

IN THE MATTER OF
ISLANDE PIERRE
RN APPLICANT

* BEFORE THE MARYLAND
* BOARD OF NURSING

*

* * * * *

**CONSENT ORDER OF DENIAL OF APPLICATION FOR
REGISTERED NURSE LICENSURE**

On or about March 2, 2018, the Maryland Board of Nursing (the “Maryland Board”) received an online Application for Maryland Registered Nursing License from Islande Pierre (the “Applicant”). While the Applicant’s RN application was being processed, the Board received information regarding the LPN School that the Applicant had attended in Virginia for her LPN licensure. The Board initiated an investigation. As a result of that investigation, on January 31, 2022, the Board issued a charging document entitled “Charges Under the Maryland Nurse Practice Act: Initial Denial of Application for Registered Nurse License” which notified the Applicant of the Board’s decision to initially deny her application for licensure as a registered nurse based on a violation of the Maryland Nurse Practice Act, specifically Md. Code Ann., Health Occ.. §§ 8-101 *et seq.*, specifically § 8-316(a):

(10) Has violated any provision of this title; *to wit*,

§ 8-316 (a)

(1) Fraudulently or deceptively obtains or attempts to obtain a license for the applicant or for another;¹

....

(30) Violates regulations adopted by the Board or an order from the Board; *to wit*,

Code of Maryland Regulations (“COMAR”) 10.27.01.05

¹ The charge of Health Occ.. § 8-316(a)(1) is related to the Applicant’s 2013 application for LPN licensure and not her 2018 RN application.

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B. An applicant for the licensed practical nurse licensure examination shall:

(1) Meet all requirements for a high school diploma or its equivalent and complete satisfactorily and meet all requirements for a diploma from:

.....

(b) A licensed practical nursing education program in any other state, territory, or country determined by the Board to be substantially equivalent^[2] to the licensed practical nursing education programs approved in this State at the time of the applicant's graduation

On April 12, 2022, the Applicant, Cory Silkman, Esq., and the Administrative Prosecutor, attended a case resolution conference (“CRC”) with members of the Board in an effort to resolve

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 requirements for Maryland schools of nursing at the time of the applicant's graduation, including, but not limited to:
 - (a) The appropriate level of the graduate's intended scope of practice;
 - (b) Didactic and clinical learning experiences that are diverse and consistent with program objectives, outcomes, or competencies;
 - (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:
 - (i) The maintenance or restoration of mental and physical health;
 - (ii) Preventive, rehabilitative, and curative aspects of health care;
 - (iii) Biophysical, psychosocial, cultural, and spiritual components of health and illness; and
 - (iv) Professional issues content; and
 - (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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this matter prior to an evidentiary hearing before the Board. At the CRC, the Board and the Applicant agreed to the following Findings of Fact, Conclusions of Law, and Order.

I. FINDINGS OF FACT

The Board finds that:

Background

1. On or about January 8, 2010, the Applicant was issued a certificate to practice as a certified nursing assistant (“CNA”) in the State of Maryland, certificate number A00103413. The Applicant’s CNA certificate is currently “non-renewed” and expired on September 28, 2017.
2. On or about May 10, 2010, the Applicant was issued a certificate to practice as a medication technician (“MT”) in the State of Maryland, certificate number MT0062414. The Applicant’s MT certificate is currently “non-renewed” and expired on September 28, 2017.
3. On or about June 16, 2016, the Applicant was issued a license to practice as a licensed practical nurse (“LPN”) in the State of Maryland, license number LP52899.³

2018 APPLICATION FOR RN LICENSURE

4. On or about March 2, 2018, the Board received an online application for RN Licensure by Exam (“RN Application”) from the Applicant to practice as a registered nurse (“RN”) in the State of Maryland.
5. On her application, the Applicant indicated that she graduated from an Associate Degree RN school (“RN School”) in Florida on December 4, 2017.⁴
6. While the Applicant’s RN application was being processed, the Board received information

³ The Applicant’s LPN license was summarily suspended on January 31, 2022. After a Show Cause Hearing was held, on February 23, 2022 the Board issued an order continuing the summary suspension of the Applicant’s LPN license. An evidentiary hearing in the matter is pending.

⁴ The Board received information that all branches of the RN School in Florida were closed abruptly and permanently on October 30, 2017 by the CEO of the RN School. The RN School in Florida was not a Maryland Board of Nursing approved out-of-state RN school.

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regarding the LPN program that the Applicant had attended in Virginia for her LPN licensure. The Board initiated an investigation.

2013 INITIAL APPLICATION FOR LPN BY EXAM

7. On or about July 25, 2013, the Board received a Maryland Application for Exam of LPN License (“LPN Application”) from the Applicant.⁵
8. On the LPN Application, the Applicant indicated that she graduated from her Basic Education Program in 2013 and that the degree she received was a “diploma.”
9. The School of Nursing Certification section of the LPN Application was completed and signed by the Director of the Nursing Program (“Program Director”) of a practical nursing education school (the “LPN School”) on December 21, 2012, certifying that:

...Pierre Islande received from the [LPN School] located in Woodbridge, VA a diploma dated 12/21/2012 which certified that he/she completed in full a 13 months [sic] day program in nursing that began on 09/19/2011 and ended on 12/21/2012. It is further certified that the program was approved by the [left blank] Board of Nursing at the time the applicant graduated, and that the applicant demonstrated an oral competence in the ENGLISH language and that his/her academic and professional standing during his/her program was satisfactory to the officers of this school.

10. The LPN Application was signed and dated on June 13, 2013 by the Applicant affirming the following:

I hereby make 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.

LPN School

11. On or about July 21, 2010, the Virginia Board of Nursing (“Virginia Board”) entered into

⁵ The LPN Application was a paper application and not completed online. According to documentation on the Application, the Application was a “drop off.”

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a Consent Order (“July 21, 2010 Consent Order”) with the LPN School and its Program Director placing the School on Conditional Provisional Approval for not less than one (1) year subject to certain terms and conditions.⁶

12. On May 15, 2012, the Virginia Board approved a Consent Order (“May 15, 2012 Consent Order”)⁷, signed by the Program Director. The May 15, 2012 Consent Order ordered that:

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

LPN SCHOOL TRANSCRIPT

13. On August 25, 2021, the Board issued a Subpoena Duces Tecum (“Subpoena”) to the Applicant 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 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.

14. In response to the Subpoena, the Applicant provided the Board an Official Transcript (“Transcript”) signed by the Program Director⁸ and dated July 16, 2013, which listed the school

⁶ Under the Findings of Fact in the July 21, 2010 Consent Order, the LPN School admitted that they had submitted final transcripts to the Virginia Board for 6 students indicating that the 6 students had completed all clinical courses prior to graduation, when they had not. The students had not completed clinical experiences in obstetrics, pediatrics, and mental health prior to graduation.

⁷ Under the Findings of Fact in the May 15, 2012 Consent Order, the Virginia Board found that there were numerous deficiencies of the School’s operations related to organizational plan, student files, curriculum, clinical experience, the licensure and competence of faculty members, and the LPN School’s pass rate.

⁸ 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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as the LPN School and provides the following information:

<u>FIRST QUARTER</u>		<u>THIRD QUARTER</u>	
<u>From:</u> 09/19/2011 <u>To:</u> 11/25/2011		<u>From:</u> 03/19/2012 <u>To:</u> 06/22/2012	
<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
Total Contact Hours Required	270	Med/Surg Lab	40
		Geriatrics Theory	30
		Geriatrics Clinical	40
		Total Contact Hours Required	550
<u>SECOND QUARTER</u>		<u>FOURTH QUARTER</u>	
<u>From:</u> 11/28/2011 <u>To:</u> 03/16/2012		<u>From:</u> 06/25/2012 <u>To:</u> 12/21/2012	
<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
Total Contact Hours	490	Mental Health Clinical	40
		Professional Development &	60
		NCLEX Review	390
		Total Contact Hours Required	

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	03/12/12	03/16/12	40
Medical-Surgical Nursing	Facility 1 Facility 2	05/21/12	06/22/12	200

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Geriatric Nursing	Facility 3	04/09/12	04/13/12	40
Maternity Nursing	Facility 4	08/20/12	08/24/12	40
Pediatric Nursing	Facility 4	08/27/12	08/31/12	40
Mental Health Nursing	Facility 5	10/15/12	10/19/12	40

THE BOARD'S INVESTIGATION

15. Board Staff and Board Investigator 1 contacted the five clinical rotation sites cited in the Transcript and learned the following:

- a. By letter dated September 8, 2021, the Administrator of Facility 1 notified the Board that they were unable to locate any school agreement with the LPN School for clinical rotations.
- b. On or about August 5, 2021, General Counsel for Facility 2 and Facility 3⁹ notified the Board that they did not find any contracts with the LPN School that would have allowed the Applicant to have completed clinical rotations at those sites and stated that the facilities would not have hosted clinicals for surgical nursing.
- c. On or about August 6, 2021, the Executive Director for Facility 4 notified the Board that Facility 4 does not offer obstetrics, gynecological, or pediatric care at its facility and that Facility 4 was a program for troubled teen parents which provided transitional housing, parenting classes, and food programs. The Executive Director stated that there are no nursing staff at Facility 4 and the facility does not provide any medical services.
- d. The Assistant Executive Director and Executive Director of Facility 5 notified Board Staff on August 5 and August 6, 2021 (respectively) that Facility 5 has never been affiliated with any nursing schools for clinical training and has never had any contracts with any schools for students to do clinical rotations.

INTERVIEW OF THE APPLICANT

16. On or about September 7, 2021, Board Investigator 2 conducted an interview of the Applicant under oath. The Applicant stated the following during the interview:

⁹ Facility 2 and Facility 3 are owned by the same parent company.

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- a. She entered the LPN School's program in 2011 and graduated in December 2013. After being asked how she took the NCLEX-PN in 2012, she then said she graduated from the LPN School in 2012.
- b. She found out about the LPN School from a friend ("Friend"), who attended the school.
- c. She paid \$12,000, mostly in cash, to attend the LPN School. She obtained a bank loan to pay the final \$3,000 she owed.
- d. The LPN School's program was for 12-13 months.
- e. For the first six months, she attended just classroom and labs. The classes were Monday through Thursday from 8:00 a.m. until 3:00 p.m.
- f. During the last 6-7 months of the LPN School's program, they would go to clinicals once a week, from 7:00 to 3:00 p.m., every other Friday.
- g. They did Med-Surg clinicals at Facility 1 in Woodbridge, Virginia.
- h. She admitted that they did not go to medical facilities for clinicals for maternity, mental health, and pediatrics. When they did pediatrics and maternity, an instructor came in and taught them in the classrooms and in the lab. They were told that most hospitals do not hire LPNs in pediatrics so they did not focus on the clinical aspects for pediatrics and maternity.
- i. She did not do a clinical rotation for Nursing Fundamentals. They just went to the lab.
- j. They did their clinicals for Geriatrics "in the classroom" and combined with Med-Surg at Facility 1.
- k. The Program Director was trying to get a place for them to go for Mental Health clinicals and they also worked with Alzheimer patients at Facility 1.
- l. They did not have a graduation because the LPN School was closing in December. Virginia wanted it closed. She was in the last class.
- m. She heard that the LPN School was shut down but that the Program Director is teaching CPR classes and phlebotomy.

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17. According to NURSYS¹⁰, the Applicant holds active an unencumbered RN licenses in the following states and/or districts:

- a. New York, 812049, issued on March 15, 2021
- b. District of Columbia, RN200001871, issued on July 27, 2021

II. DISCUSSION

Prior to submitting her RN application to the Board in 2018, the Respondent submitted an application to the Board for LPN licensure on July 25, 2013 in which the Applicant affirmed that that the contents of her application were true and correct and in accordance with the Maryland Practice Act and Maryland Board's regulations, including but not limited to receiving the requisite didactic and clinical training. The Respondent admitted that she did not go to any clinical facility for her LPN nursing school clinical rotations in maternity, mental health, pediatrics and nursing fundamentals, contrary to the information in her LPN School transcript which indicated that she completed 200 hours clinical training in those areas. The Respondent admitted that she just learned about maternity, pediatrics, and nursing fundamentals in the classroom and the lab. Furthermore, the Board confirmed when they contacted all five clinical facilities listed on the Applicant's transcript that the facilities had no agreements with the LPN School to conduct clinical rotations at their sites for the school's students. The Applicant not only provided false and fraudulent information on her LPN application to the Board, but the Applicant has never received the requisite didactic or clinical training required of an LPN and had been practicing on a fraudulently obtained LPN license. Therefore, the Board finds that the Respondent violated Health Occ. § 8-316 (a)

¹⁰ NURSYS is a national database for verification of nurse licensure, discipline and practice privileges for participating jurisdictions, including all states in the Nurse Licensure Compact in conjunction with the National Council of State Boards of Nursing (NCSBN).

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(10), (30), (25) with underlying violations of the Board regulations, specifically COMAR 10.27.01.05.B(1)(b).

III. CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes as a matter of law that the Applicant violated Health Occ. § 8-316(a) of the Nurse Practice Act as follows:

(10) Has violated any provision of this title; *to wit*,

§ 8-316 (a)

(1) Fraudulently or deceptively obtains or attempts to obtain a license for the applicant or for another;¹¹

....
(30) Violates regulations adopted by the Board or an order from the Board; *to wit*,

Code of Maryland Regulations (“COMAR”) 10.27.01.05

B. An applicant for the licensed practical nurse licensure examination shall:

(1) Meet all requirements for a high school diploma or its equivalent and complete satisfactorily and meet all requirements for a diploma from:

....
(b) A licensed practical nursing education program in any other state, territory, or country determined by the Board to be substantially equivalent^[12] to the licensed

¹¹ The charge of Health Occ.. § 8-316(a)(1) is related to the Applicant’s 2013 application for LPN licensure and not her 2018 RN application.

¹² 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

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practical nursing education
programs approved in this
State at the time of the
applicant's graduation[.]

IV. ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is hereby:

ORDERED that the application of the Applicant, **ISLANDE PIERRE**, for licensure as a **REGISTERED NURSE** in the State of Maryland shall be **DENIED**; and it is further

ORDERED that the Board will not consider another application from the Applicant, **ISLANDE PIERRE**, for licensure as a registered nurse in the State of Maryland until **ONE (1) year from the effective date of this Order** has passed; and it is further,

-
- objectives, outcomes, or competencies conducted either concurrently with or after the theoretical learning experience; and
- (2) Meets the curriculum requirements for Maryland schools of nursing at the time of the applicant's graduation, including, but not limited to:
- (a) The appropriate level of the graduate's intended scope of practice;
 - (b) Didactic and clinical learning experiences that are diverse and consistent with program objectives, outcomes, or competencies;
 - (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:
 - (i) The maintenance or restoration of mental and physical health;
 - (ii) Preventive, rehabilitative, and curative aspects of health care;
 - (iii) Biophysical, psychosocial, cultural, and spiritual components of health and illness; and
 - (iv) Professional issues content; and
 - (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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ORDERED that this Consent Order is a final decision and order of the Maryland Board of Nursing and, as such, is a **PUBLIC RECORD** pursuant to Md. Code Ann., Gen. Prov. §§ 4-101 *et seq.* (2014).

6/1/2022
Date

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

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CONSENT

By this Consent, I acknowledge that I have read this Consent Order in its entirety and I hereby admit the truth of the Findings of Fact, and accept and submit to the foregoing Consent Order and its conditions. I acknowledge the validity of this Consent Order as if entered into after the conclusion of a formal evidentiary hearing in which I would have had the right to legal counsel authorized to practice law in Maryland, to confront witnesses, to give testimony, to request subpoenas for witnesses, to call witnesses on my own behalf, to introduce testimony and evidence on my own behalf, and to all other substantive and procedural protections provided by law. I waive these rights, as well as any appeal rights under Maryland Code Annotated, State Government Article § 10-222.

I sign this Consent Order after having an opportunity to consult with an attorney, voluntarily and without reservation, and I fully understand and comprehend the language, meaning, terms, and effect of this Consent Order.



Islande Pierre, RN APPLICANT

NOTARIZATION

STATE: Maryland

COUNTY: Baltimore

I HEREBY CERTIFY that on this 10 day of May 2022, before me, Notary Public of the State and City/County aforesaid, **ISLANDE PIERRE** personally appeared, and made oath in due form of law that signing the foregoing Consent Order of Stayed Suspension/Probation was the voluntary act and deed of **ISLANDE PIERRE**.

AS WITNESSETH my hand and notarial seal.

SEAL

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



Notary Public

My Commission Expires: 02 Jun 24