IN THE MATTER OF

* BEFORE THE MARYLAND

* BOARD OF NURSING

* License Number: R227347

*

ORDER FOR SUMMARY SUSPENSION OF REGISTERED 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 Registered Nurse license, license number **R227347**, of **EUNICE KING** (the "Respondent"), 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 under SG § 10-226 (c) (2).

INVESTIGATIVE FINDINGS AND REASONS IN SUPPORT OF SUMMARY SUSPENSION

Based on investigatory information obtained by, received by, made known to and available to the Board, the Board has reason to believe that the following facts are true:

The statements regarding the Respondent's conduct identified herein are intended to provide the Respondent with reasonable notice of the asserted facts. 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.

1. On May 8, 2017, the Respondent was issued a license to practice as a registered nurse ("RN") in the State of Maryland, license number R227347. The Respondent's license is currently active and is scheduled to expire on September 28, 2024. The Compact² status of the Respondent's Maryland RN license is "Multistate."

MARYLAND APPLICATION FOR ENDORSEMENT OF RN LICENSE ("RN ENDORSEMENT APPLICATION")

- 2. On or about February 28, 2017, the Respondent submitted an online Application for Endorsement of RN License ("RN Endorsement Application"). On the RN Endorsement Application, the Respondent indicated that she graduated from a basic nursing education program with an associate degree from Palm Beach School of Nursing located in West Palm Beach, Florida on February 13, 2016, and that the Respondent's state of original licensure by exam was Hawaii.
- 3. On the RN Endorsement Application, the Respondent affirmed and agreed with the following statement: "I affirm that the contents of this document are accurate to the best of my knowledge" and was advised that "providing false or misleading information may result in disciplinary action by the Board and may result in denial of licensure."

NCLEX-RN EXAM

According to the NCSBN NCLEX³ Registration Data, the Respondent sat for the NCLEX RN examination on December 29, 2016.

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 NCLEX is an acronym for the National Council Licensure Examination.

- 5. As part of registering for the NCLEX-RN examination, the Respondent provided the following information:
 - a. Name: King, Eunice E
 - b. Address: [redacted], Baltimore, MD
 - c. Date of Birth: [redacted]
 - d. SSN: [redacted]
 - e. Education program: Palm Beach School of Nursing, LLC;
 - f. Graduation Date: 02/2016
 - g. Applicant made eligible by: Hawaii
- 6. On or about January 17, 2017, the Respondent was issued an RN license by Exam in Hawaii, license number RN-85922. According to the State of Hawaii DCCA Professional Vocational Licensing page, the Respondent's Hawaii RN license is currently listed as "Current, Valid & In Good Standing" with an expiration date of June 30, 2023.

PALM BEACH SCHOOL OF NURSING

- 7. On July 8, 2021, a <u>Criminal Complaint</u> and <u>Affidavit of Criminal Complaints</u> were filed alleging that Johanah Napoleon and other individuals committed (1) Conspiracy to Commit Health Care Fraud, (2) Conspiracy to Commit False Statements Relating to Health Care Matters, and (3) False Statements Relating to Health Care Matters.
- 8. The Affidavit of Criminal Complaints alleged that Johanah Napoleon and other individuals worked together to sell fraudulent transcripts and diplomas that indicate that various individuals completed necessary courses and clinical hours to obtain nursing degrees and a number of these unqualified individuals subsequently obtained employment at various healthcare providers in the District of Maryland.

- 9. On June 2, 2022, an <u>Information</u> was filed alleging that Johanah Napoleon committed Conspiracy to Commit Mail Fraud and Wire Fraud. Johanah Napoleon was identified as the President of Palm Beach School of Nursing.
- 10. According to the <u>Information</u>, the <u>Purpose of the Conspiracy</u> was "for the defendant [Johanah Napoleon] and her co-conspirators to unlawfully enrich themselves by, among other things, selling fraudulent nursing diplomas, educational transcripts and other credentials, assisting the purchasers in fraudulently obtaining licensure and ultimately employment in the healthcare field."
- 11. In a notarized affidavit, signed on June 7, 2022, Johanah Napoleon declared under penalties of perjury the following information was true and correct:

I owned and operated the following schools:

. . . .

Med-Life Institute WPB LLC ("Med-Life") from September 28, 2015 until it was dissolved on September 23, 2016. Med-Life was located at 2695 N. Military Trail, Suite #17, West Palm Beach, FL 33409. Med-Life continued to issue diplomas and transcripts after its dissolution. Med-Life Institute was licensed by the Florida Commission for Independent Education and the Florida Board of Nursing and was authorized to offer Nursing – Associate in Science Degree. The objective of the program was to "prepare the student to meet the requirements of the Florida Department of Health and the Florida Board of Nursing for Registered Nurse Education and meet eligibility for licensing exam (NCLEX-RN) in order to work as a Registered Nurse in a variety of settings in a safe and effective manner." Med-Life was authorized to provide instruction on campus to individuals seeking a[n] Associate in Science Degree. This program required students to complete 1665 hours of instruction, which included 720 hours of clinical experience in a health care setting.

Palm Beach School of Nursing LLC ("Palm Beach School of Nursing") from its incorporation on or about April 11, 2016 to present... Palm Beach School of Nursing was licensed by the Florida Commission for Independent Education and the Florida Board of Nursing and was authorized to offer a Nursing – Associate in Science Degree. The objective of the program was

to "prepare the student to meet the requirements of the Florida Department of Health and the Florida Board of Nursing for Registered Nurse Education and meet eligibility for licensing exam (NCLEX-RN) in order to work as a Registered Nurse in a variety of settings in a safe and effective manner." Palm Beach School of Nursing was authorized to provide instruction on campus to individuals seeking a[n] Associate in Science Degree. This program required students to complete 1665 hours of instruction, which included 720 hours of clinical experience in a health care setting.

. . . .

From in or around October 2016 to in or around December 2020, . . . Med-Life, [and] Palm Beach School of Nursing, . . . issued transcripts and diplomas to 62 individuals listed in Attachment A, who completed the required program hours and clinical training necessary to receive either a practical nursing diploma and transcript or a nursing associate in science degree and transcript.

From in or around October 2016 to present,... Med-Life, [and] Palm Beach School of Nursing... issued transcripts and diplomas to 4989 individuals listed in Attachment B, who did not complete the required program hours and clinical training necessary to obtain either a practical nursing diploma and transcript of a nursing associate in science degree and transcript. [Emphasis added]

. . .

I am also aware there may be other individuals claiming to have completed the registered nursing program at Med-Life or Palm Beach School of Nursing who may possess illegitimate degrees and transcripts. However, those individuals not named in Attachment A are not known to me to have completed the required program hours and clinical training necessary to earn a nursing associate in science degree and transcript.

12. The Respondent's name, date of birth, and social security number, matching what she provided to register for the NCLEX and obtain licensure in both Hawaii and Maryland, appear on **Attachment B** of Johanah Napoleon's Affidavit indicating that the Respondent was issued a transcript and diploma without completing the required program hours and clinical training necessary to obtain a nursing associate in science degree and transcript.

BOARD'S INVESTIGATION

13. On or about February 21, 2023, the Respondent, through her attorney, submitted to the Board an <u>Investigative Questionnaire</u> which she signed on or about February 17, 2023, which states:

By my signature below, I hereby certify under the penalties of perjury that the information I provided in or attached to this Questionnaire is true and correct to the best of my knowledge and belief.

- 14. As part of the Questionnaire, the Respondent reported that she attended the following schools:
 - a. [LPN School]⁴ Completed on September 28, 2006 (I received my L.P.N. license in approximately 2006)
 - b. [RN School #1], (Ewing, NJ location.) Fall of 2013 through Winter of 2014. I did not receive a degree from this program.
 - c. [RN School #2] Online Courses taken in 2016, 2021 and 2022.
 - d. Med-Life Institute, West Palm Beach, Florida. (At some point, I believe the name of this school changed to Palm Beach School of Nursing.) I transferred from [School #1] to the Med-Life Institute where I attended courses from April of 2015 through February of 2016. I graduated and received an Associate in Science of Nursing Degree on February 13, 2016.

I acknowledge that there are mistakes on the transcript. The only clinics I attended at Med-Life were in Advanced Nursing II and Advanced Nursing Skills. To the best of my knowledge, the other clinicals on the Med-Life transcript were completed at [RN School #1] and should have been listed as transfers with a "T".⁵

| 0 | The Respondent provided the Board with a copy of her transcript from RN School #1. In her written response, the |
|---|--|
| | Respondent indicated that she took the majority of her clinical courses at RN School #1. Her transcript provides the |
| | following information related to her clinical experiences at RN School #1: |
| | |

| NUR201-P[racticum] | Med/Surg I: Perspectives and Assmt of Care | |
|--------------------|---|--|
| NUR202-P | Geriatric Nursing: Mgmt Concepts for Elder Care | |

For confidentiality and privacy purposes, the names of individuals and educational facilities involved in this case are not disclosed in this document. The Respondent may obtain the names of all individuals and educational facilities referenced in this document by contacting the administrative prosecutor.

15. The Respondent submitted an <u>Official Transcript</u> from Med-Life Institute which includes the following information:

Date Attended Program Course: 04/29/2015 - 02/13/2016

Campus: West Palm Beach, Florida

| Course | Nursing Course Title ⁶ | Credit | Grade |
|---------|---|--------|-------|
| Number | | Hours | |
| NUR 101 | Fundamentals of Nursing | 3 | |
| NUR 102 | Fundamentals of Nursing Practicum (lab: 1 hour, clinical: 2 hours) | 3 | |
| NUR 103 | Pharmacology | 3 | |
| NUR 201 | Adult Nursing 1 | 3 | |
| NUR 202 | Adult Nursing 1 Practicum (lab: 1 hour, clinical: 2 hours) | 3 | |
| NUR 203 | Psychiatric Nursing | 3 | |
| NUR 204 | Psychiatric Nursing Practicum (lab: 1 hour, clinical: 2 hours) | 3 | |
| NUR 205 | Maternal and Newborn Nursing | 3 | |
| NUR 206 | Maternal and Newborn Nursing Practicum (lab: 1 hour, clinical: 2 hours) | 3 | |
| NUR 207 | Pediatric Nursing | 3 | |
| NUR 208 | Pediatric Nursing Practicum (lab: 1 hour, clinical: 2 hours) | 3 | |
| NUR 301 | Adult Nursing II | 3 | |
| NUR 302 | Adult Nursing II Practicum (lab: 1 hour, clinical: 2 hours) | 3 | |
| NUR 401 | Advanced Nursing Skills (clinical: 3 hours) | 3 | |
| NUR 402 | Professional Nursing Leadership | 3 | |

| NUR203-P | Psychiatric Nursing: Assmt/Mgmt of Mental Health | |
|----------|--|--|
| NUR204-P | Maternal-Newborn Nursing: Family and Cmty Bsd Approach | |
| NUR205-P | Pediatric Nursing: Care for Children/Families | |

It should be noted that the Respondent did not earn credit for the clinical courses she received a 'U'.

⁶ The transcript does not indicate these courses were transferred. The transcript indicated that the following general education courses were transferred: human anatomy & physiology, human development, microbiology, college writing, college algebra, psychology, sociology, and pathophysiology.

16. The Respondent provided a Med-Life Institute diploma which indicates that on February 13, 2016, the Respondent was conferred an Associate in Science of Nursing degree. The diploma was signed by "Johanah Napoleon, Campus President".

DISCUSSION

- 17. The Respondent submitted registration information to NCLEX and information on her RN Endorsement Application to the Board, indicating that she received her basic nursing education from Palm Beach School of Nursing and that she graduated on February 13, 2016.
- 18. In her written response to the Board, the Respondent stated that she received an Associate in Science of Nursing degree from Med-Life Institute, West Palm Beach, on February 13, 2016. The Respondent also admitted that she did not complete the clinicals listed on the Med-Life transcript she provided to the Board, while attending Med-Life.
- 19. The Respondent provided false/contradictory information about her RN education.
- 20. In a signed affidavit, Johanah Napoleon, owner and operator of Palm Beach School of Nursing and Med-Life Institute West Palm Beach, provided a list of individuals who did not complete the required program hours and clinical training at Palm Beach School of Nursing and Med-Life Institute, necessary to receive a transcript or a nursing associate in science degree. The Respondent was identified on the list by name, date of birth, and social security number.
- 21. The Respondent does not meet the Board's statutory and regulatory requirements for RN licensure in Maryland.
- 22. The Respondent holds an active, compact RN license and the Respondent's ability and opportunity to practice as an RN in the State of Maryland and/or any compact state on a

fraudulently obtained RN license, 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 Registered Nurse license, license number R227347, of EUNICE KING, in the State of Maryland is hereby SUMMARILY SUSPENDED; and be it further

ORDERED that there will be a Show Cause Hearing on March 22, 2023, at 1:45 PM 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

ORDERED that this, "Order for Summary Suspension of Registered Nurse License" is a **PUBLIC RECORD** pursuant to Md. Code Ann., General Provisions § 4-101 *et seq*.& § 4-333 (2019 Repl. Vol.).

March 7, 2023

Date

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

Maryland Board of Nursing