



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	§	REINSTATEMENT
Registered Nurse License Number 779534	§	AGREED ORDER
issued to TINA ROSEMARIE IWEGBU	§	
	§	

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considers the Petition for Reinstatement, hereinafter referred to as the Petition, of Registered Nurse License Number 779534, held by TINA ROSEMARIE IWEGBU, hereinafter referred to as Petitioner.

Petitioner waived notice and hearing and agreed to the entry of this Reinstatement Agreed Order approved by Kristin K. Benton, DNP, RN, Executive Director, on May 22, 2025.

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 an Associate Degree in Nursing from Excelsior College-Ad, Albany, New York, on June 19, 2009. Petitioner was licensed to practice professional nursing in the State of Texas on January 21, 2010.
4. Petitioner's nursing employment history includes:

2011 – 2017	RN	Memorial Hermann Hospital Houston, Texas
2014 – 2018	RN	Bay Area Regional Medical Ctr Bay Area, Texas

Petitioner's nursing employment history continued:

2016 – 2018	Owner/DON	Rose of Sharon Home Health Sugarland, Texas
2019 – 2023	RN	Miracle Hands Pediatric Home Health Sugarland, Texas

5. On or about July 30, 2018, Petitioner was issued the sanction of Remedial Education with Fine through an Order of the Board. On or about September 27, 2018, Petitioner successfully completed the terms of the Order. A copy of the July 30, 2018, Order is attached and incorporated herein by reference as part of this Reinstatement Agreed Order.
6. On or about July 20, 2020, Respondent's license to practice professional vocational nursing in the State of Pennsylvania was issued a Proposed adjudication and Order to the Commonwealth of Pennsylvania Department of State Bureau of Professional and Occupational Affairs State Board of Nursing, Harrisburg, Pennsylvania. A copy of the Findings of Fact, Conclusions of Law, and Agreed Order dated July 20, 2020, is attached
7. On or about August 23, 2023, the Board accepted the Voluntary Surrender of Petitioner's license(s) to practice nursing in the State of Texas through an Order of the Board. A copy of the August 23, 2023, Order is attached and incorporated herein by reference as part of this Reinstatement Agreed Order.
8. On or about December 11, 2024, Petitioner submitted a Petition for Reinstatement of License to practice nursing in the State of Texas.
9. Petitioner presented the following in support of said petition:
 - A. Letter of support dated December 3, 2024, from Dr. Mercy Grant DNP, MSN, RN.
 - B. Letter of support dated December 4, 2024, from Dr. Rosemary E. O'banor DNP, MSN, RN.
 - C. Documentation of the required continuing education contact hours.
10. On or about February 24, 2025, Petitioner completed a forensic psychological evaluation performed by Dr. Troy Martinez, Psy.D. Licensed Psychologist. According to Dr. Martinez, Petitioner was the owner and operator of a home health agency in 2017 that was ensnared in a federal investigation apparently targeting a physician with whom she contracted, ultimately pleading guilty to one count of felony conspiracy to commit healthcare fraud in Federal court and she was sentenced to 2 years in prison. She served 14 months before early release and is currently serving 3 years on Federal probation. In the event that she is further considered for reinstatement of licensure, my primary clinical recommendations at this time would center on and emphasize ongoing continuing

education enhancing ethics and professional standards and "zero tolerance" for any further deviation from Board rules and minimum nursing standards.

11. 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.
12. There is no evidence of any subsequent criminal conduct.
13. 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.
14. 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.
15. 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 TINA ROSEMARIE IWEGBU for reinstatement of license to practice nursing in the State of Texas be **GRANTED** and Registered Nurse License Number 779534 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).
- C. **The course "Upholding the Standard: Professional Accountability in Nursing,"** a 4.5 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. PROBATION REPORTS

PETITIONER SHALL CAUSE his/her probation officer to submit written reports on forms provided to the PETITIONER by the Board. The reports shall indicate the PETITIONER'S compliance with the court ordered probation. The reports shall be furnished each and every three (3) month period until PETITIONER is released from probation.

VI. 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 11th day of August, 2025.

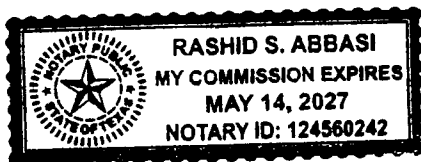
Tina Rosemarie Iwegbu
TINA ROSEMARIE IWEGBU, PETITIONER

Sworn to and subscribed before me this 11th day of AUGUST, 2025.

SEAL

Rashid S. Abbasi

Notary Public in and for the State of TEXAS



WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Reinstatement Agreed Order that was signed on the 11th day of August, 2025, by TINA ROSEMARIE IWEGBU, Registered Nurse License Number 779534, and said Reinstatement Agreed Order is final.

Effective this 9th day of September, 2025.

Kristin K. Benton, DNP, RN

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



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

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of §
TINA ROSEMARIE IWEGBU, §
Registered Nurse License Number 779534 §
§

ORDER OF THE BOARD

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of TINA ROSEMARIE IWEGBU, Registered Nurse License Number 779534, hereinafter referred to as Respondent.

This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived notice and hearing and agreed to the entry of this Order.

The Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Respondent's license to practice as a professional nurse in the State of Texas is in current status.
2. Respondent waived notice and hearing, and agreed to the entry of this Order.
3. Respondent received an Associate Degree in Nursing from Excelsior College, Albany, New York, on June 19, 2009. Respondent was licensed to practice professional nursing in the State of Texas on January 21, 2010.
4. Respondent's nursing employment history is unknown.
5. On or about July 30, 2018, Respondent was issued the sanction of Remedial Education with Fine through an Order of the Board. On or about September 27, 2018, Respondent successfully completed the terms of the Order. A copy of the July 30, 2018, Order is attached and incorporated herein by reference as part of this Order.

6. On or about May 25, 2023, Respondent pled Guilty to and was convicted of CONSPIRACY TO COMMIT HEALTHCARE FRAUD, a felony offense, in the United States District Court Southern District of Texas, Houston Division, under Cause No. 4:22CR00392-001. As a result of the conviction, Respondent was sentenced to confinement in the Federal Bureau of Prisons for a period of twenty-four (24) months.
7. On August 23, 2023, the Board received a statement from Respondent voluntarily surrendering the right to practice nursing in Texas. A copy of Respondent's statement, dated August 2, 2023, is attached and incorporated herein by reference as part of this Order.

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 cause pursuant to Section 301.452(b)(3), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 779534, heretofore issued to TINA ROSEMARIE IWEGBU, including revocation of Respondent's license(s) to practice nursing in the State of Texas.
4. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
5. Under Section 301.453(d), Texas Occupations Code, as amended, the Board may impose conditions for reinstatement of licensure.
6. Any subsequent reinstatement of this license will be controlled by Section 301.453(d), Texas Occupations Code, and 22 TEX. ADMIN. CODE §213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

TERMS OF ORDER

NOW, THEREFORE, IT IS ORDERED that the VOLUNTARY SURRENDER of Registered Nurse License Number 779534 is accepted by the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL NOT practice professional/registered nursing, use the title "registered nurse" or the abbreviation "RN" or wear any insignia identifying herself/himself as a registered nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a registered nurse during the period in which the license is surrendered.
2. RESPONDENT SHALL NOT petition for reinstatement of licensure until at least one (1) year has elapsed from the date of this Order.
3. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

IT IS FURTHER ORDERED that this Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

Effective this 23rd day of August, 2023



KRISTIN K. BENTON, DNP, RN
Executive Director on behalf
of said Board

Tina Iwegbu
14910 Mill Branch LN
Sugar Land, TX 77498
tinaiwegbu@yahoo.com
(713)367-7275
8/2/23

Texas Board of Nursing
333 Guadalupe Street, Suite 3-460
Austin, TX 78701

Subject: Voluntary Surrender of Nursing License

Dear Board Members,

I am writing this letter to surrender my nursing license voluntarily, License Number 779534 issued by the Texas Board of Nursing. After careful consideration and introspection, I have decided to relinquish my license due to conspiracy to commit health care fraud. On May 25, 2023, I plead guilty to conspiracy to commit Healthcare fraud and was convicted to 24 months in Federal Penitentiary.


I have had the privilege of serving as a licensed nurse here in the United States for 14 years, and throughout my career, I have always endeavored to provide the highest standard of care to my patients. However, recent events in my personal life have made it increasingly challenging for me to meet the demands and responsibilities that come with being a registered nurse. I understand the seriousness of this decision. However, I believe it is the most responsible course of action at this point in my life. Surrendering my license is not an admission of any incompetence; rather, it is a step I am taking to take responsibility for my action.

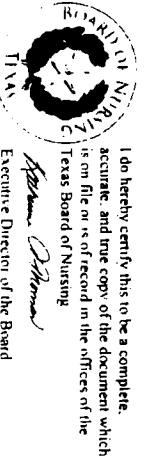
As requested in your letter, enclosed is the document you require. My resume, my transcripts as well as the sentencing letter.

Thank you for your understanding and consideration. If there are any further requirements or actions needed from my end, please do not hesitate to contact me on the phone or via email.

Sincerely,

Tina Iwegbu


Signature



BEFORE THE TEXAS BOARD OF NURSING

In the Matter of	§	AGREED
Registered Nurse License Number 779534	§	
issued to TINA ROSEMARIE IWEGBU	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of TINA ROSEMARIE IWEGBU, Registered Nurse License Number 779534, 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), Texas Occupations Code. Respondent waived notice and hearing and agreed to the entry of this Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on May 10, 2018.

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 Order.
3. Respondent's license to practice as a professional nurse in the State of Texas is in current status.
4. Respondent received an Associate Degree in Nursing from Excelsior College, Albany, New York on June 19, 2009, a Baccalaureate Degree in Nursing from Grand Canyon University, Phoenix, Arizona in May 2013, and a Masters Degree in Nursing from Walden University Minneapolis Minnesota on November 15, 2015. Respondent was licensed to practice professional nursing in the State of Texas on January 21, 2010.

5. Respondent's nursing employment history includes:

01/2010 - 2014	Registered Nurse	Merciful Home Health Inc. Richmond, Texas
05/2011 - 10/2017	Charge Nurse	Memorial Hermann Hospital Houston, Texas
03/2010 - Present	Owner/Admin DON	Rose of Sharon Home Health Trinity, Texas

6. At the time of the incident, Respondent was employed as the Owner and Director of Nursing with Rose of Sharon Home Health, Trinity, Texas, and had been in that position for six (6) years and ten (10) months.
7. On or about January 1, 2017 through April 30, 2017, while employed as the Owner and Director of Nursing (DON) with Rose of Sharon Home Health, Inc., Trinity, Texas, Respondent used "FNP-C" credentials when she does not have an advanced practice nursing license and has not been recognized by the Texas Board of Nursing as a Certified Family Nurse Practitioner. Respondent's conduct was deceptive and was likely to mislead the public.
8. In response to Finding of Fact Number Seven (7), Respondent states she is a "Graduate Family Nurse Practitioner" and current student for the doctorate in nursing program, and is the owner of Rose of Sharon Home Health, Inc. Respondent states that after a change of address, a professional print shop gave her three (3) business card proofs he had created, waiting for her approval. The three sample cards had "FNP-C." She opted for the card without the "C" designation since she hasn't taken her certification exam yet. Additionally, she states her secretary visited the East Texas Medical Center Clinic and left a sample brochure and sample business card with her name as "FNP-c." She also states that a State Surveyor came to visit the office and her secretary mistakenly gave him the sample card.

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)(H).

4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 779534, heretofore issued to TINA ROSEMARIE IWEGBU.
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, subject to ratification by the Texas Board of Nursing, that RESPONDENT SHALL receive the sanction of **REMEDIAL EDUCATION WITH A FINE** in accordance with the terms of this Order.

IT IS FURTHER AGREED AND ORDERED that RESPONDENT shall CEASE AND DESIST from using the title Family Nurse Practitioner, representing herself as a Family Nurse Practitioner, and exceeding her Board authorized scope of practice as a Registered Nurse and SHALL NOT manage medical aspects of care of patients until such time, if ever, that the Board grants applicable licensure to RESPONDENT as an Advanced Practice Registered Nurse.

IT IS FURTHER AGREED, should RESPONDENT submit an application to the Board for licensure as an Advanced Practice Registered Nurse while under the terms of this Order, said application will be processed and, upon payment of any required fees and meeting all other applicable requirements, and upon there being no other eligibility issues, RESPONDENT SHALL be issued the applicable license to practice advanced practice registered nursing in the State of Texas, all 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. As a result of this Order, Respondent's license(s) will be designated "single state" and Respondent may not work outside the State of Texas in another nurse licensure compact party state.

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 Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §§211.1 *et seq.*, and this 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 courses and video programs will not be approved.

- B. 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. MONETARY FINE

RESPONDENT SHALL pay a monetary fine in the amount of five hundred dollars (\$500.00) within forty-five (45) days of entry of this Order. Payment is to be made directly to the Texas Board of Nursing in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

VI. RESTORATION OF UNENCUMBERED LICENSE(S)

Upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT'S license(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 Agreed 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 when this Order becomes final and the terms of this Order become effective, 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) to practice nursing in the State of Texas, as a consequence of my noncompliance.

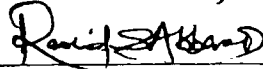
Signed this 24th day of JULY, 2018.



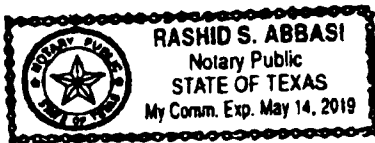
TINA ROSEMARIE IWEGBU, Respondent

Sworn to and subscribed before me this 24th day of JULY, 2018.

SEAL

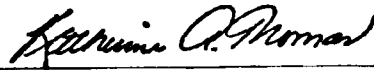


Notary Public in and for the State of TEXAS



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 24th day of July, 2018, by TINA ROSEMARIE IWEGBU, Registered Nurse License Number 779534, and said Order is final.

Effective this 30th day of July, 2018.

A handwritten signature in black ink, appearing to read "Katherine A. Thomas".

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

COPY

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BEFORE THE STATE BOARD OF NURSING**

**Commonwealth of Pennsylvania
Bureau of Professional and
Occupational Affairs**

v.

**Tina R. Iwegbu, RN,
Respondent**

:
:
:
:
:
:

Case No. 19-51-014265

2020 JUN 3 PM 12:27

PROTHONOTARY

**MEMORANDUM OPINION AND ORDER ADOPTING HEARING EXAMINER'S
PROPOSED ADJUDICATION AND SUBSTITUTING BOARD ORDER**

This case is before the State Board of Nursing (Board), for a determination whether the license to practice professional nursing of Tina R. Iwegbu, RN (Respondent), should be disciplined under the Professional Nursing Law (Act), Act of June 22, 1951 (P.L. 317, No. 69), *as amended*. The matter commenced on November 21, 2019, with the issuance of a two-count Order to Show Cause. Count One alleged that Respondent was subject to disciplinary action under Section 14(a)(6) of the Act, 63 P.S. § 224(a)(6),¹ for being disciplined by the proper licensing authority in another state. Count Two alleged that Respondent is subject to discipline under Section 14(a)(3)

¹ Sections 14(a)(3), (6) of the Act provide:

Section 14. Refusal, suspension or revocation of licenses.

(a) The Board may refuse, suspend or revoke any license in any case where the board shall find that

(3) The licensee has willfully or repeatedly violated any of the provisions of this act or of the regulations of the Board.

(6) The licensee has his or her license suspended or revoked or has received other disciplinary action by the proper licensing authority in another state, territory, possession or country.

63 P.S. § 224(a)(3), (6).

TRUE AND CORRECT COPY
CERTIFIED FROM THE RECORD
THIS 17th DAY OF July AD. 2020


PROTHONOTARY

of Act, 63 P.S. § 224(a)(3), in that she failed to report her reciprocal discipline to the Board within 90 days of receiving notice of the disciplinary action, as required by Section 11.1 of the Act,² 63 P.S. § 221.1.³

Acting *pro se*, Respondent filed an Answer on December 23, 2019. The formal hearing was held on February 26, 2020, before hearing examiner John D. Kelly, Esquire. Matthew T. Sniscak, Esquire, represented the Commonwealth. Respondent did not appear at the hearing. On February 27, 2020, the hearing examiner issued a Proposed Adjudication and Order recommending Respondent's license be publicly reprimanded and assessed a \$250.00 civil penalty.

In connection with Count Two, the hearing examiner concluded that Respondent was subject to disciplinary action for failing to report the Texas Board's disciplinary action to the Board within 90 days of its occurrence. However, at the hearing, the Commonwealth amended Count Two of the OSC to charge Respondent with failing to report the disciplinary action against her license within 30 days in accordance with Act 6 of 2018,⁴ 63 P.S. § 2202.1(a)(1).⁵ (N.T. 9) The

² The hearing examiner mistakenly opines in the proposed adjudication that Respondent is subject to disciplinary action under Section 14(a)(3) of the Act, by and through her violation of the Board's regulation at 49 Pa. Code § 21.29a(c). However, Respondent was not actually charged with violating the Board's regulation in the OSC, but rather she was charged with violating Section 11.1 of the Act.

³ Section 11.1 of the Act provides:

Section 11.1. Reporting of Multiple Licensure.

Any licensed professional nurse or dietitian-nutritionist of this Commonwealth who is also licensed to practice nursing or dietetics-nutrition in any other state, territory, possession or country shall report this information to the Board on the biennial registration application. Any disciplinary action taken in other states shall be reported to the Board on the biennial registration application or within ninety (90) days of final disposition, whichever is sooner. Multiple licensure shall be noted by the Board on the licensee's record, and such state, territory, possession or country shall be notified by the Board of any disciplinary actions taken against said licensee in this Commonwealth.

63 P.S. § 221.1.

⁴ The act of Feb. 15, 2018, P.L. 14, No. 6.

⁵ Section 2.1 of Act 48 provides:

Section 2.1. Reporting of sanctions and criminal proceedings.

(a) Duty. A licensee, as a condition of licensure, certification, registration or holding a permit, shall

hearing examiner failed to address the Commonwealth's amendment in Conclusion of Law No. 4 and as such the Board amends Conclusion of Law No. 4 to read as follows:

4. The Board is authorized to suspend, revoke or otherwise restrict Respondent's license under Section 14(a) of the Act, 63 P.S. § 224(a); and/or impose a civil penalty upon Respondent under Section 13(b) of the Act, 63 P.S. § 223(b), and/or Section 5(b)(4) of Act 48, 63 P.S. § 2205(b)(4); and/or impose the costs of investigation upon Respondent under section 5(b)(5) of Act 48, 63 P.S. § 2205(b)(5), because Respondent violated Section 2.1(a)(1) of Act 48, 63 P.S. § 2202.1(a)(1), in that Respondent failed to report a reciprocal disciplinary action within 30 days of such action being taken.

Additionally, in finding that Respondent was subject to disciplinary action for failing to report the Texas Board's disciplinary action to the Board within 30 days of its occurrence, the hearing examiner determined that a \$250.00 civil penalty was an adequate penalty, because that was the sanction recommended by the Commonwealth. At the hearing, the only justification for reducing the civil penalty from the standard \$500.00 to the recommended \$250.00 was that Respondent's license expired in 2012. (N.T. 12) Historically the Board has assessed a civil penalty in the amount of \$500.00 for a licensee's failure to report their disciplinary actions. As a licensee, Respondent has the responsibility to know the reporting requirements associated with his license. See. Heckert v. Commonwealth, Dep't of State, Bureau of Prof'l and Occupational Affairs, 476

provide written notice of the following to the appropriate licensing board or commission within 30 days:

(1) A disciplinary action taken against the licensee by a licensing agency of another jurisdiction.

* * *

63 P.S. § 2202.1(a)(1).

A.2d 481, 482 (Pa. Cmwlth. 1984)(A license is the holder's property, and a property holder has the responsibility to know the laws applicable to his property.) The requirement that licensees report discipline imposed by other licensing jurisdictions has been found in the Act for many years. Although the Commonwealth amended Count Two so that Respondent was charged under Act 48, instead of the Professional Nursing Law, the fact remains that Respondent should have been aware that she needed to report reciprocal discipline. The mere fact that Respondent's license expired in 2012 does not justify a reduction in the \$500.00 civil penalty that is issued by the Board when a licensee fails to report a disciplinary action. As there is nothing in the record to indicate this sanction should be reduced, the Board will proceed with assessing a civil penalty of \$500.00 to remind Respondent, and similarly situated licensees of the importance of reporting their disciplinary actions to the Board in a timely manner.

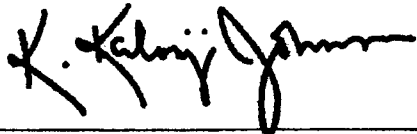
Therefore, the Board issues the following Order:

AND NOW, this 18th day of June, 2020, the State Board of Nursing (Board), having reviewed the evidentiary record of this proceeding, together with the hearing examiner's Proposed Adjudication and Order, and noting that neither party filed exceptions to the hearing examiner's proposal, it is hereby **ORDERED** that the hearing examiner's February 27, 2020, Proposed Adjudication, with the amendment to Conclusion of Law No. 4 above be adopted as the **FINAL ADJUDICATION** of the Board in this matter. A copy of the hearing examiner's Proposed Adjudication and Order is appended to this Order as "**Appendix A.**" It is further **ORDERED** that the license to practice as a professional nurse of **Tina R. Iwegbu, RN, License No. RN622152** shall be **REPRIMANDED** and assessed a **\$500.00 CIVIL PENALTY**.

The civil penalty shall be paid by certified check, attorney's or cashier's check or U.S. Postal Service money order and made payable to "Commonwealth of Pennsylvania." Respondent shall deliver full payment of the civil penalty to the following address: Board Counsel, State Board of Nursing, P.O. Box 69523, Harrisburg, PA 17106-9523. The civil penalty shall be remitted within thirty (30) days of the effective date of this order.

This Order is effective immediately. The sanction becomes effective 30 days from the date of mailing of this Order, namely, July 20, 2020.

**BUREAU OF PROFESSIONAL AND
OCCUPATIONAL AFFAIRS**



**K. KALONJI JOHNSON
COMMISSIONER**

Respondent's Address:

9171 9690 0935 0227 2233 33

9171 9690 0935 0227 2233 26

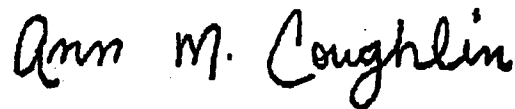
Prosecuting Attorney:

Board Counsel:

Date of Mailing:

BY ORDER:

STATE BOARD OF NURSING



**ANN M. COUGHLIN, MBA, MSN, RN
CHAIR**

Tina R. Iwegbu, RN
14910 Mill Branch Lane
Sugar Land, TX 77498

7134 Aurora Falls Lane
Houston, TX 77083

Matthew T. Sniscak, Esquire

Ariel E. O'Malley, Esquire

June 18, 2020

COPY

RECEIVED

FEB 27 2020

Department of State
Prothonotary

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS**

STATE BOARD OF NURSING

Commonwealth of Pennsylvania,
Bureau of Professional and
Occupational Affairs

File Number 19-51-014265

v.

Tina R. Iwegbu, RN,
Respondent

PROPOSED ADJUDICATION AND ORDER

**John D. Kelly
Hearing Examiner**

Commonwealth of Pennsylvania
Governor's Office of General Counsel
Department of State
Office of Hearing Examiners
P.O. Box 2649
Harrisburg, PA 17105-2649
(717) 772-2686

Date Distributed 2/27/20
Prosecution _____
Counsel ✓ _____

HISTORY

This case is before the Office of Hearing Examiners for the Department of State ("Department") to determine whether the State Board of Nursing ("Board") should impose disciplinary penalties on the registered nurse's license of Tina R. Iwegbu, RN, ("Respondent"), License Number RN622152, under Section 14 of the Professional Nursing Law ("Act"),¹ 63 P.S. § 224(a).

On November 21, 2019, the Commonwealth commenced this action by filing an Order to Show Cause ("OSC"), charging Respondent with two (2) counts of violations of the Act at paragraphs 14(a)(3) and (6), 63 P.S. § 224(a)(3) and (6) because she had disciplinary action taken against her license in the State of Texas (Count One), and she had failed to report that action to the Board (Count Two) as required by Board Regulations at 49 Pa. Code § 21.29a(c). On December 23, 2019, acting *pro se*, Respondent filed an Answer containing an explanation of the circumstances underlying the action taken by the State of Texas.

On January 2, 2020, the Prothonotary of the Department issued a Notice setting a hearing to be held in this matter at 9:00 a.m. on February 26, 2020 before the undersigned Hearing Examiner² from which a proposed report in accordance with the Administrative Agency Law³ and the General Rules of Administrative Practice and Procedure ("GRAPP")⁴ was to be filed. The formal hearing was duly convened on February 26, 2020 at 9:15 a.m. The Commonwealth appeared and was represented by Matthew T. Sniscak, Esquire. Respondent did not appear and had made no prior contact with the Commonwealth or the Prothonotary's Office. It was noted on

¹ The act of May 22, 1951, P.L. 317. 63 P.S. §§ 211 – 226.

² By order dated November 20, 1996, acting pursuant to 1 Pa. Code § 35.185, the Board delegated to a hearing examiner all cases alleging violations of 63 P.S. § 666(a)(5), relating to criminal convictions.

³ The act of April 28, 1978, P.L. 202, No. 53, § 5, as amended. 2 Pa.C.S. §§ 501 – 508.

⁴ 1 Pa. Code §§ 31.1 – 35.251.

the record that the Notice of Hearing had been sent to the same address as that from which Respondent had filed her Answer, 14910 Mill Branch Lane, Sugar Land, Texas, 77498. Therefore, the record indicated that proper service of the Notice of Hearing had been made, and so the hearing could proceed and did proceed in Respondent's absence. By motion on the record of the hearing, the Commonwealth amended the OSC to correct a typographical error at paragraph 17, which had erroneously indicated that Respondent failed to report the Texas disciplinary action within 90 days when the proper figure should have been 30 days.

The Commonwealth prosecuted the case through the introduction of certified documents from the Texas Board of Nursing ("Texas Board") and a Certificate and Attestation from the Commissioner of the Bureau of Professional and Occupational Affairs along with the Executive Secretary of the State Board of Nursing. Official notice was taken of the Prothonotary's file and the Board's licensure records for Respondent. The record was closed at the conclusion of the hearing. The matter is now ready for decision.

FINDINGS OF FACT

1. At all times pertinent to this matter, Respondent held a license to practice as a registered nurse in the Commonwealth of Pennsylvania: license no.: RN605915L, which was originally issued on November 18, 2010 and expired on April 30, 2012. (Board records.)
2. Respondent's address on file with the Board is 7134 Aurora Falls Lane, Houston, TX 77083. (Board records.)
3. Respondent filed her Answer to the OSC in an envelope marked 14910 Mill Branch Lane, Sugar Land, TX 77084, which was the same address on which service of the OSC and of the Notice of Hearing was made. (Official Notice of Prothonotary's file).
4. Respondent received all pleadings, notices and orders, but failed to appear at the hearing. (Docket entries; N.T. *passim*)
5. At all relevant and material times, Respondent was authorized to practice as a registered nurse in the State of Texas, license number 779534. (Exhibit C-2, p. 1)
6. On or about July 30, 2018, the Texas Board of Nursing entered an Agreed Order ("Agreed Order") finding Respondent to be in violation of the laws, rules, code and/or regulations of the State of Texas because Respondent used "FNP-C" credentials when she does not have an advanced practice nursing license and has not been recognized by the Texas Board as a certified family nurse practitioner. (Exhibit C-2)
7. Pursuant to the Agreed Order, Respondent was required to take a course on understanding Board Orders, six hours of continuing education on Texas nursing jurisprudence and ethics, a 3.6 contact-hour course entitled "Sharpening Critical Thinking Skills," and to pay a monetary fine of \$500.00. (Exhibit C-2)
8. An online search regarding the status of Respondent's Texas licensure records

reveals that her license is currently active with no restrictions. (Exhibit C-1, Attachment B)

9. As of February 19, 2020, Respondent had failed to report the Texas Board's disciplinary action as required to the Pennsylvania Board of Nursing. (Exhibit C-3)

CONCLUSIONS OF LAW

1. The Board has jurisdiction in this matter. (Finding of Fact No. 1)

2. Respondent had adequate notice of the charges and was given an opportunity to be heard in accordance with the Administrative Agency Law, 2 Pa.C.S. § 504. (Findings of Fact Nos. 3 and 4)

3. The Board is authorized to suspend, revoke, or otherwise restrict Respondent's license under Section 14(a) of the Act, 63 P.S. § 224(a); and/or impose a civil penalty upon Respondent under Section 13(b) of the Act, 63 P.S. § 223(b), and/or Section 5(b)(4) of ACT 48, 63 P.S. § 2205(b)(4); and/or impose the costs of investigation upon Respondent under Section 5(b)(5) of ACT 48, 63 P.S. § 2205(b)(5), because Respondent violated Section 14(a)(6) of the Act, 63 P.S. § 224(a)(6) in that Respondent had disciplinary action taken against her license in another state. (Finding of Fact Nos. 6 - 7)

4. The Board is authorized to suspend, revoke, or otherwise restrict Respondent's license under Section 14(a) of the Act, 63 P.S. § 224(a); and/or impose a civil penalty upon Respondent under Section 13(b) of the Act, 63 P.S. § 223(b), and/or Section 5(b)(4) of ACT 48, 63 P.S. § 2205(b)(4); and/or impose the costs of investigation upon Respondent under Section 5(b)(5) of ACT 48, 63 P.S. § 2205(b)(5), because Respondent violated Section 14(a)(3) of the

Act, 63 P.S. § 224(a)(3) in that Respondent failed to report reciprocal disciplinary action to the Board within thirty days of such action. (Finding of Fact No. 6 – 7, 9)

DISCUSSION

This matter came to hearing on Counts One and Two of the OSC, which charge that Respondent is subject to disciplinary action under section 14(a)(3) and (6) of the Act, 63 P.S. §224(a)(3) and (6) which provides in relevant part as follows:

§ 224. Refusal, suspension or revocation of licenses

(a) The Board may refuse, suspend or revoke any license in any case where the Board shall find that –

* * *

(3) The licensee has willfully or repeatedly violated any of the provisions of this act or of the regulations of the Board.

(6) The licensee has his or her license suspended or revoked or has received other disciplinary action by the proper licensing authority in another state, territory, possession or country.

63 P.S. § 224(a)(3) and (6).

The Commonwealth has the burden of proving the alleged violations by a preponderance of evidence. *Samuel J. Lansberry, Inc. v. Pennsylvania Public Utility Com'n*, 578 A.2d 600, 602 (Pa. Cmwlth. Ct. 1990).

The documents produced by the Commonwealth at the hearing, which indicate that Respondent had disciplinary action taken against her license in Texas, clearly met its burden of proof on Count One of the OSC. The Commonwealth's documents show that on or about July 30, 2018, disciplinary action was recorded on Respondent's Texas license based on an Agreed Order

in which she admitted to a violation of the laws, rules, code and/or regulations of the State of Texas in having used "FNP-C" credentials to describe herself on certain business cards related to her practice despite the fact that she did not have an advanced practice nursing license and had not been recognized by the Texas Board as a certified family nurse practitioner. (Exhibit C-2).

Pursuant to the Agreed Order, Respondent was required to cease and desist use of the "FNP-C" credential, to take an online course on understanding Board Orders, to undergo six hours of continuing education on Texas nursing jurisprudence and ethics, to complete a 3.6 contact-hour course entitled "Sharpening Critical Thinking Skills," and to pay a monetary fine of \$500.00. (Exhibit C-2). Respondent did not appear at the instant hearing to dispute the Commonwealth's evidence or to provide mitigating evidence on her own behalf.

Count Two of the OSC charged Respondent with violating that provision of the Act which prohibits violations of the Board's regulations. The relevant regulation that Respondent was alleged to have violated is a provision at 49 Pa. Code § 21.29a(c) which requires licensees to report to the Board any disciplinary actions that have been taken against their nurses' licenses in other jurisdictions. The Commonwealth sustained its burden of proof on this charge by introducing a duly executed and certified Attestation from the Commissioner of the Bureau of Professional and Occupational Affairs and from the Executive Secretary/Section Chief of the Board showing that Respondent failed to notify the Board regarding the Texas Board's disciplinary action.

Under its enabling legislation, the Board is charged with the responsibility to oversee the nursing profession in order to protect the public's health, safety, and perception of the profession. *Leukhardt v. Com., State Bd. of Nurse Examiners, Bur. of Professional and Occupational Affairs*, 403 A.2d 645 (Pa. Cmwlth. 1979). *C.f. Barran v. State Board of Medicine*, 670 A.2d 765, 767 (Pa. Cmwlth. 1996), *appeal denied* 679 A.2d 230 (Pa. 1996); *Khan v. State Board of Auctioneer*

Examiners, 842 A.2d 936 (Pa. 2004). The penalty to be imposed on Respondent in this case must serve those purposes. The Board is granted broad latitude in fashioning disciplinary penalties. See *Yousufzai v. State Board of Medicine*, 793 A.2d 1008 (Pa. Cmwlth. 2002); *Telang v. Com., State Board of Medicine*, 751 A.2d 1147, 1152 (Pa. 2000).

In its closing argument, the Commonwealth recommended that a formal reprimand be recorded on Respondent's licensure record and that she be assessed a civil penalty of \$250.00. The Commonwealth's recommendation is reasonable on its face and, given her failure to appear at the hearing, the record contains no basis for reducing that recommendation in any way. Therefore, the following Order is appropriate.

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
STATE BOARD OF NURSING**

Commonwealth of Pennsylvania,	:	
Bureau of Professional and	:	
Occupational Affairs	:	
	:	File No. 19-51-014265
v.	:	
	:	
Tina R. Iwegbu, RN,	:	
Respondent	:	

PROPOSED ORDER

IN ACCORDANCE WITH the foregoing Findings of Fact, Conclusions of Law and Discussion, it is hereby **ORDERED** that a **FORMAL REPRIMAND** shall be recorded on the licensure record of Respondent, **Tina R. Iwegbu, RN, License No. RN622152**, and it is

FURTHER ORDERED that Respondent shall pay a **CIVIL PENALTY OF \$250.00**. The civil penalty shall be paid by certified check, attorney's check or U.S. Postal Service money order, made payable to "Commonwealth of Pennsylvania," and shall be mailed to:

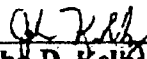
Board Counsel
State Board of Nursing
P.O. Box 69523
Harrisburg, PA 17106-9523

within 30 days of the mailing date of the Board's Final Order.

Should Respondent fail to pay the civil penalty of \$250.00 within 30 days of the mailing date of the Board's Final Order, her license shall be **INDEFINITELY SUSPENDED** without the need for any further action by any prosecuting attorney for the Commonwealth and shall remain suspended until such time as Respondent pays the civil penalty in full.

The State Board of Nursing has announced its intention to review this Proposed Report in accordance with 1 Pa.Code § 35.226(a)(2).

BY ORDER:



John D. Kelly
Hearing Examiner

For Respondent (pro se):

Tina R. Iwegbu, RN
14910 Mill Branch Lane
Sugar Land, TX 77498-0905

Prosecuting Attorney:

Matthew T. Sniscak, Esquire
Department of State
2601 North Third Street
P.O. Box 2649
Harrisburg, PA 17105-2649

Date of Mailing:

February 27, 2020



NOTICE

SERVICE OF PROPOSED REPORT:

The foregoing is the proposed report issued in this matter by a Hearing Examiner for the Department of State, in accordance with the General Rules of Administrative Practice and Procedure at 1 Pa. Code §35.207.

EXCEPTIONS TO PROPOSED REPORT:

Any participant who wishes to appeal all or part of the Hearing Examiner's proposed report to the Board must file exceptions in the form of a *Brief on Exceptions* with the Prothonotary of the Department of State within 30 days after the date of mailing shown on this proposed report in accordance with the General Rules of Administrative Practice and Procedure at 1 Pa. Code §§35.211-214.

The *Brief on Exceptions* shall contain a short statement of the case, a summary of the appealing party's position, the grounds for filing exceptions to the proposed report, and the argument in support of the appealing party's position with citations to the record and legal authority. The appealing party may also include proposed findings of fact and conclusions of law.

In the event any participant files exceptions, the Board may substitute its findings for those of the Hearing Examiner, and /or may impose a greater or lesser sanction than that imposed by the Hearing Examiner without regard to the relief requested or the position argued by any party, and without hearing additional argument or facing additional evidence.

Failure to file a *Brief on Exceptions* within the time allowed under the General Rules of Administrative Practice and Procedure at 1 Pa. Code §§35.211-214 shall constitute a waiver of all objections to the proposed report.

FILING AND SERVICES:

An original and three (3) copies of the *Brief on Exceptions* shall be filed with:

Prothonotary
2601 North Third Street
P. O. Box 2649
Harrisburg, PA 17105-2649

Copies of the *Brief on Exceptions* must also be served on all participants to the proceeding.

Briefs on Exceptions must be received for filing by the Prothonotary within the time limits specified herein. Date of receipt by the Office of Prothonotary and not date of deposit in the mail is determinative.

NOTICE

The attached Final Order represents the final agency decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a Petition for Review with that Court within 30 days after the entry of the order in accordance with the Pennsylvania Rules of Appellate Procedure. See Chapter 15 of the Pennsylvania Rules of Appellate Procedure entitled "Judicial Review of Governmental Determinations," Pa. R.A.P 1501 – 1561. Please note: An order is entered on the date it is mailed. If you take an appeal to the Commonwealth Court, you must serve the Board with a copy of your Petition for Review. The agency contact for receiving service of such an appeal is:

Board Counsel
P.O. Box 69523
Harrisburg, PA 17106-9523

The name of the individual Board Counsel is identified on the Final Order.