

IN THE MATTER OF

*

BEFORE THE MARYLAND

WINIFRED SACKEY

*

BOARD OF NURSING

License No.: LP54002

*

OAG Case No.: 22-BP-023

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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 **WINIFRED SACKEY**, (the “Respondent”), License Number **LP54002** 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 gives 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:¹

1. On July 25, 2018, the Respondent was issued a license to practice as a licensed practical nurse (“LPN”) in the State of Maryland, license number LP54002. The Respondent’s license is currently active and is scheduled to expire on June 28, 2023. The Compact² status of the Respondent’s Maryland LPN license is “Multistate.” According to the Maryland Board’s MyLicense Office (“MYLO”) database, the Respondent’s current address is in the State of Maryland.³

INITIAL APPLICATION FOR LPN BY EXAM

2. On or about September 22, 2017, the Respondent submitted an online Maryland Board of Nursing Licensure by Exam Application (“LPN Application”).
3. On the LPN Application, the Respondent indicated that she graduated from an LPN program located in Woodbridge, Virginia (the “LPN School”) on June 28, 2013.

¹ The allegations set forth in this document are intended to provide the Respondent with reasonable 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.

² 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.

³ The information cited in paragraph 1 in this document regarding the Respondent’s current address, active/renewal status, and Compact Status of the Maryland nursing license was obtained on June 6, 2022, from the Maryland Board’s website, the Maryland Board’s MYLO database, and the NURSIS database.

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4. The online LPN Application was submitted by the Respondent who affirmed the following:

I hereby make an 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.

5. Based on the information provided in the online LPN Application, the Maryland Board issued the Respondent a Maryland LPN license on July 25, 2018.

LPN SCHOOL

6. On July 21, 2010, the Virginia Board of Nursing approved a Consent Order, ordering that the LPN School be placed on Conditional Provisional Approval for not less than one (1) year, subject to terms and conditions. The Consent Order was signed by LPN School's Program Director ("Director").⁴

7. On May 15, 2012, the Virginia Board of Nursing approved a Consent Order, signed by the Director. The May 15, 2012 - Consent Order orders that:

- a. [LPN School's] approval to operate a practical nursing education program in Virginia is WITHDRAWN. [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. [LPN School] shall not admit any new or transfer students.

THE RESPONDENT'S LPN SCHOOL OFFICIAL TRANSCRIPT

8. On or about 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

⁴ Program Director completed and returned the email-based Certification on the Respondent's LPN Application, as Director of Nursing Program.

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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 only transcript provided by the Respondent was an Official Transcript which listed the school as the LPN School. It is signed by the Director⁵ and dated June 28, 2013, and provides the following information:

<u>FIRST QUARTER</u> From: 01/23/2012 To: 03/23/2012				<u>THIRD QUARTER</u> From: 7/23/2012 To: 11/09/2012	
<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
				Med/Surg Lab	40
Total Contact Hours Required			270	Geriatrics Theory	30
				Geriatrics Clinical	40
				Total Contact Hours Required	550
<u>SECOND QUARTER</u> From: 03/26/2012 To: 07/20/2012				<u>FOURTH QUARTER</u> From: 11/12/2012 To: 6/28/2013	

⁵ 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>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
	490	Mental Health Clinical	40
Total Contact Hours		Professional Development & NCLEX Review	60
		Total Contact Hours Required	390

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	03/19/12	03/23/12	40
Medical-Surgical Nursing	Facility 1 Facility 2	09/10/12	10/12/12	200
Geriatric Nursing	Facility 3	10/22/12	10/26/12	40
Maternity Nursing	Facility 4	02/04/13	02/08/13	40
Pediatric Nursing	Facility 4	02/25/13	03/01/13	40
Mental Health Nursing	Facility 5	03/18/13	03/22/13	40

THE BOARD'S INVESTIGATION

10. In a letter dated September 8, 2021, the Board's staff was notified by Facility 1, "we regret to inform you that after searching our records, we were unable to locate any school agreement for clinical rotations with [LPN School]."
11. On August 5, 2021, a Board Investigator contacted the General Counsel for Facility 2 and Facility 3, requesting information on any agreements with LPN School. On August 5, 2021,

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the General Counsel responded by email, stating “I searched our contracts database and do not find any contracts with [LPN School]. Additionally, as a skilled nursing facility, I do not believe we would have hosted clinicals for surgical nursing.”

12. On August 6, 2021, a Board Investigator contacted Facility 4’s Executive Director by phone. Executive Director stated that Facility 4 does not offer OB/GYN or pediatric care and that the program offers services to troubled teens, there are no nurses on staff, and the program does not offer any medical services.
13. On August 25, 2021, the Board’s staff was notified by email that Facility 5 “does not have any affiliation or contracts with any nursing institute for any clinical hours.”
14. On or about September 7, 2021, the Board Investigator conducted an interview of the Respondent under oath. The Respondent stated the following during the interview:
 - a. The Respondent is currently employed as an LPN at a staffing agency and is assigned to private duty cases “in patient homes.” She has been employed by the staffing agency for approximately three (3) months.
 - b. Prior to joining the staffing agency, she was employed at a skilled nursing facility located in Kensington, Maryland from “2018 until 2021.”
 - c. The Respondent attended the LPN program at LPN School in Woodbridge, Virginia from 2012⁶ until she graduated in May 2013.
 - d. The Respondent learned about the LPN School from an online search. She chose the school because “the fees wasn’t [*sic*] too much around \$9,000 to \$10,000.”
 - e. The Respondent noted that the LPN School did not require any pre-requisite coursework.
 - f. The Respondent explained that she went to the LPN School in November 2011 and “wrote math and English.” The Respondent explained that “when you write the math test and then you get a pass

⁶ The Respondent later corrected this to “November 2011.”

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of 80%”, she was informed that she was accepted into the LPN School. The Respondent did not recall filling out an application.

- g. The Respondent stated that she paid the tuition “out of pocket . . . on a payment plan . . . [she paid] cash . . . to the receptionist.” The Respondent explained that she was not given any receipts.
- h. The Respondent recalled the school as a one-story building located in Woodbridge, Virginia.
- i. The Respondent stated she attended class Monday through Wednesday,⁷ 8:00 a.m. through 4:00 p.m. She explained that they would deal with one subject matter per day. The lengths of the classes would vary: “Some subjects I think around three months some around two weeks,⁸ some around three weeks, but we didn’t do it like ‘if it today I’m going to class maybe 8 to 10 you [were] doing Basic [Computer], from 11 to 1 we doing Med/Surg we didn’t do it like that. If it’s Basic [Computer] and it is for 2 weeks, for 2 weeks we do Basic Computer.”
- j. The Respondent stated that she had “4 to 5” professors but could only recall two: the Director and Instructor.
- k. When asked about her lab experiences, the Respondent initially stated that she “did not remember it.” Later in the interview, the Respondent explained: “that when they reach the topic, they would go down to practice it in the clinic in the school . . . on the toy with the trach.” When asked how long she spent in the lab, she noted that it varied “between one hour to almost two hours to [the] whole day.”
- l. When asked about what types of skills she practiced at the “clinic in the school,” the Respondent listed “trach . . . they teach us how to change the collar and suction . . . we did wound care too . . . handwashing.” When asked to walk the Board investigators through the steps for suctioning a patient with a tracheostomy, the Respondent was unable to describe a proper pre-treatment assessment, the steps of the suction treatment, and any aftercare and charting. When asked if she would feel comfortable if assigned a patient with a tracheostomy, the Respondent stated, “I would feel comfortable, yes.”

⁷ During the interview, the Respondent added that at some point, the days switched to Wednesday through Friday.

⁸ During the interview, the Respondent listed the following courses as “short courses” lasting approximately 2 weeks: Mental Health Nursing, Maternity Nursing, and Pediatric Nursing.

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- m. The Respondent remembered attending on-site clinical experiences for “fundamental, med/surg, mental health, and maternity.”
- n. When asked if she attended classes at the same time she was also attending clinicals, the Respondent explained: “when we were done with the subject, then we do the clinicals.” When asked why her transcript says she did her Nursing Fundamental clinical rotation between March 19, 2012, and March 23, 2012, and then took the Nursing Fundamentals class between March 26, 2012, and July 20, 2012 – the Respondent reiterated “I remember we did the class before [the clinical] . . . I can’t explain [the false information on the transcript].”
- o. In her Mental Health clinical rotation, the Respondent recalled going to Facility 5, an assisted living facility, for approximately one week from “7:30/8:00 . . . we leave before 3 pm.” During the week she recalled “helping them with feeding . . . medication administration, then we learn how to chart, then sometimes we join in the activities [with the residents].” She recalled learning about “psych medication.”
- p. For her maternity clinical rotation, the Respondent recalled going to “DC”⁹ learning to “help with taking vital signs of [the] patient . . . for the women and sometimes the babies . . . we play with [the babies].” The Respondent later clarified that she never touched a patient or conducted a hands-on assessment during her time at Facility 4.
- q. In her pediatric clinical rotation, the Respondent explained that she spent a week at Facility 4 and she “followed those working there then we watch what they are doing, and they explain it to us . . . [the workers there] assess the children.”
- r. In her medical-surgical clinical rotation, the Respondent recalled going to Facility 1 for “three weeks or yeah three weeks to one month.” During the rotation, they “mostly did medication administration, they divided us up in groups . . . taking vital signs, we helped with a feeding tube.”
- s. When asked about her clinicals completed at Facility 2 and Facility 3, the Respondent stated that she never went to those facilities. When asked if the information listed on her transcript was false, the Respondent initially claimed that all of the information on the

⁹ During the interview, the Respondent was unable to recall the name and building characteristics of Facility 4 without assistance from the interviewers.

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transcript was truthful. After further questioning, she admitted that the information on her transcript, regarding Facility 2 and Facility 3, was false.

- t. When notified that the Board contacted all of the facilities listed on her transcript and that none of the facilities had agreements with the LPN School, nor records of her ever being in the facilities, the Respondent stated, “I completed clinicals.”
- u. The Respondent explained that she graduated in May 2013 but did not receive her transcript until May 2017 because she owed approximately \$4,300 at the time of her graduation. Following graduation, she paid Director directly at his office in Woodbridge, Virginia because the school had closed by that point. The Respondent stated she only received a transcript; she did not receive a paper diploma. In 2018 she took the NCLEX exam.
- v. When asked how she studied for the NCLEX, the Respondent said “YouTube.”

DISCUSSION

15. The Respondent submitted a Maryland LPN application with fraudulent information about her LPN School, including a fraudulent transcript from the school, resulting in the Board issuing an LPN license to the Respondent in July 2018. The Respondent did not meet the Board’s statutory and regulatory requirements, didactic and clinical training, for LPN licensure by exam and has 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.).

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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 **WINIFRED SACKEY** 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 Tuesday, June 21, 2022 at 2:00 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 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

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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).

June 8, 2022
Date

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

Maryland Board of Nursing