BEFORE THE TEXAS BOARD OF NURSING
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| In the Matter of Vocational Nurse License Number 148050 | § | AGREED |
| and Registered Nurse License Number 708888 | § | |
| issued to BIBIAN CHIKERE ULUOCHA | § | ORDER |

TEXAS BOARD OF NURSING
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.
Executive Director of the Board

On this day, the Texas Board of Nursing, hereinafter referred to as the Boa accepted the voluntary surrender of Vocational Nurse License Number 148050 and Registered Nurse License Number 708888, issued to BIBIAN CHIKERE ULUOCHA, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c) of the Texas Occupations Code.

Respondent waived informal proceedings, 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. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was provided to 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 proceedings, notice and hearing, and agreed to the entry of this Order.

3. Respondent's license to practice vocational nursing in the State of Texas is in Delinquent status. Respondent is currently licensed to practice professional nursing in the State of Texas.

4. Respondent received a Certificate in Vocational Nursing from San Jacinto College North, Houston, Texas, on December 16, 1993. Respondent was licensed to practice vocational nursing in the State of Texas on August 29, 1994. Respondent received a Baccalaureate Degree in Nursing from North Harris County Community College District, Houston, Texas, on May 8, 2004. Respondent was licensed to practice professional nursing in the State of Texas on August 10, 2004.

5. Respondent's vocational and professional nursing employment history includes:

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| 08/94 - 02/02 | Unknown | |
| 03/02 - 06/03 | RN Nurse | SilverHawk Health Care Systems<br>Houston, Texas |
| 07/03 - Present | Unknown | |

6. At the time of the incident described in Finding of Fact Number Seven (7) , Respondent was the owner of SilverHawk Health Care Systems, Houston, Texas.

7. On or about November 11, 2008, Respondent entered a plea of Guilty to ENGAGING IN ORGANIZED CRIME- AGGREGATE THEFT (a 1st Degree felony offense committed on March 3, 2002), in the 185th District Court, Harris County, Texas, under Cause No. 1137387. As a result of the conviction, she was sentenced to confinement in a Texas Department of Criminal Justice facility for a period of five (5) years; however, the imposition of the sentence of confinement was suspended and she was placed on community supervision for a period of five (5) years. Additionally, she was ordered to pay court costs

8. On or about June 18, 2009, Respondent was excluded from participating in any capacity in the Medicare, Medicaid, and all Federal health care programs as defined in section 1128B(f) of the Social Security Act, by the Department of Health and Human Services, Office of Inspector General, Washington, D.C.

9. Respondent, by her signature to this Order, expresses her desire to voluntarily surrender her licenses to practice nursing in the State of Texas.

## 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 violations of Section 301.452(b)(3)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(13).

4. The evidence received is sufficient cause pursuant to Section 301.453(a), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 148050 and Registered Nurse License Number 708888, heretofore issued to BIBIAN CHIKERE ULUOCHA, including revocation of Respondent's licenses to practice nursing in the State of Texas.

5. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.

6. Under Section 301.453(d), Texas Occupations Code, as amended, the Board may impose conditions for reinstatement of licensure.

7. 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.

## ORDER

NOW, THEREFORE, IT IS AGREED and ORDERED that the VOLUNTARY SURRENDER of Vocational Nurse License Number 148050 and Registered Nurse License Number 708888, heretofore issued to BIBIAN CHIKERE ULUOCHA, to practice nursing in the State of Texas, is accepted by the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL NOT practice vocational or professional nursing, use the title of "vocational nurse" or "registered nurse" or the abbreviation LVN or RN or wear any insignia identifying herself as a vocational or registered nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a vocational or registered nurse during the period in which the licenses are surrendered.

2. RESPONDENT SHALL NOT petition for reinstatement of licensure until: 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 AGREED and ORDERED that this Order SHALL be applicable to Respondent's multistate privilege, if any, to practice 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 violations 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 this Order becomes final when accepted by the Executive Director at which time the terms of this Order become effective and a copy will be mailed to me.

Signed this 18th day of August, 2010.

BIBIAN CHIKERE ULUOCHA, Respondent

Sworn to and subscribed before me this 18th day of August, 2010.

SEAL

Notary Public in and for the State of Texas

Approved as to form and substance.

Meka Odunze, Attorney for Respondent

Signed this 18th day of August, 2010.

WHEREFORE, PREMISES CONSIDERED, the Executive Director on behalf of the Texas Board of Nursing does hereby accept the voluntary surrender of Vocational Nurse License Number 148050 and Registered Nurse License Number 708888, previously issued to BIBIAN CHIKERE ULUOCHA.

Effective this 24th day of August, 2010.

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