

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Registered Nurse                   §     AGREED  
License Number 665235                               §  
issued to UGONMA ADANMA EGEGE                 §     ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of UGONMA ADANMA EGEGE, Registered Nurse License Number 665235, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(10)&(13), Texas Occupations Code. Respondent waived representation by council and agreed to the entry of this Order offered on January 23, 2007, by Katherine A. Thomas, MN, RN, Executive Director, subject to ratification by the Board.

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 representation by council 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 in Nursing from Nigeria on March 1, 1996. Respondent was licensed to practice professional nursing in Nigeria on June 4, 1996, was licensed practice professional nursing in the State of Florida on July 20, 1999, and was licensed to practice professional nursing in the State of Texas on December 12, 1999.
5. Respondent's professional nursing employment history includes:  

3/96 to 11/99	Unknown
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Respondent's professional nursing employment history continued:

12/99 to 2003	RN Vital Ambulatory Healthcare, Inc. Houston, Texas
2000 to 2001	RN Memorial Hermann Hospital Houston, Texas
1/01 to 8/01	RN Select Specialty Hospital Houston, Texas
2001 to Unknown	RN All About Staffing, Inc. Houston, Texas
2002 to Unknown	RN Triumph Hospital-Southwest Sugar Land, Texas
2004 to Present	RN Owner/Administrator/Director of Nursing Bema Healthcare, Inc. Stafford, Texas

6. At the time of the initial incident, Respondent was employed as the Owner/Administrator/Director of Nursing with Bema Healthcare, Inc., Stafford, Texas, and had been in this position for two (2) years and nine (9) months.
7. On or about September 7, 2006, while employed with Bema Healthcare, Inc., Stafford, Texas, Respondent admitted Patient OW to home health services without the patient's consent in that the patient's signature was falsified on the consent document. Respondent's conduct was deceptive and may have resulted in the facility receiving compensation for unauthorized services.
8. On or about January 12, 2007, while employed as the Owner/Administrator/Director of Nursing with Bema Healthcare, Inc., Stafford, Texas, Respondent failed to cooperate with a lawful investigation of the Board of Nurse Examiners for the State of Texas in that Respondent failed to produce records in compliance with the Board's subpoena dated December 12, 2006, as required. The Board's subpoena was served to Respondent at the address of record for Bema Healthcare, Inc., Stafford, Texas, and required Respondent to produce the requested records within thirty (30) days of service. Respondent's conduct denies the State of Texas access to evidence and information needed to ensure the safe and effective delivery of nursing care to the public.

9. In response to the incident in Finding of Fact Number Seven (7), Respondent states that at the time of a State Survey the consent for services document and the comprehensive nursing assessment were missing from the medical record, Respondent completed these documents to the best of her ability to complete the file until the originals could be found. Respondent states it was not her intent nor did she represent that the signature of Patient OW was hers. Further, Respondent states that she informed the State Surveyor that signature was not the patient's and the original documents were missing from the file. In response to the incident in Finding of Fact Number Eight (8), Respondent states that the Alternate Administrator opened the document sent to the office of Bema Healthcare, Inc., the Alternate Administrator believed that the document was not genuine. The agency had terminated a RN in November 2006, that RN had threatened to have Respondent's license revoked, and that RN's daughter worked at the Board of Nurse Examiners. Respondent state that to the best of her knowledge all subsequent letters from the Board of Nurse Examiners were unopened. Respondent admits she used poor judgment.
10. The Board finds that in addition to the initial subpoena for documents sent to Respondent at the address of record for Bema Healthcare, Inc., Stafford, Texas, a copy of that subpoena was sent on August 13, 2007, via certified mail to Respondent at the address of record for Bema Healthcare, Inc., Stafford, Texas. Respondent produced none of the records related to the Board's subpoena until December 10, 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 violations of Section 301.452(b)(10)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §§217.11(1)(B) and 217.12(1)(C),(6)(A)&(6)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 665235, heretofore issued to UGONMA ADANMA EGEGE, including revocation of Respondent's license to practice professional nursing in the State of Texas.

#### ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that RESPONDENT SHALL receive the sanction of a WARNING 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 Professional 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 professional 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 Texas Board of Nursing 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 UGONMA ADANMA EGEGE, to the office of the Texas Board of Nursing within ten (10) days from 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 Texas nursing jurisprudence and ethics. RESPONDENT SHALL obtain Board approval of the course prior to enrollment only if the course is not 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) contact 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 Chemical Dependency, and Lying and Falsification. 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. *Board-approved courses may be found at the following Board website address: <http://www.bon.state.tx.us/about/stipscourses.html>.*

(3) RESPONDENT SHALL, within one (1) year of entry of this Order, 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, RESPONDENT 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. *Information regarding this workshop may be found at the following web address: <http://www.learningext.com/products/generalce/critical/ctabout.asp>.*

(4) RESPONDENT SHALL pay a monetary fine in the amount of two hundred fifty dollars (\$250.00). RESPONDENT SHALL pay this fine within forty-five (45) days of entry of this Order. Payment is to be made directly to the Texas Board of Nursing in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

**IT IS FURTHER AGREED, SHOULD RESPONDENT PRACTICE AS A REGISTERED NURSE IN THE STATE OF TEXAS, RESPONDENT WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL**

**SETTING AND RESPONDENT MUST WORK IN SUCH SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING STIPULATIONS FOR ONE (1) YEAR OF EMPLOYMENT. THE LENGTH OF THE STIPULATION PERIOD WILL BE EXTENDED UNTIL SUCH TWELVE (12) MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE THE USE OF A REGISTERED NURSE (RN) LICENSE WILL NOT APPLY TO THIS STIPULATION PERIOD:**

(5) RESPONDENT SHALL notify each present employer in nursing of this Order of the Board and the stipulations on RESPONDENT's license. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each present employer within five (5) days of receipt of this Order. RESPONDENT SHALL notify all future employers in nursing of this Order of the Board and the stipulations on RESPONDENT's license. RESPONDENT 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.

(6) RESPONDENT SHALL CAUSE each present employer in nursing to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within five (5) days of employment as a nurse.

(7) During the entire stipulation period, RESPONDENT SHALL be supervised by a Registered Nurse who is on the premises. The supervising nurse is not required to be on the same unit or ward as RESPONDENT, 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 Respondent is currently working. RESPONDENT SHALL work only regularly assigned, identified and predetermined unit(s). RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(8) RESPONDENT SHALL CAUSE each employer to submit, on forms provided to the Respondent by the Board, periodic reports as to RESPONDENT's capability to practice nursing. These reports shall be completed by the Registered Nurse who supervises the RESPONDENT. These reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) months for one (1) year of of employment as a nurse.

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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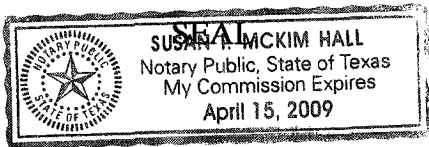
RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. 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 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 professional nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 11 day of February, 2008.

Ugonma Adanma Egege  
UGONMA ADANMA EGEGE, Respondent

Sworn to and subscribed before me this 11 day of February, 2008.



Susan A. McKim Hall  
Notary Public in and for the State of Texas



WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 11th day of February, 2008, by UGONMA ADANMA EGEGE, Registered Nurse License Number 665235, and said Order is final.

Effective this 12th day of February, 2008.



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