

IN THE MATTER OF	*	BEFORE THE MARYLAND
	*	
ALLAN AFEGENUI	*	BOARD OF NURSING
	*	
License Number: LP53803	*	OAG CASE No. 22 – BP - 006
RN Multi-state Licensure Privilege	*	
* * * * *		

**ORDER FOR SUMMARY SUSPENSION OF LICENSED PRACTICAL NURSE
LICENSE
AND
REGISTERED NURSE MULTI-STATE LICENSURE PRIVILEGE
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 Licensed Practical Nurse license, license number **LP53803** and **Registered Nurse Multi-State Licensure Privilege** (“RN MSLP”) (VA License Number 0001299726), of **ALLAN AFEGENUI** (the “Respondent”), 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:

- 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 under SG § 10-226 (c) (2).

**ORDER FOR SUMMARY SUSPENSION PURSUANT TO § 10-226(c)(2) OF THE
STATE GOVERNMENT ARTICLE
AFEGENUI, ALLAN: LP53803 & MSLP (VA RN License Number 0001299726)**

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

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

1. On January 31, 2018, the Respondent was issued a Licensed Practical Nurse (“LPN”) license in the State of Maryland. The Respondent’s LPN license is “non-renewed” and expired on September 28, 2020.
2. On or about October 30, 2019, the Respondent submitted an Application for Registered Nurse (RN) license by Exam to the Florida Board of Nursing. The Respondent indicated on the application that he graduated from RN School in Florida.² On June 16, 2020, the Respondent was issued a RN license in Florida and the Respondent’s Florida RN license has a status of “active/single state” and is due to expire on April 30, 2022.
3. On January 12, 2021, the Respondent was issued an RN license by endorsement, license number 0001299726, in the Commonwealth of Virginia. The Respondent’s Virginia RN license has an “active-compact”³ status and is due to expire on September 30, 2022.

MARYLAND APPLICATION FOR EXAM OF LPN LICENSE (“LPN APPLICATION”)

4. On or about October 30, 2017, the Respondent submitted an on-line LPN Application. The Respondent indicated on the LPN Application that he graduated on June 28, 2013 from LPN School.

¹The statements regarding the Respondent’s conduct identified herein are intended to provide the Respondent with reasonable notice of the asserted facts. 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.

² RN School is not a Board approved out of state RN education program.

³ Under the Nurse Licensure Compact (“Compact”), Maryland Nurse Practice Act § 8-7A-01, Virginia is a compact state, and the Respondent is allowed to practice under the multi-state licensure privilege in any state that is a party to the Compact. The State of Maryland is a party to the Compact.

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

LPN SCHOOL

6. On July 21, 2010, the Virginia Board of Nursing approved a Consent Order, ordering that [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”).

7. On May 15, 2012, the Virginia Board of Nursing approved a Consent Order, signed by Director. The May 15, 2012 - Consent Order orders that:

- i. [LPN School’s] approval to operate a practical nursing education program in Virginia is WITHDRAWN. [LPN School] shall cease operations no later than June 30, 2013, when all students shall either have graduated or transferred to an approved program.
- ii. [LPN School] shall not admit any new or transfer students.

THE RESPONDENT’S LPN SCHOOL OFFICIAL TRANSCRIPT

8. The Official Transcript, signed by Executive Program Director (“Director”) and dated June 28, 2013, provides the following information:

<p><u>FIRST QUARTER</u> From: 04/16/2012 To: 06/15/2012</p> <table border="1"> <thead> <tr> <th><u>Course Description</u></th> <th><u>Contact Hours</u></th> </tr> </thead> <tbody> <tr> <td>Basic Computer</td> <td>30</td> </tr> <tr> <td>Medical Terminology</td> <td>60</td> </tr> <tr> <td>Anatomy and Physiology</td> <td>180</td> </tr> <tr> <td>Total Contact Hours Required</td> <td>270</td> </tr> </tbody> </table>	<u>Course Description</u>	<u>Contact Hours</u>	Basic Computer	30	Medical Terminology	60	Anatomy and Physiology	180	Total Contact Hours Required	270	<p><u>THIRD QUARTER</u> From: 10/15/2012 To: 02/08/2013</p> <table border="1"> <thead> <tr> <th><u>Course Description</u></th> <th><u>Contact Hours</u></th> </tr> </thead> <tbody> <tr> <td>Med/Surg I</td> <td>120</td> </tr> <tr> <td>Med/Surg II</td> <td>120</td> </tr> <tr> <td>Med/Surg Clinical</td> <td>200</td> </tr> <tr> <td>Med/Surg Lab</td> <td>40</td> </tr> <tr> <td>Geriatrics Theory</td> <td>30</td> </tr> <tr> <td>Geriatrics Clinical</td> <td>40</td> </tr> <tr> <td>Total Contact Hours Required</td> <td>550</td> </tr> </tbody> </table>	<u>Course Description</u>	<u>Contact Hours</u>	Med/Surg I	120	Med/Surg II	120	Med/Surg Clinical	200	Med/Surg Lab	40	Geriatrics Theory	30	Geriatrics Clinical	40	Total Contact Hours Required	550
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Nursing Fundamentals	210	Maternity Nursing	90
Nursing Fundamentals Lab	60	Maternity Clinical	40
Nursing Fundamentals Clinical	40	Mental Health Nursing	30
Total Contact Hours	490	Mental Health Clinical	40
		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
Nsg. Fundamentals	[Site A]	10/08/12	10/12/12	40
Medical-Surgical Nsg.	[Sites A, B, C]	11/12/12	12/14/12	200
Geriatrics Nsg.	[Site D]	12/17/12	12/21/12	40
Maternity Nsg.	[Site E]	04/08/13	04/12/13	40
Pediatrics Nsg.	[Site E]	05/06/13	05/10/13	40
Mental Health Nsg.	[Site F]	05/27/13	05/30/13	40

THE BOARD’S INVESTIGATION:

9. On August 5, 2021, a Board Investigator contacted the General Counsel for Clinical Sites B, C and D, 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.”
10. On August 6, 2021, a Board Investigator contacted Clinical Site E’s Executive Director by phone. Executive Director stated that Clinical Site E 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.
11. On August 25, 2021, the Board’s staff was notified by email that Clinical Site F “does not have any affiliation or contracts with any nursing institute for any clinical hours.”
12. In a letter dated September 8, 2021, the Board’s staff was notified by Clinical Site A, “we regret to inform you that after searching our records, we were unable to locate any school agreement for clinical rotations with [LPN School].”

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13. On September 7, 2021, the Respondent was interviewed under oath and provided the following information:

- i. He has been employed by Staffing Agency as a RN for one year and was previously employed at Facility as an LPN in 2018.
- ii. His primary state of residence (PSOR) has always been Maryland but he plans to change his PSOR to Virginia.
- iii. He started attending LPN school in 2012 and graduated in 2013. It was a “one-year program.”
- iv. Classes were in-person and taught by three instructors including Director.⁴ Classes were five days a week or every other day, at times 12 hours/day or “flexible.”
- v. He paid a total amount of \$15, 000 to \$16, 000 in cash for the program.
- vi. [when asked about locations of clinical sites] He was unable to recall the names and specific locations of the sites.
- vii. [when provided with a copy of LPN School transcript and list of clinical sites] He stated that he “observed” nurses doing procedures; was not permitted to touch patients and provided no patient care. Students went back to the “practical site at the school” and demonstrated what was observed on a mannequin. He completed all courses and clinicals listed on the transcript “but not in 14 months” as listed on the transcript. He completed the program in eighteen months and the transcript was “false” regarding completing the program in 14 months. He picked up the transcript from Director in 2015 and acknowledged he had a copy of the transcript when he submitted his application. He could not provide a date of graduation from LPN School.
- viii. [when provided with a copy of the LPN application] He confirmed he completed the on-line application and indicated the same graduation date of June 28, 2013 listed on the transcript, which he stated was “false.” He could not provide an explanation why he entered the same date on the application.
- ix. He attended RN School⁵ in Florida, paid \$21, 000 cash and travelled from Maryland to take courses. Although Maryland was his PSOR, he applied for a Florida RN license because he attended school in Florida.⁶

DISCUSSION

14. The Respondent knowingly submitted a Maryland LPN application with fraudulent information about his LPN School, including a fraudulent graduation date and additionally

⁴ 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 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.

⁵ RN School transcript is signed by Individual.

⁶ When asked in what states he was licensed as a RN, he did not disclose that he had a VA RN license.

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submitted a fraudulent transcript, resulting in the Board issuing an LPN license to the Respondent in January 2018. During the Board's interview, the Respondent admitted to working as an LPN and the Respondent's recollection of the specifics of the courses and clinicals listed on the transcript, were vague but the Respondent insisted that he completed all the courses and clinicals listed. The Respondent did not meet the Board's statutory and regulatory requirements, including didactic and clinical training, for LPN licensure by exam and knowingly practiced on a fraudulent LPN license.

15. The Respondent holds an active, multi-state Virginia RN license and graduated from a RN school that is not approved by the Maryland Board of Nursing. The Respondent's continued practice 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.).

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 Licensed Practical Nurse license, license number **LP53803**, and **RN MULTI-STATE LICENSURE PRIVILEGE (VA 0001299726)**, of **ALLAN AFEGENUI**, in the State of Maryland are hereby **SUMMARILY SUSPENDED**; and be it further

ORDERED that there will be a Show Cause Hearing on **MARCH 23, 2022, at 11:00 AM** before the Board, at the Maryland Board of Nursing offices, 4140 Patterson Avenue, Baltimore, Maryland 21215; and be it further

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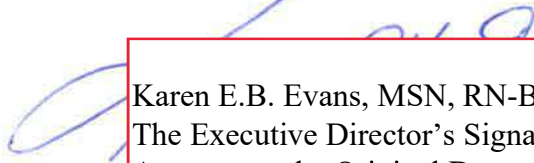
ORDERED that if, the suspension of the Respondent’s LPN license and RN MSLP is continued following a Show Cause Hearing, the Respondent has the right to a full evidentiary hearing before the Board and a hearing will be scheduled before the Board if the Respondent submits a written request for an evidentiary 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 LPN license, RN MSLP, 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 LPN license and RN MSLP shall continue until further Order of the Board; and it is further

ORDERED that this, “Order for Summary Suspension of Licensed Practical Nurse License and Registered Nurse Multi-State Licensure Privilege” is a **PUBLIC RECORD** pursuant to Md. Code Ann., General Provisions § 4-101 *et seq.* & § 4-333 (2019 Repl. Vol.).

March 8, 2022
Date



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

Maryland Board of Nursing