and enroll in the KSTAR Program, including payment of any fees and costs, unless otherwise agreed in writing;
- B. Submit to an individualized assessment designed to evaluate RESPONDENT'S nursing practice competency and to support a targeted remediation plan;

- C. Follow all requirements within the remediation plan, if any;
- D. Successfully complete a Board-approved course in Texas nursing jurisprudence and ethics as part of the KSTAR Program; and
- E. Provide written documentation of successful completion of the KSTAR Program to the attention of Monitoring at the Board's office.

IV. FURTHER COMPETENCY ISSUES AND VIOLATIONS

IT IS FURTHER AGREED, SHOULD RESPONDENT'S individualized KSTAR Program assessment identify further competency issues and violations of the Nursing Practice Act, including inability to practice nursing safely, further disciplinary action, up to and including revocation of RESPONDENT'S license(s) to practice nursing in the State of Texas, may be taken based on such results in the assessments.

V. RESTORATION OF UNENCUMBERED LICENSE(S)

Upon full compliance with the terms of this Agreed Order for KSTAR Program, 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.

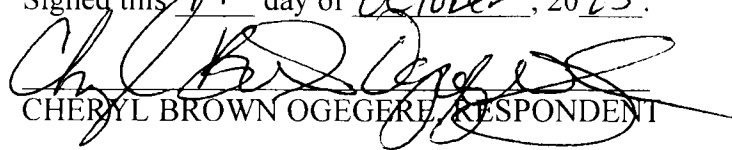
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RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Order. I waive representation by counsel. 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 14th day of October, 2023.

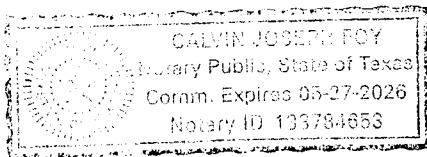

CHERYL BROWN OGEGERE, RESPONDENT

Sworn to and subscribed before me this 14 day of October, 2023.

SEAL

Calvin Joseph Foy

Notary Public in and for the State of Texas



WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order for KSTAR Program that was signed on the 14th day of October, 2023, by CHERYL BROWN OGEGERE, Vocational Nurse License Number 326126, and said Agreed Order for KSTAR Program is final.

Effective this 14th day of November, 2023.



Kristin K. Benton, DNP, RN
Executive Director on behalf
of said Board