

IN THE MATTER OF

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BEFORE THE MARYLAND

FLORADINE EPOTEH EPOGE

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BOARD OF NURSING

License No.: LP54491

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OAG Case No.: 22-BP-055

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**ORDER FOR SUMMARY SUSPENSION OF LICENSED PRACTICAL NURSE
LICENSE PURSUANT TO SECTION 10-226(c)(2) OF THE ADMINISTRATIVE
PROCEDURE ACT**

The Maryland Board of Nursing (the "Board") hereby orders the **SUMMARY SUSPENSION** of the license of **FLORADINE EPOTEH EPOGE** (the "Respondent"), License Number **LP54491** to practice licensed practical nursing in the State of Maryland. The Board takes this action pursuant to the authority of Maryland Code Ann., State Government Article ("SG") § 10-226(c)(2) (2021 Repl. Vol.), which provides:

- (2) A unit may order summarily the suspension of a license if the unit:
 - (i) finds that the public, health, safety, or welfare imperatively requires emergency action; and
 - (ii) promptly gives the licensee:
 - 1. Written notice of the suspension, the finding and the reasons that support the finding; and
 - 2. An opportunity to be heard.

The Board has reason, as set forth below, to find that the public health, safety, or welfare imperatively requires emergency action ("SG") § 10-226(c) (2).

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**INVESTIGATIVE FINDINGS AND REASONS IN SUPPORT OF SUMMARY
SUSPENSION**

Based on investigatory information obtained by, received by and made known to and available to the Board, the Board has reason to believe that the following facts are true:¹

1. On April 30, 2019, the Respondent was issued a license to practice as a licensed practical nurse (“LPN”) in the State of Maryland, license number LP54491. The Respondent’s license is currently active and is scheduled to expire on October 28, 2023. The Compact² status of the Respondent’s Maryland LPN license is “Multistate.” According to the Maryland Board’s MyLicense Office (“MYLO”) database, the Respondent’s current address is in the State of Maryland.³

INITIAL APPLICATION FOR LPN BY EXAM

2. On or about July 12, 2012, the Respondent submitted a hard-copy Maryland Application for Exam of LPN License (“LPN Application”).
3. On the LPN Application, the Respondent indicated that she graduated from an LPN program located in Woodbridge, Virginia (the “LPN School”)⁴ on June 15, 2012. In

¹ The allegations set forth in this document are intended to provide the Respondent with reasonable notice of the Board’s action. They are not intended as and do not necessarily represent a complete description of the evidence, either documentary or testimonial, to be offered against the Respondent in connection with this action.

² The Nurse Licensure Compact (NLC) is an agreement between Boards of Nursing of party states that allows nurses to have one Multistate nursing license with the ability to practice nursing in both their home state and other party states. In accordance with the Nurse Licensure Compact, Md. Code Ann., Health Occ. § 8-7A-01.3(h) and § 8-7A-01.3(m) respectively, “Home state” means the party state that is the nurse’s primary state of residence, and, “Party state” means any state that has adopted this Compact.

³ The information cited in paragraph 1 in this document regarding the Respondent’s current address, active/renewal status, and Compact Status of the Maryland nursing license was obtained on November 18, 2022, from the Maryland Board’s website, the Maryland Board’s MYLO database, and the NURSYS database.

⁴ For confidentiality and privacy purposes, the names of individuals and healthcare facilities involved in this case are not disclosed in this document. The Respondent may obtain the names of all individuals and healthcare facilities referenced in this document by contacting the administrative prosecutor.

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addition, the Respondent's LPN Application stated that she completed a 13-month program at the LPN School that began on April 4, 2011 and ended on June 15, 2012.

4. The LPN Application was submitted by the Respondent who affirmed the following:

I hereby make an application for examination and registration in Maryland according to the NURSE PRACTICE ACT and the regulations of the Maryland Board of Nursing.

I affirm that the contents of this document are true and correct to the best of my knowledge and belief.

5. Based on the information provided in the LPN Application, the Maryland Board issued the Respondent a Maryland LPN license on April 30, 2019.⁵

LPN SCHOOL

6. On July 21, 2010, the Virginia Board of Nursing approved a Consent Order, ordering that the LPN School be placed on Conditional Provisional Approval for not less than one (1) year, subject to terms and conditions. The Consent Order was signed by LPN School's Program Director ("Director").⁶
7. On May 15, 2012, the Virginia Board of Nursing approved a Consent Order, signed by the Director. The May 15, 2012 - Consent Order orders that:

- a. [LPN School's] approval to operate a practical nursing education program in Virginia is WITHDRAWN. [LPN School] shall cease

⁵ According to the Board's records, the Respondent took the NCLEX-PN with the following results:

09/21/2012	Fail
04/27/2013	Fail
11/26/2013	Fail
07/12/2014	Fail
11/07/2014	Fail
04/26/2018	Fail
10/27/2018	Fail
02/15/2019	Fail
04/29/2019	Pass

⁶ Program Director completed and returned the email-based Certification on the Respondent's LPN Application, as Director of the Nursing Program.

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operations no later than June 30, 2013, when all students shall either have graduated or transferred to an approved program.

- b. [LPN School] shall not admit any new or transfer students.

THE RESPONDENT’S LPN SCHOOL OFFICIAL TRANSCRIPT

8. On or about September 25, 2022, the Board issued a Subpoena Duces Tecum (“Subpoena”) to the Respondent commanding her to produce and provide to the Board copies of transcripts from all schools attended for any LPN program, transcripts from all schools attended for any RN program, clinical rotations documentation from all schools attended for any LPN program, clinical rotations documentation from all schools attended for any RN program, and proof of school attendance.
9. The Respondent notified the Board that she did not have a copy of her transcript(s).
10. The Board’s investigators pulled a copy of the transcript that the Respondent submitted with her LPN Application. The transcript she had submitted with her LPN Application was an Official Transcript that listed the school as the LPN School. It is signed by the Director⁷ and dated July 12, 2012, and provides the following information:

<u>FIRST QUARTER</u>				<u>THIRD QUARTER</u>	
From: 04/04/2011 To: 06/10/2011				From: 09/19/2011 To 01/06/2012	
<u>Course Description</u>			<u>Contact Hours</u>	<u>Course Description</u>	<u>Contact Hours</u>
Basic Computer			30	Med/Surg I	120
Medical Terminology			60	Med/Surg II	120
Anatomy and Physiology			180	Med/Surg Clinical	200
Total Contact Hours Required			270	Med/Surg Lab	40
				Geriatrics Theory	30
				Geriatrics Clinical	40
				Total Contact Hours Required	550

⁷ On or about July 8, 2021, in the U.S. District Court of Maryland, Director was indicted on charges of Conspiracy to Commit Health Care Fraud; Conspiracy to Commit False Statements Relating to Health Care Matters and False Statements Relating to Health Care Matters. According to the Criminal Complaint, Director conspired with two

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<u>SECOND QUARTER</u> From: 06/13/2011 To: 09/16/2011		<u>FOURTH QUARTER</u> From: 01/09/2012 To: 06/15/2012	
<u>Course Description</u>	<u>Contact Hours</u>	<u>Course Description</u>	<u>Contact Hours</u>
Diet and Nutrition	60	Pediatric Nursing	90
Pharmacology	120	Pediatric Nursing Clinical	40
Nursing Fundamentals	210	Maternity Nursing	90
Nursing Fundamentals Lab	60	Maternity Clinical	40
Nursing Fundamentals Clinical	40	Mental Health Nursing	30
	490	Mental Health Clinical	40
Total Contact Hours		Professional Development & NCLEX Review	60
		Total Contact Hours Required	390

Summary of Clinical Agencies/Facilities and dates for each experience

Clinical Courses	Clinical Agency	Clinical Start Date	Clinical End Date	Total Hours
Nursing Fundamentals	Facility 1	09/12/11	09/16/11	40
Medical-Surgical Nursing	Facility 1 Facility 2	11/07/11	12/09/11	200
Geriatric Nursing	Facility 3	01/03/12	01/07/12	40
Maternity Nursing	Facility 4	04/16/12	04/20/12	40
Pediatric Nursing	Facility 4	04/23/12	04/27/12	40
Mental Health Nursing	Facility 5	05/07/12	05/11/12	40

other individuals and submitted false statements relating to health care matters by working together to sell fraudulent transcripts and diplomas that indicate that various individuals completed necessary courses and clinical hours to obtain nursing degrees and coached these unqualified individuals to pass the nursing board exam.

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THE BOARD'S INVESTIGATION

11. In a letter dated September 8, 2021, the Board's staff was notified by Facility 1, "we regret to inform you that after searching our records, we were unable to locate any school agreement for clinical rotations with [LPN School]."
12. On August 5, 2021, a Board Investigator contacted the General Counsel for Facility 2 and Facility 3, requesting information on any agreements with LPN School. On August 5, 2021, the General Counsel responded by email, stating "I searched our contracts database and do not find any contracts with [LPN School]. Additionally, as a skilled nursing facility, I do not believe we would have hosted clinicals for surgical nursing."
13. On August 6, 2021, a Board Investigator contacted Facility 4's Executive Director by phone. Executive Director stated that Facility 4 does not offer OB/GYN or pediatric care and that the program offers services to troubled teens, there are no nurses on staff, and the program does not offer any medical services.
14. On August 25, 2021, the Board's staff was notified by email that Facility 5 "does not have any affiliation or contracts with any nursing institute for any clinical hours."
15. On or about October 6, 2022, the Board Investigator conducted an interview of the Respondent under oath. The Respondent stated the following during the interview:
 - a. The Respondent is currently employed as an LPN at a skilled nursing/sub-acute rehabilitation facility located in Annapolis, Maryland. She has been employed by the facility for approximately two (2) years.
 - b. The Respondent first attended an LPN program ("LPN School 2") located in Washington D.C. According to the Respondent, she completed all of her clinical rotations at LPN School 2.

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- c. In order to graduate from LPN School 2, the Respondent had to pass an exit examination in a maximum of two attempts. The Respondent failed the exit examination twice and was not allowed to graduate.
- d. The Respondent learned about LPN School from a friend.
- e. The Respondent explained that she was instructed to give her LPN School 2 transcript to the Director of LPN School. The Director reviewed her LPN School 2 transcript and informed her that she needed to start with the Med-Surg I course.
- f. The Respondent recalled attending LPN School for approximately 7-8 months. She paid a down payment of \$3,000-\$4,000 and then \$500 monthly directly to the Director via bank card (cash).
- g. While attending the LPN school, she worked the day shift as a Geriatric Nursing Assistant.
- h. The Respondent stated that she took Med-Surg, Pediatrics, Mental Health, Maternity, and Geriatrics at LPN School
- i. The Respondent explained that she did not complete clinical rotations at LPN School because the Director told her that clinical rotations were optional for students who transferred from a different school.
- j. When shown the transcript that she submitted with her LPN Application, the Respondent admitted that she **DID NOT** take any of the courses listed on her transcript under "Quarter 1" and "Quarter 2." The Respondent also confirmed that she **DID NOT** complete any of the clinical experiences that were listed on the transcript she submitted.
- k. When asked whose signature was on the LPN Application, the Respondent confirmed that the signature was her own.
- l. The Respondent explained that the Director filled out the top part of the application's second page. When asked if she reviewed the information on her transcript and her LPN Application for accuracy, the Respondent stated that she "just signed" the document and submitted it.
- m. The Respondent added that after finishing her LPN at LPN School, she started an RN program at RN School⁸ located in Palm Bay,

⁸ In accordance with the Maryland Nurse Practice Act, Md. Code Ann., Health Occ. §§ 8-302(b) and (c), all applicants for licensure as an RN or LPN must have completed satisfactorily and met all requirements for a diploma or degree

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Florida. She stated that she was attending in-person classes in Hyattsville, Maryland, but then switched to online classes when COVID started. She added that she flew to Florida for clinical rotations, but the clinical rotations never happened. She paid \$19,500 to RN School but never received a transcript.

16. The Board reached out to LPN School 2 and obtained a copy of the Respondent’s transcript.

The transcript contained the following information:

DATE ENROLLED: May 2009

DATE COMPLETED: N/A

First Quarter	Class Hours	Lab/Clinical Hours	Total Hours	Grade	Status
Orientation	3		3		
Anatomy & Physiology	140		140	C	P
Fundamentals of Nursing	100	100	200	C	P
Nutrition	35		35	F	F
(Repeated)				B	P
Microbiology	30		30	F	F
(Repeated)				B	P
Second Quarter	Class Hours	Lab/Clinical Hours	Total Hours	Grade	Status
Medical Surgical Nursing I	148	200	348	C	P
Medical Surgical Nursing II	148	200	348	F	F
(Repeated)				C	P
Pharmacology	80		80	F	F
(Repeated)				C	P
Nursing in Society	40		40	B	P
Third Quarter	Class Hours	Lab/Clinical Hours	Total Hours	Grade	Status
Pediatric Nursing	60	40	100	F	F
(Repeated)				C	P
Maternal Health Nursing	60	40	100	C	P
Mental Health Nursing	60	40	100	B	P
Gerontology	40	40	80	B	P
Comprehensive Exam				F	F
Comprehensive Exam				F	F
Comprehensive Exam				F	F

from either: (1) An education program approved by the Board (applicable to in-state programs); or (2) An education program in any other state or country that the Board finds substantially equivalent to the education program in Maryland at the time of the applicant's graduation.

RN School is NOT listed on the Board’s approved out-of-state school list. In addition, the RN School was conducting classes virtually which the school is NOT approved to do by the Florida Department of Education and the Florida Board of Nursing.

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DISCUSSION

17. The Respondent submitted a Maryland LPN application with fraudulent information about her LPN education, including where and when she went to school, and a fraudulent transcript from the school, resulting in the Board issuing an LPN license to the Respondent in April 2019. The Respondent did not meet the Board's statutory and regulatory requirements, didactic and clinical training, for LPN licensure by exam, and has practiced on a fraudulent LPN license. The Respondent's continued practice poses a serious risk and danger to public health, safety, and welfare.

CONCLUSION OF LAW

Based on the foregoing investigative findings and reasons, the Board finds that the public health, safety or welfare imperatively requires emergency action in this case pursuant to Md. Code Ann., State Govt. § 10-226(c)(2) (2021 Repl. Vol.).

ORDER

It is hereby:

ORDERED that pursuant to the authority vested in the Board of Nursing by Maryland Code Ann., State Govt. § 10-226(c)(2) (2021 Repl. Vol.) the license of **FLORADINE EPOTEH EPOGE** to practice as a licensed practical nurse in the State of Maryland is hereby **SUMMARILY SUSPENDED**; and be it further

ORDERED that there will be a Show Cause Hearing on **Wednesday, December 14, 2022 at 1:15 p.m.** before the Board at the Maryland Board of Nursing offices, 4140 Patterson Avenue, Baltimore, Maryland 21215; and be it further

ORDERED that if, the suspension of the Respondent's license is continued following a Show Cause Hearing, the Respondent has the right to a full evidentiary hearing before the Board

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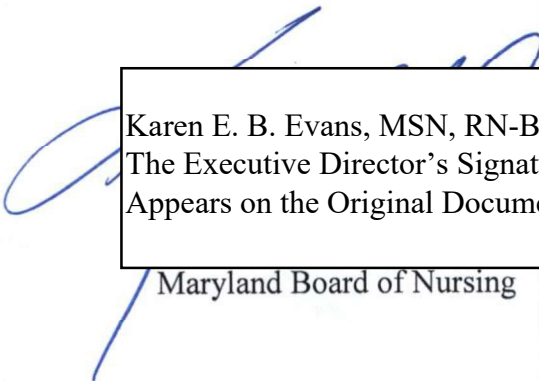
and a hearing will be scheduled before the Board if the Respondent submits a written request for an evidentiary hearing to the Board **no later than thirty (30) days from the date of the Board's written decision issued after the Show Cause Hearing;** and be it further

ORDERED that if the Respondent does not submit a timely written request to the Board for an evidentiary hearing within 30 days from the date of the Board's written decision issued after the Show Cause Hearing, the Respondent shall have waived all rights now and in the future to any hearing on the merits of the summary suspension of the Respondent's license and the factual allegations contained in this Order for Summary Suspension; and it is further

ORDERED that this Order for Summary Suspension shall remain in effect and the summary suspension of the Respondent's license shall continue until further Order of the Board; and it is further

ORDERED that this, "Order for Summary Suspension of Licensed Practical Nurse License" is a **PUBLIC RECORD** pursuant to Md. Code Ann., General Provisions § 4-101 *et seq.* & § 4-333 (2019).

November 29, 2022
Date


Karen E. B. Evans, MSN, RN-BC
The Executive Director's Signature
Appears on the Original Document

Maryland Board of Nursing