

6. On or about September 28, 2005, Respondent's license to practice practical nursing in the State of Oklahoma was severely reprimanded by the Oklahoma Board of Nursing, Oklahoma City, Oklahoma, based on a finding that on or about April 2, 2005, while on duty as the Charge Nurse at Westhaven Nursing and Rehabilitation, Stillwater, Oklahoma, Respondent left the facility to get food at McDonald's, which was approximately one and a half miles from the facility, and was the only licensed nurse on duty, which left the residents without care. A copy of the Stipulation, Settlement and Order issued by the Oklahoma Board of Nursing dated September 28, 2005, is attached and incorporated by reference as part of this pleading.
7. Formal Charges were filed on January 26, 2007.
8. Formal Charges were mailed to Respondent on February 2, 2007.

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)(8), Texas Occupations Code.
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 201758, heretofore issued to MERCY OBI OJUMA including revocation of Respondent's license to practice vocational 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 a REPRIMAND WITH STIPULATIONS, and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas as amended, Texas Occupations Code, §§301.001 *et seq.*, the Rules and Regulations Relating to Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.01 *et seq.* and this Order.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's multistate licensure privilege, if any, to practice vocational nursing in compact states.

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-sized license issued to MERCY OBI OJUMA, to the office of the Board of Nurse Examiners within ten (10) days from the date of ratification of this Order for appropriate notation.

(2) RESPONDENT SHALL fully comply with all the terms and conditions of the Order of the Board issued to RESPONDENT on September 28, 2005, by the Oklahoma Board of Nursing. RESPONDENT SHALL CAUSE the Oklahoma Board of Nursing to submit quarterly reports, on forms provided by the Texas Board, that Respondent is in compliance with the Order of the Board, and RESPONDENT SHALL cause the Oklahoma Board of Nursing to submit written verification of Respondent's successful completion of that Order. Evidence of compliance/completion with the terms of the Order of the Oklahoma State Board of Nursing will be accepted as evidence of compliance/completion of the terms of this Order issued by the Board of Nurse Examiners for the State of Texas.

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 vocational nursing in the State of Texas.

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RESPONDENT'S CERTIFICATION

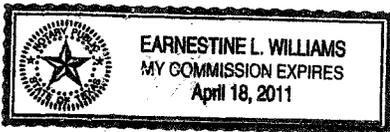
I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that 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 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 vocational nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 29th day of MAY, 2007.

Mercy Obijuma
MERCY OBIJUMA, Respondent

Sworn to and subscribed before me this 29th day of MAY, 2007.

SEAL



Earnestine Williams
Notary Public in and for the State of TEXAS

WHEREFORE, PREMISES CONSIDERED, the Board of Nurse Examiners for the State of Texas does hereby ratify and adopt the Agreed Order that was signed on the 29th day of May, 2007, by MERCY OBI OJUMA, Vocational Nurse License Number 201758, and said Order is final.

Effective this 19th day of July, 2007.



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

BEFORE THE OKLAHOMA BOARD OF NURSING

IN THE MATTER OF MERCY OBI OJUMA, L.P.N.
LICENSE NO. L0050421

STIPULATION, SETTLEMENT AND ORDER

This matter comes on before the Informal Disposition Panel ("Panel") of the Oklahoma Board of Nursing ("Board") on the 15th day of September, 2005, in the Conference Room of the Board Office, 2915 North Classen Boulevard, Suite 524, Oklahoma City, Oklahoma.

Respondent appears in person without counsel.

STIPULATION

Respondent and the Panel hereby stipulate and agree to the following joint stipulation and proposed Order of the Board incorporating this stipulation and agreement in the above-styled matter.

1. Respondent is licensed to practice licensed practical nursing in the State of Oklahoma, and is the holder of License No. L0050421, issued by the Oklahoma Board of Nursing.
2. On or about April 2, 2005, while on duty as the charge nurse at Westhaven Nursing and Rehabilitation, Stillwater, Oklahoma, Respondent left the building to get food at McDonald's approximately 1.5 miles from the facility. Respondent was the only licensed nurse on duty and left the residents without nursing care.
3. No formal complaint has been filed as of the date of this stipulation charging Respondent with a violation of the Oklahoma Nursing Practice Act. Respondent understands that Respondent has a right to require that a formal complaint be filed and the right to a formal hearing before the Board at which time Respondent could confront the witnesses against Respondent, cross-examine those witnesses, and present evidence in Respondent's own behalf. Respondent

understands that by signing and agreeing to this stipulation Respondent is waiving those rights.

4. This stipulation is executed by the Respondent for the purpose of avoiding further administrative action with respect to this cause. In this regard, Respondent authorizes the Board to review and examine all investigative file materials concerning Respondent prior to or in conjunction with consideration of this stipulation. Furthermore, should this joint stipulation not be accepted by the Board, it is agreed that presentation to and consideration of this stipulation and other documents and matters by the Board shall not unfairly or illegally prejudice the Board or any of its members from further participation, consideration or resolution of these proceedings.

5. Respondent fully understands that this joint stipulation and subsequent Final Order incorporating same will in no way preclude additional proceedings by the Board against Respondent for acts or omissions not specifically made a part of this stipulation.

6. Respondent expressly waives all further procedural steps, and expressly waives all rights to seek judicial review of or to otherwise challenge or contest the validity of this joint stipulation of facts, conclusions of law and imposition of discipline, and the Final Order of the Board incorporating said stipulation.

7. It is expressly understood that this stipulation is subject to approval of the Board and has no force and effect until approved and Ordered by the Board.

STIPULATED DISPOSITION

IT IS THEREFORE ORDERED by the Oklahoma Board of Nursing that Respondent's license to practice licensed practical nursing remain in effect, and that Respondent is disciplined as follows:

1. Respondent shall, within ninety (90) days from the receipt of this Order,

successfully complete a course on **Nursing Jurisprudence**. Respondent shall obtain Board approval of the course prior to enrollment. Home study courses, Internet and video programs will not be approved. In order for the course to be approved, the target audience must include licensed nurses. It must be a minimum of four (4) contact hours in length. The course must include an examination of the scope of nursing practice from the Oklahoma Nursing Practice Act and Rules of the Board, other laws, policies, and accreditation guidelines that govern the practice of nursing, the role of delegation and supervision, and an exploration of the ethical basis of nursing practice. Courses focusing on malpractice issues will not be accepted. The course description must 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 cause the sponsoring institution to submit verification of Respondent's successful completion of the course to the Board office.

2. Within thirty (30) days from receipt of this Order, Respondent shall pay an administrative penalty to the Oklahoma Board of Nursing in the amount of \$500.00. The administrative penalty shall be paid only by certified check, money order or cash.

IT IS FURTHER ORDERED that the license to practice licensed practical nursing held by Respondent is hereby severely reprimanded.

IT IS FURTHER ORDERED that any failure to comply with submission of the administrative penalty or written documentation by the due date, including but not limited to educational courses, will result in a three (3) month suspension of license. Any application for reinstatement may be subject to approval by Board staff or referred to the Board for approval. Administrative penalties for any such failure to comply shall be assessed and paid prior to reinstatement by certified check, money order, or cash pursuant to statute, 59 O.S. §567.8.J.1. and

2, and §485:10-11-2(d) of the Rules promulgated by the Board.

IT IS FURTHER ORDERED that this stipulation shall not be effective until the fully executed Order is received in the Board office.

IT IS FURTHER ORDERED that upon successful completion of all the terms and conditions of this Order, no further Order of the Board shall be deemed necessary.

Mary Quinn
Respondent

Approved and ordered this 28th day of ~~July~~ ^{September}, 2005.

OKLAHOMA BOARD OF NURSING

By: Cynthia Frost
President

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