

IN THE MATTER OF

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BEFORE THE MARYLAND

VIVIAN NWANA

BOARD OF NURSING

License Number: R255684

OAG CASE No. 23-BP-016

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**ORDER FOR SUMMARY SUSPENSION OF REGISTERED 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 Vivian Nwana, (the “Respondent”), License Number R255684 to practice registered 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 September 6, 2022, the Respondent was issued a license to practice as a registered nurse (“RN”) in the State of Maryland, license number R255684. The Respondent’s license is currently active and is scheduled to expire on December 28, 2024. The Compact² status of the Respondent’s Maryland RN license is “Multistate.”

APPLICATION FOR RN

2. On or about May 1, 2018, the Respondent submitted an online Maryland Application for RN by Exam (“RN Exam Application”). On the RN Exam Application, the Respondent indicated that she attended a basic nursing education program at Met-Life Institute – West Palm Beach.

3. On or about March 5, 2021, the Respondent submitted an online Maryland Application for Endorsement for RN (“RN Endorsement Application”). On the RN Endorsement Application, the Respondent indicated that she graduated from a basic nursing education program with an associate degree from Palm Beach School of Nursing located in Palm Beach, Florida on January 12, 2018.

¹The 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.

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4. On the RN Exam Application and RN Endorsement Application the Respondent affirmed and agreed with the following statement: “I affirm that the contents of this document are accurate to the best of my knowledge” and was advised that “providing false or misleading information may result in disciplinary action by the Board and may result in denial of licensure.”

RN SCHOOL

5. On July 8, 2021, a Criminal Complaint and Affidavit of Criminal Complaints were filed alleging that Johanah Napoleon and other individuals committed (1) Conspiracy to Commit Health Care Fraud (2) Conspiracy to Commit False Statements Relating to Health Care Matters and (3) False Statements Relating to Health Care Matters. The Affidavit alleged that Napoleon and other individuals worked together to sell fraudulent transcripts and diplomas that indicate that various individuals completed necessary courses and clinical hours to obtain nursing degrees and a number of these unqualified individuals subsequently obtained employment at various healthcare providers in the District of Maryland.

6. On June 2, 2022, an Information was filed alleging that Johanah Napoleon committed Conspiracy to Commit Mail Fraud and Wire Fraud. Johanah Napoleon was identified as the President of Palm Beach School of Nursing. According to the Information, the Purpose of the Conspiracy was “for the defendant [Johanah Napoleon] and her co-conspirators to unlawfully enrich themselves by, among other things, selling fraudulent nursing diplomas, educational transcripts and other credentials, assisting the purchasers in fraudulently obtaining licensure and ultimately employment in the healthcare field.”

7. In a notarized affidavit, signed on June 7, 2022, Johanah Napoleon declared under penalties of perjury the following information was true and correct:

I owned and operated the following schools:

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Med-Life Institute WPB LLC (“Med-Life”) from September 28, 2015 until it was dissolved on September 23, 2016. Med-Life was located at 2695 N. Military Trail, Suite #17, West Palm Beach, FL 33409. Med-Life continued to issue diplomas and transcripts after its dissolution. Med-Life Institute was licensed by the Florida Commission for Independent Education and the Florida Board of Nursing and was authorized to offer Nursing – Associate in Science Degree. The objective of the program was to “prepare the student to meet the requirements of the Florida Department of Health and the Florida Board of Nursing for Registered Nurse Education and meet eligibility for licensing exam (NCLEX-RN) in order to work as a Registered Nurse in a variety of settings in a safe and effective manner.” Med-Life was authorized to provide instruction on campus to individuals seeking a[n] Associate in Science Degree. This program required students to complete 1665 hours of instruction, which included 720 hours of clinical experience in a health care setting.

Palm Beach School of Nursing LLC (“Palm Beach School of Nursing”) from its incorporation on or about April 11, 2016 to present... Palm Beach School of Nursing was licensed by the Florida Commission for Independent Education and the Florida Board of Nursing and was authorized to offer a Nursing – Associate in Science Degree. The objective of the program was to “prepare the student to meet the requirements of the Florida Department of Health and the Florida Board of Nursing for Registered Nurse Education and meet eligibility for licensing exam (NCLEX-RN) in order to work as a Registered Nurse in a variety of settings in a safe and effective manner.” Palm Beach School of Nursing was authorized to provide instruction on campus to individuals seeking a[n] Associate in Science Degree. This program required students to complete 1665 hours of instruction, which included 720 hours of clinical experience in a health care setting.

....

....

From in or around October 2016 to in or around December 2020, ... Med-Life, [and] Palm Beach School of Nursing, ... issued transcripts and diplomas to 62 individuals listed in Attachment A, who completed the required program hours and clinical training necessary to receive either a practical nursing

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diploma and transcript or a nursing associate in science degree and transcript.

From in or around October 2016 to present, . . . Med-Life, [and] Palm Beach School of Nursing . . . issued transcripts and diplomas to 4989 individuals listed in Attachment B, who did not complete the required program hours and clinical training necessary to obtain either a practical nursing diploma and transcript of a nursing associate in science degree and transcript.

. . . .

I am also aware there may be other individuals claiming to have completed the registered nursing program at Med-Life or Palm Beach School of Nursing who may possess illegitimate degrees and transcripts. However, those individuals not named in Attachment A are not known to me to have completed the required program hours and clinical training necessary to earn a nursing associate in science degree and transcript.

8. The Respondent's name, date of birth, and social security number appears on Attachment B of Johanah Napoleon's Affidavit indicating that the Respondent was issued a transcript and diploma without completing the required program hours and clinical training necessary to obtain a nursing associate in science degree and transcript.

BOARD'S INVESTIGATION

9. The Respondent completed and submitted to the Board an Investigative Questionnaire which he signed on or about February 17, 2023, which states:

By my signature below, I hereby certify under the penalties of perjury that the information I provided in or attached to this Questionnaire is true and correct to the best of my knowledge and belief.

10. As part of that Questionnaire, the Respondent reported that she enrolled in a nursing education program at Palm Beach School of Nursing on July 26, 2017; received a diploma or degree from Palm Beach School of Nursing on December 1, 2017; and completed nine hours of

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clinicals per day at Palm Beach School of Nursing from October 16, 2017 to October 20, 2017 and October 23, 2017 to October 27, 2017.

11. The Respondent included an Official Transcript with her Questionnaire. The Official Transcript dated February 26, 2018 listed the school as Palm Beach School of Nursing, with the dates attended as June 27, 2016 to December 1, 2017.

NCLEX EXAM

12. According to the NCSBN NCLEX³ Administration, the Respondent sat for the NCLEX-RN examination on the following dates:

Appt	Status	Member Board
11-17-2018	Delivery Successful	Maryland Board of Nursing
02-06-2019	Delivery Successful	Maryland Board of Nursing
05-14-2019	Delivery Successful	Maryland Board of Nursing
07-18-2019	Delivery Successful	Maryland Board of Nursing
09-09-2019	Delivery Successful	Maryland Board of Nursing
12-19-2019	Delivery Successful	Maryland Board of Nursing
02-15-2020	Delivery Successful	Maryland Board of Nursing
07-10-2020	Taken	Virginia Board of Nursing
10-29-2020	Taken	Virginia Board of Nursing
02-24-2021	Taken	Virginia Board of Nursing

13. According to the NCLEX Registration Data, the Respondent graduated from Palm Beach School of Nursing in December 2019 and sat for the RN examination on February 24, 2021.

DISCUSSION

14. The Respondent submitted information on her RN Exam Application that she received her basic nursing education from Med-Life Institute – West Palm Beach, and then submitted information on her RN Endorsement Application indicating that she graduated on January 12, 2018 with her basic nursing education from Palm Beach School of Nursing. The

³ NCLEX is an acronym for the National Council Licensure Examination.

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registration information to NCLEX, indicated that the Respondent graduated in December 2019 with her basic nursing education from Palm Beach School of Nursing. The transcript the Respondent provided to the Board as part of her written response indicated that the Respondent graduated on December 1, 2017 from Palm Beach School of Nursing.

15. The Respondent provided false/contradictory information about her RN education.

16. In a signed affidavit, Johanah Napoleon, owner and operator of Palm Beach School of Nursing and Med-Life Institute – West Palm Beach, provided a list of individuals who did not complete the required program hours and clinical training at Palm Beach School of Nursing and Med-Life Institute, necessary to receive a transcript or a nursing associate in science degree. The Respondent was identified on the list by name, date of birth and social security number.

17. The Respondent does not meet the Board's statutory and regulatory requirements for RN licensure in Maryland.

18. The Respondent holds an active, compact RN license and the Respondent's ability and opportunity to practice as an RN in the State of Maryland and/or any compact state on a fraudulently obtained RN license, poses a serious risk and danger to the 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.).

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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 Vivian Nwana to practice as a registered nurse in the State of Maryland is hereby **SUMMARILY SUSPENDED**; and be it further

ORDERED that there will be a Show Cause Hearing on **March 22, 2023 at 11:15 a.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 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

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

March 6, 2023

Date

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

Maryland Board of Nursing