

IN THE MATTER OF  
IMAFIDON AKHIGBE  
LPN APPLICANT

\* BEFORE THE MARYLAND  
\* BOARD OF NURSING

\*

\* \* \* \* \*

CONSENT ORDER OF DENIAL OF APPLICATION FOR  
LICENSED PRACTICAL NURSE LICENSURE

On or about October 30, 2020, the Maryland Board of Nursing (the "Board") received an online Maryland Application for Exam of Licensed Practical Nurse License ("LPN Application") from Imafidon Akhigbe (the "Applicant"). While the Applicant's LPN Application was being processed, the Board received information regarding the LPN School that the Applicant had attended in Virginia. The Board initiated an investigation. As a result of that investigation, on May 12, 2022, the Board issued a charging document entitled "Charges Under the Maryland Nurse Practice Act: Initial Denial of Application for Licensed Practical Nurse License" which notified the Applicant of the Board's decision to initially deny her application for licensure as a licensed practical nurse based on a violation of the Maryland Nurse Practice Act, specifically Md. Code Ann., Health Occ.. §§ 8-101 *et seq.*, specifically § 8-316(a):

- (1) Fraudulently or deceptively obtains or attempts to obtain a license for the applicant or for another;
- ....
- (20) Fails to cooperate with a lawful investigation conducted by the Board;
- ....
- (30) Violates regulations adopted by the Board or an order from the Board; *to wit*,

Code of Maryland Regulations ("COMAR") 10.27.01.05

B. An applicant for the licensed practical nurse licensure examination shall:

**AKHIGBE, Imafidon, LPN Applicant**  
**Consent Order of Denial of Licensed Practical Nurse License**

- (1) Meet all requirements for a high school diploma or its equivalent and complete satisfactorily and meet all requirements for a diploma from:  
....
- (b) A licensed practical nursing education program in any other state, territory, or country determined by the Board to be substantially equivalent<sup>(1)</sup> to the licensed practical nursing education programs approved in this State at the time of the applicant's graduation[.]

---

<sup>1</sup> COMAR 10.27.01.01(C) provides: "Substantially equivalent" means a registered nursing or licensed practical nursing education program that:

- (1) Contains theoretical learning experiences and related clinical learning experiences that include direct patient care within various settings consistent with program objectives, outcomes, or competencies conducted either concurrently with or after the theoretical learning experience; and
- (2) Meets the curriculum requirements for Maryland schools of nursing at the time of the applicant's graduation, including, but not limited to:
  - (a) The appropriate level of the graduate's intended scope of practice;
  - (b) Didactic and clinical learning experiences that are diverse and consistent with program objectives, outcomes, or competencies;
  - (c) Didactic and clinical instruction in nursing care of families and clients throughout the life span in a variety of care settings requiring nursing measures appropriate for:
    - (i) The maintenance or restoration of mental and physical health;
    - (ii) Preventive, rehabilitative, and curative aspects of health care;
    - (iii) Biophysical, psychosocial, cultural, and spiritual components of health and illness; and
    - (iv) Professional issues content; and
  - (d) Didactic and clinical instructional content that includes, but is not limited to, the areas of:
    - (i) Medical and surgical nursing;
    - (ii) Maternal and child health;
    - (iii) Psychiatric nursing; and
    - (iv) Geriatric nursing.

**AKHIGBE, Imafidon, LPN Applicant**  
**Consent Order of Denial of Licensed Practical Nurse License**

On July 12, 2022, the Applicant, her legal counsel, Cory Silkman, Esq., and the Administrative Prosecutor, attended a case resolution conference (“CRC”) with members of the Board in an effort to resolve this matter prior to an evidentiary hearing before the Board. At the CRC, the Board and the Applicant agreed to the following Findings of Fact, Conclusions of Law, and Order.

**I. FINDINGS OF FACT**

The Board finds that:

**BACKGROUND**

1. On or about April 10, 2019, the Applicant was issued a certificate to practice as a medication technician (“MT”) in the State of Maryland, certificate number MT0130906. The Applicant’s MT certificate is currently “non-renewed” and expired on July 28, 2021.

**2020 INITIAL APPLICATION FOR LPN LICENSURE BY EXAM**

2. On or about October 30, 2020, the Applicant submitted to the Board an online Maryland Application for Exam of LPN License.
3. On her LPN Application, the Applicant indicated that the Basic Education Program she graduated from on June 28, 2013 was an LPN program in Virginia (the “LPN School”).
4. Furthermore, in her LPN Application, the Applicant affirmed “that the contents of [the LPN Application] are accurate to the best of [her] knowledge” and that “providing false or misleading information may result in disciplinary action by the Board, and may result in denial of licensure.”
5. While the Applicant’s LPN application was being processed, the Board received information regarding the LPN School that the Applicant had attended. The Board initiated an investigation.

**AKHIGBE, Imafidon, LPN Applicant**  
**Consent Order of Denial of Licensed Practical Nurse License**

**LPN SCHOOL**

6. On or about July 21, 2010, the Virginia Board of Nursing (“Virginia Board”) entered into a Consent Order (“July 21, 2010 Consent Order”) with the LPN School and its Program Director placing the School on Conditional Provisional Approval for not less than one (1) year subject to certain terms and conditions.<sup>2</sup>

7. On May 15, 2012, the Virginia Board approved a Consent Order (“May 15, 2012 Consent Order”),<sup>3</sup> signed by the Program Director. The May 15, 2012 Consent Order ordered that:

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

**LPN SCHOOL TRANSCRIPT**

8. On August 25, 2021, the Board issued a Subpoena Duces Tecum (“Subpoena”) to the Applicant 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 Board received an Official Transcript (“Transcript”) signed by the Program Director<sup>4</sup>

---

<sup>2</sup> Under the Findings of Fact in the July 21, 2010 Consent Order, the LPN School admitted that they had submitted final transcripts to the Virginia Board for six (6) students indicating that the six (6) students had completed all clinical courses prior to graduation, when they had not. The students had not completed clinical experiences in obstetrics, pediatrics, and mental health prior to graduation.

<sup>3</sup> Under the Findings of Fact in the May 15, 2012 Consent Order, the Virginia Board found that there were numerous deficiencies of the School’s operations related to organizational plan, student files, curriculum, clinical experience, the licensure and competence of faculty members, and the LPN School’s pass rate.

<sup>4</sup> 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

**AKHIGBE, Imafidon, LPN Applicant**  
**Consent Order of Denial of Licensed Practical Nurse License**

and dated October 30, 2020 which listed the school as the LPN School and provided the following information:

<u>FIRST QUARTER</u>		<u>THIRD QUARTER</u>	
<u>From: 04/16/2012 To: 06/15/2012</u>		<u>From: 10/15/2012 To 02/08/2013</u>	
<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
<u>SECOND QUARTER</u>		<u>FOURTH QUARTER</u>	
<u>From: 06/18/2012 To: 10/12/2012</u>		<u>From: 02/11/2013 To: 06/18/2013</u>	
<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
Total Contact Hours	490	Mental Health Clinical	40
		Professional Development &	60
		NCLEX Review	390
		Total Contact Hours Required	

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.

**AKHIGBE, Imafidon, LPN Applicant**  
**Consent Order of Denial of Licensed Practical Nurse License**

**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	10/08/12	10/12/12	40
Medical-Surgical Nursing	Facility 1 Facility 2	11/12/12	12/14/12	200
Geriatric Nursing	Facility 3	12/17/12	12/21/12	40
Maternity Nursing	Facility 4	04/08/13	08/24/13	40
Pediatric Nursing	Facility 4	05/06/13	05/10/13	40
Mental Health Nursing	Facility 5	05/27/13	05/30/13	40

**THE BOARD'S INVESTIGATION**

10. Board Staff and Board Investigator 1 contacted the five clinical rotation sites cited in the Transcript and learned the following:

- a. By letter dated September 8, 2021, the Administrator of Facility 1 notified the Board that they were unable to locate any school agreement with the LPN School for clinical rotations.
- b. On or about August 5, 2021, General Counsel for Facility 2 and Facility 3<sup>5</sup> notified the Board that they did not find any contracts with the LPN School that would have allowed the Applicant to have completed clinical rotations at those sites and stated that the facilities would not have hosted clinicals for surgical nursing.
- c. On or about August 6, 2021, the Executive Director for Facility 4 notified the Board that Facility 4 does not offer obstetrics, gynecological, or pediatric care at its facility and that Facility 4 was a program for troubled teen parents which provided transitional housing, parenting classes, and food programs. The Executive Director stated that there are no nursing staff at Facility 4 and the facility does not provide any medical services.
- d. The Assistant Executive Director and Executive Director of Facility 5 notified Board Staff on August 5 and August 6, 2021 (respectively) that

<sup>5</sup> Facility 1 and Facility 2 are owned by the same parent company.

**AKHIGBE, Imafidon, LPN Applicant**  
**Consent Order of Denial of Licensed Practical Nurse License**

Facility 5 has never been affiliated with any nursing schools for clinical training and has never had any contracts with any schools for students to do clinical rotations.

11. By letter dated August 25, 2021, the Board notified the Applicant that the clinical sites listed on the Applicant's official transcript from the LPN School "had no affiliation with the nursing program." The Board included a Subpoena Duces Tecum ("Subpoena") to the Applicant commanding her to appear at the Board on September 8, 2021 for an interview. The Board issued to the Applicant, at her address of record with the Board, a summons to appear at the Board's offices for an interview with the Board's Investigator. The summons was delivered to the Applicant's address of record on September 7, 2021 at 5:14 p.m. The Applicant failed to appear at the Board or contact the Board in response to the summons.

12. According to NURSYS<sup>6</sup>, the Applicant was issued an LPN license in the Commonwealth of Virginia on or about April 15, 2021, license number 0002101023. The Respondent's Virginia LPN license is currently suspended.<sup>7</sup>

## **II. DISCUSSION**

The Applicant submitted an application to the Board for LPN licensure on October 20, 2020, in which the Applicant affirmed that that the contents of her application were accurate to the best of her knowledge and that providing false or misleading information on her application may result in the denial of her licensure. The Board received the Applicant's LPN School transcript that indicated she attended 400 hours of clinical training at 5 different clinical facilities. The Board

---

<sup>6</sup> NURSYS is a national database for verification of nurse licensure, discipline and practice privileges for participating jurisdictions, including all states in the Nurse Licensure Compact in conjunction with the National Council of State Boards of Nursing (NCSBN).

<sup>7</sup> On June 13, 2022, the Virginia Department of Health Professions ("Virginia Board") issue an Order of Mandatory Suspension suspending my Virginia LPN license to practice in Virginia based upon the Maryland Board's May 12, 2022 "Order for Summary Suspension of Multistate Licensure Privilege to Practice Licensed Practical Nursing." See "Order of Mandatory Suspension," Before the Virginia Department of Health Professions, In Re: Imafidon Akhigbe, LPN, License Number: 002-101023, Case Number 220612, signed June 10, 2022.

**AKHIGBE, Imafidon, LPN Applicant**  
**Consent Order of Denial of Licensed Practical Nurse License**

confirmed when they contacted all five clinical facilities listed on the Applicant's transcript that the Applicant's LPN school had no agreements with the LPN School to conduct clinical rotations at their sites for the school's students. The Applicant not only provided false and fraudulent information on her LPN application to the Board, but the Applicant has never received the requisite didactic or clinical training required of an LPN and had been practicing on a fraudulently obtained LPN license. Therefore, the Board finds that the Respondent violated Health Occ. § 8-316 (a) (1) and (30) with underlying violations of the Board regulations, specifically COMAR 10.27.01.05.B(1)(b). In its discretion, the Board dismisses the underlying charge of Health Occ. § 8-316 (a) (20).

**III. CONCLUSIONS OF LAW**

Based on the foregoing Findings of Fact, the Board concludes as a matter of law that the Applicant violated Health Occ. § 8-316(a) of the Nurse Practice Act as follows:

- (1) Fraudulently or deceptively obtains or attempts to obtain a license for the applicant or for another;  
....
- (30) Violates regulations adopted by the Board or an order from the Board; *to wit*,

Code of Maryland Regulations ("COMAR") 10.27.01.05

B. An applicant for the licensed practical nurse licensure examination shall:

- (1) Meet all requirements for a high school diploma or its equivalent and complete satisfactorily and meet all requirements for a diploma from:  
.....

- (b) A licensed practical nursing education program in any other state, territory, or country determined by the



**AKHIGBE, Imafidon, LPN Applicant**  
**Consent Order of Denial of Licensed Practical Nurse License**

Board to be substantially equivalent<sup>(8)</sup> to the licensed practical nursing education programs approved in this State at the time of the applicant's graduation[.]

**IV. ORDER**

Based on the foregoing Findings of Fact and Conclusions of Law, it is hereby:

**ORDERED** that the violation of with underlying charge of § 8-316 (a) (20) alleged in “Charges under the Maryland Nurse Practice Act” issued on May 12, 2022 is hereby **DIMISSED**; and be it further

**ORDERED** that the application of the Applicant, **IMAFIDON AKHIGBE**, for licensure as a **LICENSED PRACTICAL NURSE** in the State of Maryland shall be **DENIED**; and it is further

---

<sup>8</sup> COMAR 10.27.01.01(C) provides: “Substantially equivalent” means a registered nursing or licensed practical nursing education program that:

- (1) Contains theoretical learning experiences and related clinical learning experiences that include direct patient care within various settings consistent with program objectives, outcomes, or competencies conducted either concurrently with or after the theoretical learning experience; and
- (2) Meets the curriculum requirements for Maryland schools of nursing at the time of the applicant's graduation, including, but not limited to:
  - (a) The appropriate level of the graduate's intended scope of practice;
  - (b) Didactic and clinical learning experiences that are diverse and consistent with program objectives, outcomes, or competencies;
  - (c) Didactic and clinical instruction in nursing care of families and clients throughout the life span in a variety of care settings requiring nursing measures appropriate for:
    - (i) The maintenance or restoration of mental and physical health;
    - (ii) Preventive, rehabilitative, and curative aspects of health care;
    - (iii) Biophysical, psychosocial, cultural, and spiritual components of health and illness; and
    - (iv) Professional issues content; and
  - (d) Didactic and clinical instructional content that includes, but is not limited to, the areas of:
    - (i) Medical and surgical nursing;
    - (ii) Maternal and child health;
    - (iii) Psychiatric nursing; and
    - (iv) Geriatric nursing.

**AKHIGBE, Imafidon, LPN Applicant**  
**Consent Order of Denial of Licensed Practical Nurse License**

**ORDERED** that the Board will not consider another application from the Applicant, **IMAFIDON AKHIGBE**, for licensure as a licensed practical nurse in the State of Maryland; and it is further,

**ORDERED** that this Consent Order is a final decision and order of the Maryland Board of Nursing and, as such, is a **PUBLIC RECORD** pursuant to Md. Code Ann., Gen. Prov. §§ 4-101 *et seq.* (2014).

August 24, 2022  
Date

Gary N. Hicks, MS, RN, CEN, CNE  
The Board President's Signature  
Appears on the Original Document

Ga  
Pr  
Maryland Board of Nursing

**AKHIGBE, Imafidon, LPN Applicant**  
**Consent Order of Denial of Licensed Practical Nurse License**

**CONSENT**

By this Consent, I acknowledge that I have read this Consent Order in its entirety and I hereby admit the truth of the Findings of Fact, and accept and submit to the foregoing Consent Order and its conditions. I acknowledge the validity of this Consent Order as if entered into after the conclusion of a formal evidentiary hearing in which I would have had the right to legal counsel authorized to practice law in Maryland, to confront witnesses, to give testimony, to request subpoenas for witnesses, to call witnesses on my own behalf, to introduce testimony and evidence on my own behalf, and to all other substantive and procedural protections provided by law. I waive these rights, as well as any appeal rights under Maryland Code Annotated, State Government Article § 10-222.

I sign this Consent Order after having an opportunity to consult with an attorney, voluntarily and without reservation, and I fully understand and comprehend the language, meaning, terms, and effect of this Consent Order.

  
\_\_\_\_\_  
Imafidon Akhigbe, LPN APPLICANT

**NOTARIZATION**

STATE: Ohio

COUNTY: Cuyahoga

I HEREBY CERTIFY that on this 26 day of July, 2022, before me, Notary Public of the State and City/County aforesaid, **IMAFIDON AKHIGBE** personally appeared, and made oath in due form of law that signing the foregoing Consent Order of Denial was the voluntary act and deed of **IMAFIDON AKHIGBE**.  
**AS WITNESSETH** my hand and notarial seal.

SEAL

My Commission Expires: 6/17/2026

  
\_\_\_\_\_  
Notary Public

