

PERMANENT VOLUNTARY SURRENDER
IMAFIDON AKHIGBE
Multistate Licensing Privilege to Practice Licensed Practical Nursing
(Virginia LPN 0002101023)

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

Re: **Imafidon Akhigbe, MSPTP (Virginia LPN 0002101023)**
Permanent Voluntary Surrender of Multistate Licensure Privilege to Practice
Licensed Practical Nursing License

Dear Mr. Hicks,

I agree to permanently voluntarily surrender my multistate licensure privilege to practice licensed practical nursing (Virginia LPN License number 0002101023), in the State of Maryland. By voluntarily surrendering my Multistate Licensing Privilege to Practice ("MSPTP"), I understand that I may not engage in the practice as an LPN, 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 April 15, 2021, the Virginia Board of Nursing ("Virginia Board") issued me a licensed practical nursing license, license number 0002101023.¹

On October 30, 2020, I submitted an online application to the Board for Exam for Licensed Practical Nursing licensure ("LPN Application"). On my LPN Application, I indicated that I graduated from a practical nursing school in Virginia ("LPN School") on June 28, 2013. In submitting my LPN Application, I affirmed "that the contents of [the LPN Application] [were] accurate to the best of my knowledge" and that "providing false or misleading information may result in disciplinary action by the Board, and may result in denial of licensure."

The Maryland Board received my LPN School transcripts indicating that I completed the 400 hours of clinical training (combined) in medical-surgical, 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

¹ On June 13, 2022, the Virginia Department of Health Professions ("Virginia Board") issued 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"

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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.

On May 12, 2022, the Board issued an "*Order for Summary Suspension of Multistate Licensure Privilege to Practice Licensed Practical Nursing*" ("Summary Suspension"), pursuant to Section 10-226 (c)(2) of the Administrative Procedure Act, summarily suspending my LPN license. After a Show Cause hearing, on June 1, 2022, the Board issued an "Order Continuing Summary Suspension of Multi-State Licensing Privilege to Practice Licensed Practical Nursing" ("Order Continuing Summary Suspension").

On May 12, 2022, the Board issued a Notice of Agency Action - Charges Under the Maryland Nurse Practice Act (the "Charges"), charging my Multistate Licensure Privilege to Practice Licensed Practical Nursing with violations under Health Occ. § 8-316(a) (10) ("has violated any provision of this title") with underlying violations of: (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"); (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"). On or about June 6, 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 and Suspension, I agree to the **PERMANENT VOLUNTARY SURRENDER** of my Multistate Licensure Privilege to Practice Licensed Practical Nursing in Maryland.

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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I agree that the Board has enough evidence to prove by a preponderance of the evidence that I have violated 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 equivalent³ to the licensed practical nursing education programs approved in this State at the time of the applicant’s graduation”) cited in the Charges issued on May 12, 2022 and the merits of the Order for Summary Suspension, and may sanction my MSPTP license accordingly, pursuant to Health Occ. § 8-316(a) and COMAR 10.27.26.

I agree that the Board does not have enough evidence to prove by a preponderance of the evidence that I have violated Health Occ. § 8-316(a) (20) (“fails to cooperate with a lawful investigation conducted by the Board”).

I understand that, by executing this Permanent 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 Permanent Voluntary Surrender, and at which I would have the right to all other substantive and procedural protections provided by law, including the right to appeal.

In executing this agreement to permanently surrender my MSPTP, I agree that I will never be eligible for reinstatement of my Multistate Licensure Privilege to Practice Licensed Practical Nursing in the State of Maryland.

³ COMAR 10.27.01.01 C. provides: “Substantially equivalent” means a registered nursing or licensed practical nursing education program that:

- (3) 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
- (4) 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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I understand that this Permanent Voluntary Surrender shall become a **PUBLIC RECORD** and shall become effective on the date of the Board's acceptance of the Permanent Voluntary Surrender. I agree that this Permanent 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 Permanent Voluntary Surrender, including any and all information that is protected from disclosure under federal and state law.

I acknowledge that I may not rescind this Permanent 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 Permanent 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 Permanent Voluntary Surrender.

Sincerely,



Imafidon Akhigbe

07/26/22

Date

NOTARIZATION

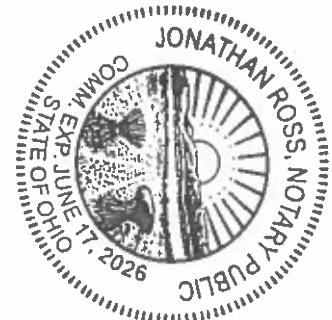
STATE OF Ohio

COUNTY OF Cuyahoga

I HEREBY CERTIFY that on this 26 day of July, 2022, before me, a Notary Public of the State of Ohio of the City/County afore-said, personally appeared Imafidon Akhigbe and declared and affirmed under penalties of perjury that signing the foregoing **Permanent Voluntary Surrender** was her voluntary act and deed.


Notary Public

My commission expires: 6/17/2026



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ACCEPTANCE

ON BEHALF OF THE MARYLAND BOARD OF NURSING, on this 24 day of August, 2022, IMAFIDON AKHIGBE'S PERMANENT VOLUNTARY SURRENDER of her Multistate Privilege to Practice Licensed Practical Nursing in Maryland (Virginia license number 0002-101023), in the State of Maryland is hereby accepted.

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