

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of License Number 429907
issued to RACHEL N. IMO NWAOBASI

§ AGREED
§ ORDER

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On this day the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, considered the matter of RACHEL N. IMO NWAOBASI, License Number 429907, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(13), Texas Occupations Code. Respondent waived informal conference, notice and hearing, and agreed to the entry of this Order offered on November 22, 2002, by Katherine A. Thomas, MN, RN, Executive Director.

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.
2. Respondent waived informal conference, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice professional nursing in the State of Texas.
4. Respondent received a Diploma from Adventist Mission School of Nursing, Ife Ife, Nigeria, in 1970. Respondent was licensed to practice professional nursing in the State of Texas in April 1974.
5. Respondent's professional employment history includes:

1985 to 1988	Staff Nurse Acute Care/Private Hospital/Home	Logos Medical Personnel Services Houston, Texas
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I do hereby certify this to be 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

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Respondent's professional employment history continued:

1988 to 1992	Staff Nurse IMU/Telemetry/ Medical/Surgical/ CCU-EKG codes	Ben Taub Hospital Houston, Texas
1992 to 1994	Assistant Manager Total Patient Care	LBJ Hospital Houston, Texas
1994 to 12/2001	RN Assistant Manager/Unit Coordinator	Ben Taub Hospital Houston, Texas
12/2001 to Present	Retired from Ben Taub/Working PRN	

6. At the time of the incident, Respondent was employed as a RN Assistant Manager in the Geriatric Unit with Ben Taub Hospital, Houston, Texas, and had been in this position for seven (7) years.
7. On or about December 2, 2001, while employed with Ben Taub Hospital, Houston, Texas, Respondent failed to completely assess, document and intervene in the care of Medical Record #038880701332. The patient complained of "not feeling well" at 1900. No assessments, including vital signs, were performed or documented. At 2030, the patient experienced weakness, color was pale, pulse was hard to palpate, and the patient collapsed. A code blue was called at 2100. Resuscitation was attempted without success. Respondent's failure to completely assess the patient may have deprived the patient of needed medical intervention to stabilize the condition, and may have exposed the patient to unnecessary risk of harm.
8. On or about December 2, 2001, while employed with Ben Taub Hospital, Houston, Texas, Respondent failed to respond to a call for help from Medical Record #038880701332. Respondent was the direct care provider for this patient. The patient had complained of "not feeling well" at 1900. No documentation of the patient's status was completed. The patient was found on the floor by non-direct care staff. The patient was discovered with breathing problems, pale in color, with a pulse hard to palpate. Respondent's failure to care for the patient could have deprived the patient of needed medical intervention to stabilize the condition. This could have exposed the patient to unnecessary risk of harm.

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9. On or about December 2, 2001, while employed with Ben Taub Hospital, Houston, Texas, Respondent failed to collaborate with the attending physician regarding the status of Medical Record #03888071332. The patient complained of "not feeling well" at 1900. The physician was in the unit at 1945, but Respondent did not communicate the patient's complaint to the physician. No assessments, including vital signs and patient status, were documented in the medical record. The physician on-call was paged at 2100 after the patient had collapsed. Resuscitation was attempted without success, and the patient subsequently died. Respondent's failure to collaborate with the physician may have deprived the physician of necessary information to implement necessary medical interventions, and may have exposed the patient to unnecessary risk of harm.

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 of Section 301.452(b)(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.11(2),(4),&(21).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against License Number 429907, heretofore issued to RACHEL N. IMO NWAOBASI, including revocation of Respondent's professional license to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Board of Nurse Examiners, that RESPONDENT SHALL receive the sanction of REMEDIAL EDUCATION, and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas as amended, Texas Occupations Code, Section §301.001 *et seq.*, the Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.01 *et seq.* and this Order.

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IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's multistate licensure privilege, if any, to practice professional nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that while Respondent's license is encumbered by this Order, Respondent may not work outside the State of Texas pursuant to a multistate licensure privilege without the written permission of the State of Texas and the Board of Nursing in the party state where Respondent wishes to work.

IT IS FURTHER AGREED that:

(1) RESPONDENT SHALL deliver the wallet-size license issued to RACHEL N. IMO NWAOBASI to the office of the Board of Nurse Examiners within three weeks of the date of ratification of this Order for appropriate notation.

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in nursing jurisprudence. RESPONDENT SHALL obtain Board approval of the course prior to enrollment. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include Registered Nurses. It shall be a minimum of six (6) contact hours in length. The course's content shall include the Nursing Practice Act, standards of practice, and documentation of care. Courses focusing on malpractice issues will not be accepted. RESPONDENT SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to the Office of the Board to verify RESPONDENT's successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure.

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(3) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in physical assessment. RESPONDENT SHALL obtain Board approval of the course prior to enrollment. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include Registered Nurses. The didactic portion of this course shall be a minimum of six (6) hours in length. RESPONDENT SHALL perform physical assessments on live patients in a clinical setting for a minimum of twenty-four (24) hours which shall be provided by the same Registered Nurse who provides the didactic portion of this course. The clinical component SHALL focus on tasks of physical assessment only. To be approved, the course shall cover all systems of the body. Performing assessments on mock patients or mannequins WILL NOT be accepted. 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. RESPONDENT SHALL successfully complete both the didactic and clinical portions of the course to satisfy this stipulation. RESPONDENT SHALL CAUSE the instructor to submit a Verification of Course Completion form, provided by the Board, to the office of the Board to verify RESPONDENT's successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure.

(4) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in nursing documentation. RESPONDENT SHALL obtain Board approval of the course prior to enrollment. Home study courses and video programs will not be approved. The course shall be a minimum of six (6) hours in length of classroom time. In order for the course to be approved, the target audience shall include Registered Nurses. The course shall include content

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on the following: 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. RESPONDENT SHALL cause the instructor to submit a Verification of Course Completion form, provided by the Board, to the Board's office to verify RESPONDENT's successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, RESPONDENT SHALL be issued an unencumbered license and multistate licensure privileges, if any, to practice professional nursing in the State of Texas.

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RESPONDENT'S CERTIFICATION

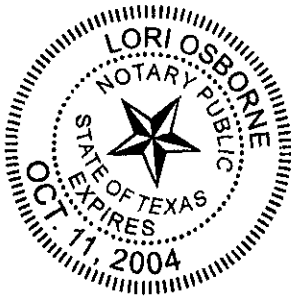
I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed this Order. I neither admit nor deny the violation alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order, to avoid 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 revocation of my license to practice professional nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 28th day of January, 2003.

R Nwaobasi
RACHEL N. IMO NWAOBASI, Respondent

Sworn to and subscribed before me this 28th day of January, 2003.

SEAL



Lori Osborne

Notary Public in and for the State of TX

Approved as to form and substance.

Andrea D. Arceneaux
Andrea D. Arceneaux, Attorney for Respondent

Signed this 28th day of January, 2003.

WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Board of Nurse Examiners for the State of Texas, does hereby ratify and adopt the Agreed Order that was signed on the 28th day of January, 2003, by RACHEL N. IMO NWAOBASI, License Number 429907, and said Order is final.

Effective this 11th day of February, 2003.



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