

**IN THE MATTER OF**

\*

**BEFORE THE MARYLAND**

**PAULINE IRUNGU**

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**BOARD OF NURSING**

**LICENSE NO.: LP52564**

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**OAG CASE NO. 22 - BP – 005**

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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 **PAULINE IRUNGU** (the “Respondent”), License Number **LP52564** 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 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).

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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:<sup>1</sup>

1. On or about July 7, 2009, the Respondent was issued a certificate to practice as a certified nursing assistant (“CNA”) in the State of Maryland, certificate number A00099755. On or about August 3, 2009, the Board issued the Respondent a CNA certificate with geriatric nursing assistant (“GNA”) designation. The Respondent’s GNA designation expired on July 28, 2012. The Respondent’s CNA certificate is currently “non-renewed” and expired on July 28, 2016.
2. On or about February 19, 2011, the Respondent was issued a certificate to practice as a medication technician (“MT”) in the State of Maryland, certificate number MT0067167. The Respondent’s MT certificate is currently “non-renewed” and expired on July 28, 2011.
3. On or about November 16, 2015, the Respondent was issued a license to practice as a licensed practical nurse (“LPN”) in the State of Maryland, license number LP52564. The Respondent’s LPN license is currently active and is scheduled to expire on July 28, 2023. The Compact<sup>2</sup> status of the Respondent’s Maryland LPN license is “Multistate.”

**INITIAL APPLICATION FOR LPN BY EXAM**

4. The Respondent submitted to the Board a Maryland Application for Exam of LPN License (“LPN Application”) dated February 8, 2013.<sup>3</sup>

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<sup>1</sup>The 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.

<sup>2</sup> 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.

<sup>3</sup> The LPN Application was a paper application and not completed online.

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5. On the LPN Application, the Respondent indicated that she graduated from her Basic Education Program in 2013 and that the degree she received was a “diploma.”

6. The School of Nursing Certification section of the LPN Application was completed and signed by the Director of the Nursing Program (“Program Director”) of a practical nursing education school (the “LPN School”) on February 8, 2013, certifying that:

...Pauline Irungu received from the [LPN School] located in Woodbridge, VA a diploma dated 02/08/2013 which certified that he/she completed in full a 15 months [*sic*] year program in nursing that began on 09/19/2011 and ended on 02/08/2013. It is further certified that the program was approved by the Virginia Board of Nursing at the time the applicant graduated, and that the applicant demonstrated an oral competence in the ENGLISH language and that his/her academic and professional standing during his/her program was satisfactory to the officers of this school.

7. The LPN Application was signed and dated on February 8, 2013 by the Respondent affirming the following:

I hereby make 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.

**LPN School**

8. 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>4</sup>

9. On May 15, 2012, the Virginia Board approved a Consent Order (“May 15, 2012 Consent

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<sup>4</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.

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Order”),<sup>5</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**

10. On August 25, 2021, 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.

11. The Board received an Official Transcript (“Transcript”) signed by the Program Director<sup>6</sup> and dated February 8, 2013 which listed the school as the LPN School and provided the following information:

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<sup>5</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>6</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 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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<u>FIRST QUARTER</u> From: 09/19/2011 To: 11/18/2011		<u>THIRD QUARTER</u> From: 04/02/2012 To 07/20/2012	
<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	<b>270</b>	Med/Surg Lab	40
		Geriatrics Theory	30
		Geriatrics Clinical	40
		Total Contact Hours Required	<b>550</b>
<u>SECOND QUARTER</u> From: 11/21/2011 To: 03/30/2012		<u>FOURTH QUARTER</u> From: 07/23/2012 To: 02/08/2013	
<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	<b>490</b>	Mental Health Clinical	40
		Professional Development & NCLEX Review	60
		Total Contact Hours Required	<b>390</b>

**Summary of Clinical Agencies/Facilities and dates for each experience**

<b>Clinical Courses</b>	<b>Clinical Agency</b>	<b>Clinical Start Date</b>	<b>Clinical End Date</b>	<b>Total Hours</b>
Nursing Fundamentals	Facility 1	03/26/12	03/30/12	40
Medical-Surgical Nursing	Facility 2 Facility 3	06/04/12	07/06/12	200
Geriatric Nursing	Facility 1	07/16/12	07/20/12	40
Maternity Nursing	Facility 4	08/20/12	08/24/12	40
Pediatric Nursing	Facility 4	09/24/12	09/28/12	40
Mental Health Nursing	Facility 5	10/15/12	10/19/12	40

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**THE BOARD'S INVESTIGATION**

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

- a. On or about August 5, 2021, General Counsel for Facility 1 and Facility 2<sup>7</sup> notified the Board that they did not find any contracts with the LPN School that would have allowed the Respondent to have completed clinical rotations at those sites and stated that the facilities would not have hosted clinicals for surgical nursing.
- b. By letter dated September 8, 2021, the Administrator of Facility 3 notified the Board that they were unable to locate any school agreement with the LPN School for clinical rotations.
- 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 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.

**ATTEMPTED CONTACT WITH RESPONDENT**

13. On or about August 25, 2021, the Board issued to the Respondent, 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 Respondent's address of record on August 28, 2021 at 1:49 p.m. The Respondent failed to appear at the Board or contact the Board in response to the summons.

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<sup>7</sup> Facility 1 and Facility 2 are owned by the same parent company.

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**DISCUSSION**

14. The Respondent submitted a Maryland LPN application with fraudulent information about her LPN School, including fraudulent dates of attendance, and submitted a fraudulent transcript, resulting in the Board issuing an LPN license to the Respondent in November 2015. The Respondent did not meet the Board's statutory and regulatory requirements, didactic and clinical training, for LPN licensure by exam and practiced on the fraudulent LPN license. 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 license of **PAULINE IRUNGU** 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, April 27, 2022 at 1:00 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

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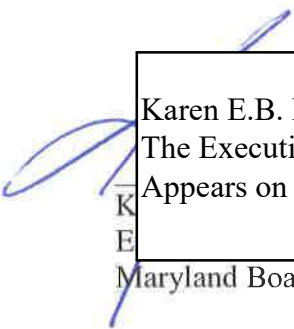
an evidentiary hearing to the Board **no later than thirty (30) days from the date of the Board's written decision issued after the Show Cause Hearing**; and be it further

**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).

March 29, 2022  
Date

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

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Maryland Board of Nursing