

IN THE MATTER OF

*

BEFORE THE MARYLAND

EBENEZER BOAHEN

*

BOARD OF NURSING

LICENSE NO.: R225659

*

OAG CASE NO. 23-BP-025

* * * * *

**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 **EBENEZER BOAHEN** (the “Respondent”), License Number **R225659**, to practice as a **REGISTERED NURSE** 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 give 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).

**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 or about January 13, 2017, the Respondent was issued a license to practice as a

¹The allegations set forth in this document are intended to provide the Respondent with 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.

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registered nurse (“RN”) in the State of Maryland, license number R225659. The Respondent’s RN license is currently active and is scheduled to expire on December 28, 2023. The Compact² status of the Respondent’s Maryland RN license is “Multistate.”

BACKGROUND

Maryland RN Endorsement Application

2. On or about October 19, 2016, the Respondent submitted to the Board an online Maryland Endorsement Application for Exam of RN License (“RN Application”).
3. On his RN Application, the Respondent indicated that he graduated from Med-Life Institute - West Palm Beach, Florida (“Med-Life”) on December 15, 2015 and received an Associate’s Degree. The Respondent’s state of original licensure was by exam in Pennsylvania.
4. On his RN Application, 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.”

NCLEX-RN Documentation

5. The Respondent’s NURSYS NCLEX-RN³ documentation indicates that the Respondent graduated from Palm Beach School of Nursing in West Palm Beach, Florida (“Palm Beach School of Nursing”) in December 2016⁴, applied to take the NCLEX-RN through application to the

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 NCLEX-RN is an acronym for the National Council Licensure Examination for registered nursing.

⁴ On his Maryland endorsement RN Application, the Respondent indicated that he graduated from MED LIFE on December 15, 2015.

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Pennsylvania Board of Nursing (“Pennsylvania Board”), and sat for the NCLEX-RN on August 5, 2016.⁵ The Pennsylvania Board issued the Respondent a license to practice as an RN in Pennsylvania on or about August 8, 2016.⁶

**United States District Court for the District of Maryland
Criminal Complaint**

6. On or about July 8, 2021, in the United States District Court for the District of Maryland, Case No. 21-mj-2014-TJS, Johanah Napoleon was indicted on charges of (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. According to the *Affidavit in Support of Criminal Complaints and Arrest Warrants*, Johanah Napoleon 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. Subsequently, these unqualified individuals obtained employment at various healthcare providers in the District of Maryland.

**United States District Court Southern District of Florida
Criminal Information**

7. On or about June 2, 2022, in the United States District Court Southern District of Florida, Case Number 22-60118, Johanah Napoleon was charged with Conspiracy to Commit Mail Fraud and Wire Fraud. According to the *Criminal Information* (“Florida Charges”), Johanah Napoleon

⁵ It is unclear how the Exam Date of August 5, 2016 occurred *before* the graduation date of December 2016 that is listed on the NURSUS NCLEX-RN document and may be a typographical error. The Respondent documented in his Maryland endorsement RN Application that he graduated on December 15, 2015.

⁶ The Respondent’s Pennsylvania RN license is currently active, unencumbered and due to expire on October 31, 2023.

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conspired with two other individuals to unlawfully enriched themselves by selling false and fraudulent transcripts and diplomas that indicated that various individuals completed necessary courses and clinical hours to obtain nursing degrees and mailed and/or caused others to mail fake diplomas, fraudulent transcripts, and other false documents to state licensing agencies on behalf of the purchasers. Using the false and fraudulent diplomas and transcripts, Johanah Napolean and her co-conspirators assisted the purchases of the false and fraudulent documents to obtain fraudulent nursing licenses from state licensing agencies, and ultimately employment in the healthcare field.

Affidavit of Johanah Napolean

8. In an affidavit notarized and signed on June 7, 2022, Johanah Napolean declared under penalty of perjury that the following “is true and correct to the best of [her] knowledge”:

I owned and operated the following schools:

....

Med-Life Institute WPB LLC (“Med-Life”) from September 28, 2015 until it was dissolved on September 23, 2016. Med-Life was located at...West Palm Beach, FL...Med-Life continued to issue diplomas and transcripts after its dissolution. Med-Life 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.” Med-Life was authorized to provide instruction on campus to individuals seeking a [*sic*] Associate in Science Degree. This program required students to complete 1,665 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 initially located at...West Palm Beach, FL...and then moved to...Lake Worth, FL...Palm Beach School of Nursing was licensed by Florida Commission for Independent Education and the Florida Board of Nursing and was authorized to

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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 [sic] Associate in Science Degree. This program required students to complete 1,665 hours of instruction, which included 720 hours of clinical experience in a health care setting.

....

From in or around October 2016 to present,...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 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 or 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 name 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.

9. The Respondent’s name, date of birth, and social security number are listed in Attachment B indicating the Respondent is one of the individuals who was issued a transcript and diploma and who did not complete the required program hours’and clinical training necessary to obtain a nursing associate in science degree and transcript.

Respondent’s Response to Board Request for Information

10. The Respondent completed and submitted to the Board an Investigative Questionnaire which he signed on February 14, 2023 which states:

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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.

11. On the Investigative Questionnaire, the Respondent indicated that he received an associate's degree in nursing from "Med Life Institute."

12. With regards to Med Life, on the questionnaire, the Respondent failed to provide the dates he had enrolled, the date he received his diploma, a list of all the courses for which he received clinical experience; the names and contact information for the facilities at which he completed his clinical experience; the number of days and number of hours for each day that he attended clinicals; and, the dates that he completed his clinical experience.

13. The Respondent also failed to provide the Board a copy of his transcript from Med Life.

DISCUSSION

14. The Respondent submitted registration information to NCLEX when applying for examination for licensure through the Pennsylvania Board indicating that he had graduated from Palm Beach School of Nursing in December 2016.

15. The Respondent submitted an RN Endorsement Application to the Maryland Board in which he indicated that he graduated from Med-Life, West Palm Beach on December 15, 2015.

16. The Respondent provided false and/or contradictory information about his RN education.

17. 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.

18. The Respondent does not meet the Board's statutory and regulatory requirements for RN

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licensure in Maryland.

19. The Respondent holds an active, Multistate RN license and the Respondent's ability and opportunity to continue 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.).

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 **EBENEZER BOAHEN** to practice as a **REGISTERED NURSE** in the State of Maryland, license number **R225659**, is hereby **SUMMARILY SUSPENDED**; and be it further

ORDERED that there will be a Show Cause Hearing on **March 22, 2023 at 2:15 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 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

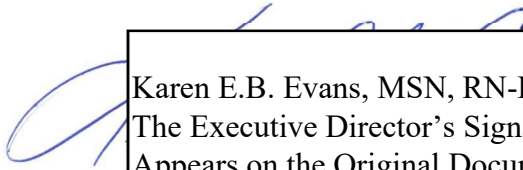
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ORDERED that if the Respondent does not submit a timely written request to the Board for an evidentiary hearing within 30 days from the date of the Board's written decision issued after the Show Cause Hearing, the Respondent shall have waived all rights now and in the future to any hearing on the merits of the summary suspension 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 Registered Nurse License" is a **PUBLIC RECORD** pursuant to Md. Code Ann., General Provisions § 4-101 *et seq.* & § 4-333 (2019).

March 7, 2023
Date


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

Maryland Board of Nursing