

IN THE MATTER OF
PERMANENT CERTIFICATE
NUMBER 180593
ISSUED TO
IRENE ASUQUO ANDERSON

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BEFORE THE ELIGIBILITY
AND DISCIPLINARY
COMMITTEE
OF THE 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.
Patricia P. Thomas
Executive Director of the Board

ORDER OF THE BOARD

TO: IRENE ASUQUO ANDERSON
PO Box 743621
Dallas, TX 75374

During open meeting held in Austin, Texas, on August 12, 2008, the Eligibility and Disciplinary Committee (hereinafter "Committee") heard the above-styled case. This case was heard, and based on the failure of the Respondent to appear as required by 22 TEX. ADMIN. CODE Ch. 213.

The Committee of the Texas Board of Nursing finds that notice of the facts or conduct alleged to warrant disciplinary action has been provided to Respondent in accordance with Texas Government Code § 2001.054(c) and Respondent has been given an opportunity to show compliance with all the requirements of the Nursing Practice Act, chapter 301 of the Texas Occupations Code, for retention of Respondent's license to practice vocational nursing in the State of Texas.

The Committee finds that the Formal Charges were properly initiated and filed in accordance with section 301.458, Texas Occupations Code.

The Committee finds that after proper and timely Notice regarding the violations alleged in the Formal Charges was given to Respondent in this matter, Respondent has failed to appear in accordance with 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that the Board is authorized to enter a default order pursuant to Texas Government Code § 2001.056.

The Eligibility and Disciplinary Committee, after review and due consideration, adopts the proposed findings of fact and conclusions of law as stated in the Formal Charges which are attached hereto and incorporated by reference for all purposes and the Staff's recommended sanction of revocation by default. This Order will be properly served on all parties and all parties will be given an opportunity to file a motion for rehearing (22 TEX. ADMIN.CODE § 213.2(j)). All parties have a right to judicial review of this Order.

All proposed findings of fact and conclusions of law filed by any party not specifically adopted herein are hereby denied.

NOW, THEREFORE, IT IS ORDERED that Permanent Certificate Number 180593, previously issued to IRENE ASUQUO ANDERSON, to practice vocational nursing in the State of Texas be, and the same is hereby, REVOKED.

IT IS FURTHER ORDERED that Permanent Certificate Number 180593, previously issued to IRENE ASUQUO ANDERSON, upon receipt of this Order, be immediately delivered to the office of the Texas Board of Nursing.

IT IS FURTHER ORDERED that this Order SHALL be applicable to Respondent's multi-state privilege, if any, to practice vocational nursing in the State of Texas.

Entered this 12th day of August, 2008.

TEXAS BOARD OF NURSING

BY:



KATHERINE A. THOMAS, MN, RN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

Re: Permanent Certificate Number 180593
Issued to IRENE ASUQUO ANDERSON
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 15th day of August, 2008, a true and correct copy of the foregoing DEFAULT ORDER was served by placement in the U.S. Mail via certified mail, and addressed to the following person(s):

IRENE ASUQUO ANDERSON
PO Box 743621
Dallas, TX 75374

BY:

Katherine A. Thomas
KATHERINE A. THOMAS, MN, RN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

In the Matter of Permanent License § **BEFORE THE TEXAS**
Number 180593, Issued to §
IRENE ASUQUO ANDERSON, Respondent § **BOARD OF NURSING**

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, IRENE ASUQUO ANDERSON, is a Vocational Nurse holding license number 180593, which is in Current status at the time of this pleading.

Written notice of the facts and conduct alleged to warrant adverse licensure action was sent to Respondent at Respondent's address of record and Respondent was given opportunity to show compliance with all requirements of the law for retention of the license prior to commencement of this proceeding.

CHARGE I.

On or about February 3, 1992, Respondent was ordered Deported in Absentia by the United States Immigration and Naturalization Services during an immigration hearing alleging marriage fraud. Respondent failed to attend the hearing and arrangements were made for Respondent to report for removal to Nigeria on April 20, 1992; however, Respondent did not report to Immigration officials.

The above action constitutes grounds for disciplinary action in accordance with Article 4525(b)(9), TEX. REV. CIV. STAT. ANN.

CHARGE II.

On or about 2006 through 2008, while a Licensed Vocational Nurse and operator of AG Total Care Home Health Services, Inc., Dallas, Texas, and New Dimensions Health Care, Sulphur Springs, Texas, Respondent participated in a scheme to obtain Medicare payments for "homebound" patients that did not qualify for Medicare. Respondent's conduct was likely to defraud Medicare of the cost of nursing care/nursing services.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(6)(A)&(11)(B).

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CHARGE III.

On or about April 18, 2008, a Criminal Complaint was filed by the United States Department of Homeland Security, Immigration and Customs Enforcement, in the United States District Court Northern District of Texas, Dallas, Texas, under Case Number 3-08-MJ-133, naming Irene Asuquo Anderson (a/k/a Iya Edwards) as Defendant. The Complaint reads as follows: Beginning on or about March 20, 2006 to April 11, 2008, Defendant being an applicant, declarant, and petitioner in a naturalization and citizenship proceeding, did knowingly appear falsely in an assumed and fictitious name, to-wit: Iya Edwards; and did knowingly and contrary to law apply for and attempt to procure and obtain naturalization and citizenship for herself to which she was not entitled.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10), Texas Occupations Code.

NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of revocation of Respondent's license to practice nursing in the State of Texas pursuant to the Board's rules, 22 TEX. ADMIN. CODE §§ 213.27 - 213.33. Additionally, staff will seek to impose on Respondent the administrative costs of the proceeding pursuant to § 301.461, TEX. OCC. CODE ANN. The cost of proceedings shall include, but is not limited to, the cost paid by the board to the State Office of Administrative Hearings and the Office of the Attorney General or other Board counsel for legal and investigative services, the cost of a court reporter and witnesses, reproduction of records, board staff time, travel, and expenses. These shall be in an amount of at least one thousand two hundred dollars (\$1200.00).

NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, www.bon.state.tx.us.

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NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Sanction Policies for Fraud, Theft & Deception which can be found at the Board's website, www.bon.state.tx.us.

Filed this 16th day of May, 2008.

TEXAS BOARD OF NURSING



James W. Johnston, General Counsel
Board Certified - Administrative Law
Texas Board of Legal Specialization
State Bar No. 10838300

Victoria Cox, Assistant General Counsel
State Bar No. 00789585

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Attachments:

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