

VOLUNTARY SURRENDER GARY WESTBROOK, LP23956

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

**RE: Surrender of License to Practice as a Licensed Practical Nurse
License Number LP23956**

Dear Mr. Hicks:

I agree to voluntarily surrender my license to practice as a licensed practical nurse (“LPN”) in the State of Maryland, license number LP23956, to the Maryland Board of Nursing (the “Board”). I understand that, as of the effective date of this Voluntary Surrender, I may not practice as an LPN, with or without compensation, as it is defined in the Maryland Nurse Practice Act (the “Act”), Md. Code Ann., Health Occ. §§ 8-101 *et seq.*, and the Board’s regulations, COMAR 10.27.01 *et seq.* In other words, I understand that, as of the effective date of this Voluntary Surrender, I am in the same position as an unlicensed individual.

I understand that this Voluntary Surrender shall become a **PUBLIC** record and shall become effective on the date of the Board’s acceptance of it. I understand and agree that this letter may be released or published by the Board as a final decision and order under the Public Information Act, Md. Code Ann., Gen. Prov. §§ 4-101 *et seq.* (2014). I expressly consent to the publication of this Voluntary Surrender, including any and all information that may be protected from disclosure under federal and state law.

On September 16, 2010, the Board summarily suspended my Maryland LPN license after I was found to have stolen and fraudulently used several patient credit cards.¹ On January 25, 2011, the Board issued a Final Order of Revocation of Licensed Practical Nursing License, revoking my license to practice as an LPN in the State of Maryland. On February 25, 2012, I petitioned the Board to reinstate my Maryland LPN license, and on August 19, 2013, the Board issued an Order of Reinstatement of Licensed Practical Nurse License/ Order of Probation (the “Order”) reinstating my license to practice as an LPN in Maryland. On February 7, 2022, the Board issued a Notice of Agency Action – Charges Under the Maryland Nurse Practice Act, notifying me that I had violated several conditions of my Order, including failing to submit all required reports.

I understand that if an evidentiary hearing were to be held, the Board would have sufficient evidence to find that I violated Health Occ. § 8-316 (a) (28) (“When holding an expired license or

¹ Case 1D00229937 – On March 4, 2010, in the District Court for Montgomery County, Maryland, I pled guilty to one count of Fraud – Personal Identity Information Theft (felony). I was sentenced to 15 years in prison with 14 years, and 6 months suspended. I was placed on probation until September 4, 2013.

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a lapsed license or after a temporary license has expired in accordance with § 8-315(c) of this subtitle, commits any act that would be grounds for disciplinary action under this section”) and § 8-316 (a) (30) (“Violates regulations adopted by the Board or an order from the Board; to wit: Order of Reinstatement of Licensed Practical Nurse License/Order of Probation issued on August 19, 2013”). I further understand that the Board would have sufficient evidence to conclude as a matter of law that I violated the Act and to sanction my license accordingly pursuant to § 8-316. Thus, it is my wish to surrender my Maryland LPN license at this time.

In executing this agreement to surrender my LPN license to the Board, I agree that I will not apply for reinstatement of my license for a period of at least **TWO (2) YEARS** following the date of the Board’s acceptance of this Voluntary Surrender. I also agree that if, after a period of **TWO (2) YEARS**, I decide to apply for reinstatement of my license, I will approach the Board in the same posture as an unlicensed individual whose license has been revoked. I also understand that, in considering any future application for reinstatement of my license, the Board may review my entire Board file, including any information the Board receives after execution of this Voluntary Surrender, and require me to undergo medical, psychological, and/or psychiatric evaluations, and/or drug and alcohol testing, to determine my fitness to have my license reinstated. I understand that it will be my burden, as an applicant for reinstatement, to demonstrate that I meet all the Board’s requirements for reinstatement of my license at the time I submit a reinstatement application.

I further understand that my license 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 license, it will be reinstated through the Board’s disciplinary process, that my license 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 license on probation, subject to terms and conditions.

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,

Gary Westbrook 5/31/2022
Gary Westbrook, LP23956 Date

NOTARIZATION

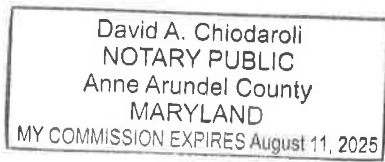
STATE: Maryland

CITY/COUNTY: Anne Arundel

I HEREBY CERTIFY that on this 31 day of May, 2022, before me, Notary Public of the State and City/County aforesaid, **Gary Westbrook** personally appeared and made oath in due form of law that signing the foregoing Voluntary Surrender was the voluntary act and deed of **Gary Westbrook**.

AS WITNESSETH my hand and notarial seal.

SEAL



David A. Chiodaroli
Notary Public

My Commission Expires: 8/11/2025

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ACCEPTANCE

ON BEHALF OF THE MARYLAND BOARD OF NURSING, on this 21st day of
June, 2022, I accept Gary Westbrook's public Voluntary Surrender of his license
to practice as a licensed practical nurse in the State of Maryland, license number LP23956.

6/21/2022
Date

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