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

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of	§	REINSTATEMENT
Registered Nurse License Number 708888	§	
& Vocational Nurse License Number 148050	§	
issued to BIBIAN CHIKERE ULUOCHA	§	AGREED ORDER

On this day came to be considered by the Texas Board of Nursing, hereinafter referred to as the Board, the Petition for Reinstatement of Registered Nurse License Number 708888 and Vocational Nurse License Number 148050, held by BIBIAN CHIKERE ULUOCHA, hereinafter referred to as Petitioner.

An informal conference was held on October 9, 2012, at the office of the Texas Board of Nursing, in accordance with Section 301.464, Texas Occupations Code.

Petitioner appeared in person. Petitioner was represented by Meka Odunze, Attorney at Law. In attendance were Bonnie Cone, MSN, RN, Executive Director's Designee; Kathy Leader-Horn, LVN, Board Member; Kyle Hensley, Assistant Counsel; Anthony L. Diggs, MSCJ, Director of Enforcement; Ramona Gaston-McNutt, BSN, RN, Nurse Consultant; and Diane E. Burell, Investigator.

FINDINGS OF FACT

1. Prior to 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 consented to the entry of this Order.

3. Petitioner received a Certificate in Vocational Nursing from San Jacinto College North, Houston, Texas, on December 16, 1993. Petitioner was licensed to practice vocational nursing in the State of Texas on August 29, 1994. Petitioner received an Associate Degree in Nursing from North Harris Community College, Houston, Texas, in 2004, and received a Baccalaureate Degree in Nursing from Texas Tech. University, Lubbock, Texas, on May 8, 2004. Petitioner was licensed to practice professional nursing in the State of Texas on August 10, 2004.

4. Petitioner's nursing employment history includes:

8/94 - 2003	Unknown	
2004 - 2009	Staff Nurse	SilverHawk Health Care Systems Houston, Texas
2005	Staff Nurse	Ace Medical Services Houston, Texas
2005 - 2006	Staff Nurse	Harris County Hospital District Houston, Texas
2010 - present	Not employed in nursing	

5. On August 24, 2010, the Board accepted the voluntary surrender of Petitioner's licenses to practice vocational and professional nursing in the State of Texas. A copy of the August 24, 2010, Agreed Order, Findings of Fact, and Conclusions of Law, is attached and incorporated, by reference, as a part of this Order.

6. On or about June 14, 2012, Petitioner submitted a Petition for Reinstatement of License to practice nursing in the State of Texas.

7. Petitioner presented the following in support of her petition:

   7.1. Documentation, dated July 7, 2011, of Petitioner's successful completion of community supervision for the Felony offense committed on March 3, 2002.

   7.2. Letter of support, dated June 27, 2012, from Rahel Ghidei, Office Manager, Silver-Hawk Home Healthcare, Houston, Texas, states while Petitioner was with the company for over three (3) years, she was dedicated and provided excellent service to the patients. Petitioner took the initiative and responsibility to provide prescriptions to handicapped patients around the Houston metropolitan area, regardless of the time of day. Petitioner has always been a woman dedicated to serving patients in need and has always handled herself in a professional, responsible manner.

   7.3. Letter of support, dated March 22, 2012, from Princess Uluocha states she is writing on behalf of her mother who is a very dedicated and hardworking woman. Petitioner is also honest, caring and always willing to help anyone in need. Ms. Uluocha does not believes Petitioner has ever been involved in neither any medical malpractice to a patient nor wrong-doing to any of her fellow colleagues. Petitioner constantly preaches to her children the importance and benefits of having a family member working in the medical field. Her interest in understanding and solving health concerns definitely relates to why she loves to work within healthcare.

7.4. Letter of support, dated March 22, 2012, from Helen Anujulu, Houston, Texas, states she has known Petitioner for several years. Petitioner has been a good friend and a prayer partner for many years. Petitioner is hardworking, caring, dedicated and competent in her nursing profession. She has excellent communication skills with people of all ages. Ms. Anujulu highly recommends Petitioner for any position or endeavor that she may seek to pursue.

7.5. Letter of support, dated June 27, 2012, from Clara Ozueh, Fresno, Texas, states she has known Petitioner for more than fifteen (15) years. Petitioner is very focused, hard-working, and committed to her studies. Petitioner is always helpful and ready to play her role with her friends and community. Petitioner is loving, kind, and responsible.

7.6. Letter of support from Reverend Ken Oyakhilome, Christ Embassy, Houston, Texas, states Petitioner is a committed member of the church. She has displayed true Christian character, Christ-like humility and integrity in her relationship with fellow Church members. Petitioner is a woman with exceptional character. She has participated in various ministry and charitable activities. Reverend Oyakhilome recommends Petitioner and believes that she would fulfill any role or responsibility she plays within a larger society and in her nursing career.

7.7. Documentation of the required continuing education contact hours.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.

2. Pursuant to Section 301.467, Texas Occupations Code, the Board may refuse to issue or renew a license, and may set a reasonable period that must lapse before reapplication. Pursuant to 22 TEX. ADMIN. CODE §213.26, the Board may impose reasonable conditions that a Petitioner must satisfy before reissuance of an unrestricted license.

ORDER

IT IS THEREFORE AGREED, subject to ratification by the Texas Board of Nursing, that the petition of BIBIAN CHIKERE ULUOCHA, Registered Nurse License Number 708888 and Vocational Nurse License Number 148050, to practice nursing in the state of Texas, be and the same is hereby GRANTED, AND SUBJECT TO THE FOLLOWING STIPULATIONS SO LONG AS THE PETITIONER complies 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 the stipulations contained in this Order:

IT IS FURTHER AGREED and ORDERED that, while under the terms of this Order, this Order SHALL apply to any and all future licenses issued to Petitioner to practice nursing in the State of Texas.

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

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

(1) PETITIONER SHALL pay all re-registration fees and be issued a license to practice nursing in the State of Texas, which shall bear the appropriate notation. Said licenses issued to BIBIAN CHIKERE ULUOCHA, shall be subject to the following agreed post-licensure stipulations:

(2) PETITIONER SHALL, within one (1) year of relicensure, successfully complete a course in Texas nursing jurisprudence and ethics. PETITIONER SHALL obtain Board approval of the course prior to enrollment only if the course is <u>not</u> being offered by a pre-approved provider. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include nurses. It 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. PETITIONER 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 PETITIONER'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. *Board-approved courses may be found at the following Board website address: http://www.bon.texas.gov/disciplinaryaction/stipscourses.html.*

(3) Petitioner SHALL, within one (1) year of relicensure, successfully complete 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 program, Petitioner SHALL SUBMIT the continuing education certificate of completion for this program to the Board's office, to the attention of Monitoring. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure. *Board-approved courses may be found at the following Board website address: http://www.bon.texas.gov/disciplinaryaction/stipscourses.html.*

IT IS FURTHER AGREED, SHOULD PETITIONER CHOOSE TO WORK AS A NURSE IN TEXAS, PETITIONER WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING PROBATION CONDITIONS FOR TWO (2) YEARS OF EMPLOYMENT. THE LENGTH OF THE PROBATION PERIOD WILL BE EXTENDED UNTIL SUCH TWENTY-FOUR (24) MONTHS 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 STIPULATION PERIOD:

(4) Petitioner SHALL notify all future employers in nursing of this Order of the Board and the probation conditions on Petitioner'S license(s). Petitioner SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each future employer prior to accepting an offer of employment.

(5) Petitioner SHALL CAUSE each future employer to submit the Notification of Employment form, which is provided to the Petitioner by the Board, to the Board's office within five (5) days of employment as a nurse.

(6) For the first year 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). The 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.

(7) For the remainder of the stipulation 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 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.

(8) 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 nurse who supervises the Petitioner. These reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) month period for two (2) year(s) of employment as a nurse.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, all encumbrances will be removed from PETITIONER'S license(s) to practice nursing in the State of Texas and PETITIONER shall be eligible for nurse licensure compact privileges, if any.

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PETITIONER'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Reinstatement Agreed Order. I certify that my past behavior, except as disclosed in my Petition for Reinstatement of Licensure, has been in conformity with the Board's professional character rule. I have provided the Board with complete and accurate documentation of my past behavior in violation of the penal law of any jurisdiction which was disposed of through any procedure short of convictions, such as: conditional discharge, deferred adjudication or dismissal. I have no criminal prosecution pending in any jurisdiction.

I have reviewed this Order. 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 to practice professional nursing in the state of Texas. I understand that if I fail to comply with all terms and conditions of this Order, my license(s) to practice nursing in the State of Texas will be revoked, as a consequence of my noncompliance.

Signed this 29th day of Oct., 2012.

BIBIAN CHIKERE ULUOCHA, Petitioner

Sworn to and subscribed before me this 29th day of OCTOBER, 2012.

SEAL

NOTARY PUBLIC STATE OF TEXAS
Uche Emenike
My Commission Expires
02/17/2015

Notary Public in and for the State of TEXAS

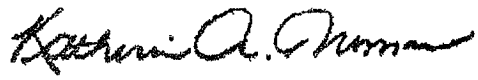
Approved as to form and substance.

MEKA ODUNZE, Attorney for Petitioner

Signed this 29th day of October, 2012.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Reinstatement Agreed Order that was signed on the 29th day of October, 2012, by BIBIAN CHIKERE ULUOCHA, Registered Nurse License Number 708888, and Vocational Nurse License Number 148050, and said Order is final.

Effective this 18th day of December, 2012.



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

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

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, 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:

08/94 - 02/02	Unknown	
03/02 - 06/03	RN Nurse	SilverHawk Health Care Systems 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

CHIDI NICKERSON
My Commission Expires
April 25, 2012

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