

VOLUNTARY SURRENDER
ISLANDE PIERRE, A00103413, MT0062414

Gary N. Hicks, MS, RN, CEN, CNE
President, Maryland Board of Nursing
4140 Patterson Avenue
Baltimore, Maryland 21215-2254

Re: **Islande Pierre, A00103413, MT0062414**
Voluntary Surrender of Certified Nursing Assistant Certificate and
Medication Technician Certificate

Dear Mr. Hicks,

I agree to voluntarily surrender my certificates to practice as a certified nursing assistant (“CNA”), Certificate Number A00103413 and medication technician (“MT”), Certificate Number MT0062414, in the State of Maryland. By voluntarily surrendering my CNA and MT certificates, I understand that I may not engage in the practice as a CNA, and/or MT, with or without compensation, as defined in the Maryland Nurse Practice Act (“the Act”), Md. Code Ann., Health Occ. §§ 8-101 *et seq.* (2021 Repl. Vol.) and the Board’s regulations, Code of Maryland Regulations (“COMAR”) 10.27.01 *et seq.*

My practice was brought to the attention of the Maryland Board of Nursing (“the Board”) as follows:

On July 25, 2013, I submitted an application to the Board for Exam for Licensed Practical Nursing licensure (“LPN Application”). On my LPN Application, I indicated that I graduated for a practical nursing school in Virginia (“LPN School”) in 2013. The director of the nursing program (“Program Director”) at my LPN School signed my LPN application indicating that I had completed the full 13 month program in nursing that began on 09/19/2011 and ended on 12/21/2012 and that the program was certified by the Board of Nursing. I signed my LPN application affirming that I was applying for examination in accordance with the Maryland Nurse Practice Act and the Board’s regulations and affirming that the contents of my LPN application were true and correct. I admitted to the Board Investigator that I did not go to any medical or clinical facility to complete my clinical training in maternity, pediatrics, nursing fundamentals, mental health, and geriatrics. However, my LPN School transcripts indicated that I completed the 200 hours of clinical training (combined) in maternity, pediatrics, nursing fundamentals, mental health, and geriatrics nursing. The Maryland Board of Nursing contacted all five clinical facilities listed on my LPN transcript and were told that the facilities did not have a contract and/or agreements with my LPN school to allow students to participate in LPN clinical training. One of the facilities listed on my transcript told the Board that they do not provide any medical services or employ any nursing staff. On May 15, 2012, the Virginia Board of Nursing issued a Consent Order which withdrew my LPN’s School approval to operate and ordered that the LPN School cease operations no later than June 30, 2013. All these events occurred when my CNA and MT certificates were non-renewed, both having expired on September 28, 2017.

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On January 31, 2022, the Board issued a Notice of Agency Action - Charges Under the Maryland Nurse Practice Act (the “Charges”), charging my LPN license¹ with violations under Health Occ. § 8-316(a) (1) (“fraudulently or deceptively obtains or attempts to obtain a license for the applicant or for another”); (25) (“engages in conduct that violates the professional code of ethics”) with underlying violations of COMAR 10.27.19.02 B(1) (“a nurse may, when acting in the capacity or identity of a licensed nurse knowingly participate in or condone dishonesty, fraud, deceit, or misrepresentation”); and, (30) (“violates regulations adopted by the Board or an order from the Board”) with underlying violations of COMAR 10.27.01.05 B(1)(b) (“meet all requirements for a high school diploma or its equivalent and complete satisfactorily and meet all requirements for a diploma from a licensed practical nursing education program in any other state, territory, or country determined by the Board to be substantially equivalent² to the licensed practical nursing education programs approved in this State at the time of the applicant’s graduation”); and charging my MT and CNA certificates of violations under Health Occ. § 8-6A-10 (a) (20) (“has violated any order, rule, or regulation of the Board relating to the practice or certification of a nursing assistant or medication technician”); and, (26) (“when holding an expired certificate or a lapsed certificate, commits any act that would be grounds for disciplinary action under this section[.]”). On or about March 1, 2022, the Respondent filed a timely request for hearing on the summary suspension and pending charges.

In lieu of proceeding to an evidentiary hearing on the Charges, I agree to surrender my CNA certificate and MT certificate. I agree that the Board has enough evidence to prove by a preponderance of the evidence the above violations cited in the Charges issued on January 31, 2022, and may sanction my CNA certificate; and/or my MT certificate accordingly, pursuant to § 8-6A-10 (a) and COMAR 10.27.26. I understand that, by executing this Voluntary Surrender, I am waiving the right, now and in the future, to any evidentiary hearing at which I would have the right to counsel, to confront witnesses, to give testimony, to call witnesses on my own behalf, and to contest the facts summarized in this Voluntary Surrender, and at which I would have the right

¹ The Charges related to my LPN license was resolved in a separate disposition and voluntary surrender.

² 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 requirement for Maryland schools of nursing at the time of the applicant’s graduation, including, but not limited to:
 - (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: ...
 - (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;

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to all other substantive and procedural protections provided by law, including the right to appeal.

In executing this agreement to surrender my CNA certificate and MT certificate to the Board, I agree not to apply for reinstatement before **ONE YEAR** following the date the Board accepts this Voluntary Surrender and that if I decide to apply for reinstatement as a CNA and/or MT in Maryland, I will approach the Board in the same posture as one whose CNA and MT certificates have been revoked. In considering my application for reinstatement of my CNA certificate and/or MT certificate, the Board may review my entire Board file, including any information the Board receives after the execution of this Voluntary Surrender. I also understand that in considering any future application for reinstatement of my CNA certificate and/or MT certificate, the Board may require me to undergo medical, psychological, and/or psychiatric evaluations, and drug and alcohol testing to determine my fitness to have my CNA certificate and/or MT certificate reinstated. I understand, it will be my burden, as an applicant for reinstatement, to demonstrate that I meet the Board's requirement for certification at the time I submit a reinstatement application.

I further understand that my certificates will remain surrendered unless and until the Board grants reinstatement. I understand that the Board is not required to grant reinstatement. I understand that if the Board reinstates my CNA certificate and/or MT certificate, it will be reinstated through the Board's disciplinary process and that my certificate(s) will only be reinstated by the Board's issuance of a public order of reinstatement and that the Board may, in its discretion, place my reinstated certificate(s) on probation subject to terms and conditions.

I understand that this Voluntary Surrender shall become a **PUBLIC RECORD** and shall become effective on the date of the Board's acceptance of the Voluntary Surrender. I agree that this Voluntary Surrender may be released or published by the Board as a final decision and order, on the Board's website and as otherwise permitted, under the Public Information Act, Md. Code Ann., Gen. Prov. §§ 4-101 *et. seq.* (2019). I expressly consent to the publication of this Voluntary Surrender, including any and all information that is protected from disclosure under federal and state law.

I wish to make it clear that I have voluntarily, knowingly, and freely chosen to submit this Voluntary Surrender. I understand that, by executing this Voluntary Surrender, I am waiving the right, now and in the future, to any evidentiary hearing at which I would have the right to counsel, to confront witnesses, to give testimony, to call witnesses on my own behalf, and to all other substantive and procedural protections provided by law, including the right to appeal.

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I acknowledge that I may not rescind this Voluntary Surrender in part or in its entirety for any reason whatsoever. I understand the nature and effect of both the Board's actions and this Voluntary Surrender fully. Finally, I wish to make clear that I have had an opportunity to discuss this matter with legal counsel and that I willingly, knowingly, and voluntarily sign this Voluntary Surrender.

Sincerely,


Islande Pierre

05/10/2022
Date

NOTARIZATION

STATE OF Maryland

COUNTY OF BALTIMORE

I HEREBY CERTIFY that on this 10 day of May, 2022, before me, a Notary Public of the State of Maryland of the County afore-said, personally appeared **ISLANDE PIERRE** and declared and affirmed under penalties of perjury that signing the foregoing Voluntary Surrender was her voluntary act and deed.

BRIAN K SCOTT
NOTARY PUBLIC - MARYLAND
BALTIMORE COUNTY
COMMISSION EXPIRES
02 JUN 2024


Notary Public

My commission expires: 02 June 2024

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ACCEPTANCE

ON BEHALF OF THE MARYLAND BOARD OF NURSING, on this 1st day of June, 2022, **ISLANDE PIERRE'S VOLUNTARY SURRENDER** of her **Certified Nursing Assistant** certificate, Certificate Number **A00103413**; and **Medication Technician** certificate, Certificate Number **MT0062414**, in the State of Maryland is hereby accepted.

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