

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: Paul Ngek, L.P.N.
License Number: 0002-091305
Case Number: 162748

ORDER

JURISDICTION AND PROCEDURAL HISTORY

Pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10), an Agency Subordinate of the Virginia Board of Nursing (“Board”) held an informal conference on June 23, 2016 in Henrico County, Virginia, to inquire into allegations that Paul Ngek, L.P.N., may have violated certain laws and regulations governing the practice of practical nursing in Virginia.

Mr. Ngek appeared at this proceeding and was not represented by legal counsel.

NOTICE

By letter dated May 24, 2016, the Board of Nursing sent a Notice of Informal Conference (“Notice”) to Mr. Ngek notifying him that an informal conference would be held on June 23, 2016. The Notice was sent by certified and first class mail to the legal address of record on file with the Board of Nursing.

BOARD’S CONSIDERATION OF AGENCY SUBORDINATE’S RECOMMENDATION

The Board met regarding this matter on September 21, 2016. Mr. Ngek was not present nor was he represented by legal counsel. In consideration whereof, the Board makes the following Findings of Fact and Conclusions of Law and issues the ORDER contained herein.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Paul Ngek, L.P.N. was issued License Number 0002-091305 to practice practical nursing on August 22, 2014, which is scheduled to expire on July 31, 2017. At all times relevant to

the allegations herein, said license was in full force and effect. His primary state of residence is Virginia.

2. Paul Ngek, L.P.N. violated Virginia Code § 54.1-3007(2), (5), and (8) and 18 VAC 90-20-300(A)(2)(f) of the Regulations Governing the Practice of Nursing in that during the course of his employment at Brookdale Assisted Living, Fredericksburg, Virginia, Mr. Ngek failed to provide timely emergency care to Resident A, who did not have a Do Not Resuscitate order (“DNR”) and who had been found lying on the floor of her bedroom. Specifically:

a. On April 2, 2015 at approximately 5:20 a.m., Mr. Ngek was called by a certified nurse aide to assist with Resident A, who was located on the second floor. Mr. Ngek arrived to find Resident A face-down and unresponsive, without pulse or respiration, on the floor of her residence. After rolling Resident A onto her back, Mr. Ngek left the room and went to the first floor to check on Resident A’s code status and call 911. Spotsylvania County dispatch recorded that it received Mr. Ngek’s 911 call at 5:25 a.m.

b. A deputy sheriff arrived seven minutes after the 911 call was initiated by Mr. Ngek. The deputy stated he observed Resident A lying on the floor and she was without pulse or breathing.

c. The deputy initiated CPR and turned over care to the EMS upon their arrival. Resident A was pronounced dead at 5:50 a.m. Mr. Ngek is CPR certified. At no time did Mr. Ngek or any of the other staff members initiate CPR.

d. At the informal conference, Mr. Ngek admitted that he did not attend to the patient immediately, but instead went to the nurse’s station to check the patient’s DNR status. Mr. Ngek stated that, in hindsight, CPR should have been initiated immediately.

3. Mr. Ngek began employment as an LPN with Brookdale on September 25, 2014. Mr. Ngek continues to be employed at Brookdale.

ORDER

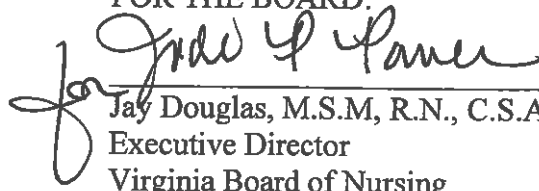
Based on the foregoing Findings of Fact and Conclusions of Law, the Board Orders as follows:

1. Paul Ngek, L.P.N. is REPRIMANDED.
2. Within 60 days from the date of entry of this Order, Paul Ngek, L.P.N., shall provide written proof satisfactory to the Board of completion of the following NCSBN courses: *Professional Accountability & Legal Liability for Nurses* and *Sharpening Critical Thinking Skills*. Continuing education obtained through compliance with this term shall not be used toward licensure renewal.
3. Paul Ngek shall comply with all laws and regulations governing the practice of practical nursing in the Commonwealth of Virginia.
4. Any violation of the foregoing terms and conditions of this Order or any statute or regulation governing the practice of practical nursing shall constitute grounds for further disciplinary action.

Pursuant to Virginia Code § 54.1-2400.2, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record, and shall be made available for public inspection and copying upon request.

Pursuant to Virginia Code § 54.1-2400(10), Mr. Ngek may, not later than 5:00 p.m., on October 31, 2016, notify Jay P. Douglas, Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in writing that he desires a formal administrative hearing before the Board. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated.

FOR THE BOARD:



Jay Douglas, M.S.M, R.N., C.S.A.C., F.R.E.
Executive Director
Virginia Board of Nursing

ENTERED AND MAILED ON:

September 28, 2016

This Order shall become final on October 31, 2016, unless a request for a formal administrative hearing is received as described above.

Certified True Copy

By 

Virginia Board of Nursing