

IN THE MATTER OF

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BEFORE THE MARYLAND

SABRINA CARTER

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BOARD OF NURSING

CERTIFICATE NO.: A00046534

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**DEFAULT FINAL DECISION AND ORDER AFFIRMING SUMMARY  
SUSPENSION OF CERTIFIED NURSING ASSISTANT CERTIFICATE**

- And -

**DEFAULT FINAL DECISION AND ORDER OF REVOCATION  
OF CERTIFIED NURSING ASSISTANT CERTIFICATE**

On May 25, 2022, the Maryland Board of Nursing (the “Board”) issued an “Order for Summary Suspension of Certified Nursing Assistant Certificate Pursuant to Section 10-226(c)(2) of the Administrative Procedure Act” (“Order for Summary Suspension”)<sup>1</sup> to **SABRINA CARTER** (the “Respondent”), a certified nursing assistant (“CNA”), certificate number A00046534. The Order for Summary Suspension ordered that the Respondent’s CNA certificate be summarily suspended based on the Board’s determination that the public health, safety, or welfare imperatively required emergency action under Md. Code Ann., State Government (“State Gov’t”) § 10-226(c)(2) (2021 Repl. Vol.), and notified the Respondent that a show cause hearing was scheduled for June 22, 2022 before the Board to give the Respondent an opportunity to show cause as to why her certificate should not remain suspended.

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<sup>1</sup> The Board’s Order for Summary Suspension consisted of a two-page letter and a seven-page document entitled, “Order for Summary Suspension of Certified Nursing Assistant Certificate Pursuant to Section 10-226(c)(2) of the Administrative Procedure Act.” The Board’s Order for Summary Suspension is appended to this Order as Exhibit A and is incorporated by reference in its entirety.

**CARTER, Sabrina (A00046534)**

**Default Final Decision and Order Affirming the Summary Suspension of Certified Nursing Assistant Certificate and Default Final Decision and Order of Revocation of Certified Nursing Assistant Certificate**

Also on May 25, 2022, the Board issued a “Notice of Agency Action – Charges Under the Maryland Nurse Practice Act” (“the Charges”)<sup>2</sup> to the Respondent, which notified her that the Board was charging her with violations of the Maryland Nurse Practice Act (the “Act”), Md. Code Ann. Health Occupations (“Health Occ.”) §§ 8-101 *et seq.* (2021 Repl. Vol.), specifically § 8-6A10(a)(4) and (26). The Charges also notified the Respondent that she had thirty (30) days from the date of the Charges to request an evidentiary hearing regarding the Charges. The Charges notified the Respondent that, if she failed to submit a written request for a hearing regarding the Charges to the Board within thirty (30) days, then the Respondent would waive the opportunity for an evidentiary hearing on the Charges and the Board, pursuant to the authority of Health Occ. § 8-6A-10(a), State Gov’t § 10-210(4), and State Gov’t § 10-221, would issue a public final decision and order by default, in which: (1) the allegations of fact in the Charges become findings of fact; (2) the alleged violations of § 8-6A-10(a) of the Maryland Nurse Practice Act cited in the Charges become conclusions of law; and (3) a disciplinary sanction pursuant to Health Occ. § 1-606 and Code of Maryland Regulations (“COMAR”) 10.27.26 is ordered against Respondent’s certificate, which may include reprimand, probation, suspension, revocation and/or a monetary penalty.

On or about June 22, 2022, the Board held the scheduled show cause hearing, and a quorum of the Board was present. The Respondent failed to appear at the show cause hearing before the Board. On June 22, 2022, the Board issued an “Order Continuing Summary Suspension of

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<sup>2</sup>The Board’s Charging Document consisted of a three-page letter and a five-page document entitled, “Charges Under the Maryland Nurse Practice Act.” The Board’s Charging Document is appended to this Order as Exhibit B and is incorporated by reference in its entirety.



**CARTER, Sabrina (A00046534)**

**Default Final Decision and Order Affirming the Summary Suspension of Certified Nursing Assistant Certificate and Default Final Decision and Order of Revocation of Certified Nursing Assistant Certificate**

Certified Nursing Assistant Certificate” (“Order Continuing Summary Suspension”),<sup>3</sup> which notified the Respondent that she had thirty (30) days from the date of the Order Continuing Summary Suspension to request a hearing on the merits of the summary suspension of her certificate. The Order Continuing Summary Suspension also notified the Respondent that, if she failed to submit a written request for a hearing to the Board within thirty (30) days, then the Respondent would waive the opportunity for an evidentiary hearing and the Board, pursuant to the authority of Health Occ. § 8-6A-10(a) and State Gov’t § 10-210(4) and State Gov’t § 10-221, would issue a public final decision and order by default, in which: (1) the investigative findings and reasons in support of summary suspension in the Order for Summary Suspension become findings of fact; and (2) the summary suspension of her certificate is affirmed and shall be continued until further order of the Board.

The Board sent the Order for Summary Suspension, the Charges, and the Order Continuing Summary Suspension by regular and certified mail to the Respondent’s last known addresses. The Board finds that the Order for Summary Suspension, the Charges, and the Order Continuing Summary Suspension were properly issued and that due and proper notice was given to the Respondent in accordance with Health Occ. § 8-6A-10.1, State Gov’t § 10-207, and State Gov’t § 10-209(c).

The Respondent failed to submit a request for an evidentiary hearing regarding the merits of the Charges within thirty (30) days from the date of the Charges. The Respondent also failed to submit a request for an evidentiary hearing regarding the merits of the summary suspension

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<sup>3</sup> The Order Continuing Summary Suspension consisted of two pages and was accompanied by a two-page cover letter. These documents are appended to this Order as Exhibit C and are incorporated by reference.

**CARTER, Sabrina (A00046534)**

**Default Final Decision and Order Affirming the Summary Suspension of Certified Nursing Assistant Certificate and Default Final Decision and Order of Revocation of Certified Nursing Assistant Certificate**

within thirty (30) days of the date of the Order Continuing Summary Suspension. Thus, the Board finds that the Respondent has waived the right to an evidentiary hearing on both the merits of the Charges and the Order for Summary Suspension and that the Board is authorized to issue this final decision and order by default pursuant to the authority of Health Occ. § 8-6A-10.1(e) and State Gov't § 10-210(4).

**I. FINDINGS OF FACT**

The Board adopts the investigative findings and reasons in support of summary suspension as set forth in the attached Order for Summary Suspension as Findings of Fact.

The Board adopts allegations of fact set forth in the attached Charges as Findings of Fact.

**II. CONCLUSIONS OF LAW**

Accordingly, the Board concludes that the public health, safety, and welfare imperatively required the emergency action of summarily suspending the Respondent's certificate to practice as a certified nursing assistant on May 25, 2022 under State Gov't § 10-226(c)(2).

The Board further concludes that the Respondent has violated Health Occ. § 8-6A-10(a):

- (4) Is convicted of or pleads guilty or nolo contendere to a felony or to a crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside;
- (31) When holding an expired certificate or a lapsed certificate, commits any act that would be grounds for disciplinary action under this section[.]

The Board concludes that these violations of the Act fall within category J(3) of the Board's sanctioning guidelines. See COMAR 10.27.26.07J(3). The range of potential sanctions under category J(3) includes probation for three (3) years to revocation, and/or monetary penalty of \$200 to \$500. (*Id.*)

**CARTER, Sabrina (A00046534)**

**Default Final Decision and Order Affirming the Summary Suspension of Certified Nursing Assistant Certificate and Default Final Decision and Order of Revocation of Certified Nursing Assistant Certificate**

### **III. ORDER**

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

**ORDERED** that the summary suspension of the Respondent's certificate to practice as a certified nursing assistant in the State of Maryland, as ordered by the Board's May 25, 2022 Order for Summary Suspension, is **AFFIRMED**; and it is further

**ORDERED** that the summary suspension of the Respondent's certificate to practice as a certified nursing assistant in the State of Maryland, as ordered by the Board's May 25, 2022 Order for Summary Suspension, is hereby **LIFTED AND TERMINATED**, and it is further

**ORDERED** that the certificate of the Respondent to practice as a certified nursing assistant in the State of Maryland, certificate number A00046534, is hereby **REVOKED**; and it is further

**ORDERED** that this Default Final Decision and Order is a **PUBLIC RECORD** under Md. Code Ann., General Provisions §§ 4-101 *et seq.* (2019).

2/10/23  
Date

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

**CARTER, Sabrina (A00046534)**

**Default Final Decision and Order Affirming the Summary Suspension of Certified Nursing Assistant Certificate and Default Final Decision and Order of Revocation of Certified Nursing Assistant Certificate**

**NOTICE OF APPEAL RIGHTS**

Any person aggrieved by a final decision of the Board under Health Occ. §8-6A-10 may take a direct judicial appeal within thirty (30) days of the date this Order is mailed, as provided by Health Occ. §8-6A-11, State Gov't § 10-222, and Title 7, Chapter 200 of the Maryland Rules, including Md. Rule 7-203 ("Time for Filing Action").

DATE MAILED:     **FEB 13 2023**



# Board of Nursing

Larry Hogan, Governor • Boyd K. Rutherford, Lt. Governor • Dennis R. Schrader, Secretary

May 25, 2022

**VIA REGULAR AND CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

The Respondent's Address Appears  
On the Original Document

**RE: ORDER FOR SUMMARY SUSPENSION OF CERTIFIED NURSING  
ASSISTANT CERTIFICATE (Certificate Number A00046534) PURSUANT TO  
SECTION 10-226(c)(2) OF THE ADMINISTRATIVE PROCEDURE ACT**

Dear Ms. Carter:

Enclosed is an executed "Order for Summary Suspension of Certified Nursing Assistant Certificate Pursuant to Section 10-226(c)(2) of the Administrative Procedure Act" issued by the Maryland Board of Nursing ("the Board"), pursuant to the authority of the Maryland Administrative Procedure Act, Md. Code Ann., State Government ("State Gov't.") § 10-226(c) (2014 Repl. Vol. & 2021 Supp.). The enclosed Order suspends, effective immediately, your certificate to practice as a certified nursing assistant in the State of Maryland.

The Board has scheduled a **Show Cause Hearing** in person before the Board on **WEDNESDAY, JUNE 22, 2022 AT 11:00 AM at 4140 Patterson Avenue, Baltimore, Maryland 21215** on the summary suspension of your certificate. The Show Cause Hearing is an opportunity to present oral argument as to why the Board should not continue the summary suspension of your certificate. This opportunity to address the Board at the Show Cause Hearing is not an evidentiary hearing, therefore, the Board will not accept any documentary evidence nor will witnesses be allowed to testify. You will present argument to the Board first. After your presentation, the State will be provided the opportunity to respond. Both you and the State will be given 10 minutes each for oral argument. After the Show Cause Hearing, the Board will make a decision as to whether to continue the suspension of your certificate and you will be notified of the Board's decision in writing.

4140 Patterson Avenue - Baltimore, Maryland 21215-2254  
Toll Free: 1 (888) 202 - 9861 • Phone: (410) 585 - 1900 • TTY/TDD: 1 (800) 735 - 2258  
Fax: (410) 358 - 3530  
[www.mbon.maryland.gov](http://www.mbon.maryland.gov)



**ORDER FOR SUMMARY SUSPENSION OF CNA CERTIFICATE  
SABRINA CARTER, A00046534**

If you would like to request a postponement of the Show Cause hearing, please submit a written request for a postponement no later than Friday, June 17, 2022 by email or fax to:

**Attn: Amber Havens Bernal  
Enforcement Division - Discipline Program  
Maryland Board of Nursing  
4140 Patterson Avenue  
Baltimore, Maryland 21215  
Fax: (410) 358-1499  
[mbon.nursingdiscipline@maryland.gov](mailto:mbon.nursingdiscipline@maryland.gov)**

Please be advised that if your request for a postponement is granted, your certificate will remain suspended until you have the opportunity to be heard at a Show Cause hearing and the Board issues its written decision following the Show Cause Hearing. You are not required to appear at the Show Cause Hearing however, if you or your attorney do not attend the Show Cause Hearing, the Board will proceed in your absence, make a decision regarding whether to continue the summary suspension of your certificate, and will notify you in writing of its decision. The Board's written notification of its decision will also include instructions regarding your right to request a full evidentiary hearing before the Board on the merits of the summary suspension of your certificate.

Because your certificate to practice as a certified nursing assistant in the State of Maryland is at issue and could be affected, **you are strongly urged to retain and be represented by an attorney at all stages of this proceeding.** If you choose to retain counsel, please be advised that, in order to appear on your behalf, your attorney must be admitted to the Bar in Maryland or specifically admitted pursuant to Maryland Rule 19-214 which governs special admission of out-of-state attorneys *pro hac vice*.

If you or your attorney have any questions about this letter or the enclosed Order, please contact the Administrative Prosecutor assigned to your case, Kelly Cooper, AAG, at [kelly.cooper@maryland.gov](mailto:kelly.cooper@maryland.gov) or 410-767-5828, or Amber Havens Bernal, Enforcement Division, at [mbon.nursingdiscipline@maryland.gov](mailto:mbon.nursingdiscipline@maryland.gov).

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

Enclosure: Order for Summary Suspension of Certified Nursing Assistant Certificate Pursuant to Section 10-226(c)(2) of the Administrative Procedure Act

cc: Kelly Cooper, Assistant Attorney General, Administrative Prosecutor

**IN THE MATTER OF**

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**BEFORE THE MARYLAND**

**SABRINA CARTER**

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**BOARD OF NURSING**

**Certificate No.: A00046534**

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**OAG CASE No. 22-BP-007**

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**ORDER FOR SUMMARY SUSPENSION OF CERTIFIED NURSING ASSISTANT  
CERTIFICATE 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 certificate of **SABRINA CARTER**, (the "Respondent"), Certificate Number **A00046534** to practice as a certified nursing assistant 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).

**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:<sup>1</sup>

- 1. On February 11, 2002, the Respondent was certified to practice as a Certified Nursing

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<sup>1</sup>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.



**ORDER FOR SUMMARY SUSPENSION PURSUANT TO § 10-226(c)(2) OF THE  
STATE GOVERNMENT ARTICLE  
Sabrina Carter: A00046534**

Assistant ("CNA") in the State of Maryland, certificate number A00046534. The Respondent's certificate is currently "non-renewed" and expired on November 28, 2020.

2. The Board received a complaint on or about April 12, 2021, alleging the Respondent pled guilty to obtaining property from a vulnerable adult.

3. On or about April 6, 2021, the Respondent plead guilty to, and was found guilty of, Obtain Property of Vulnerable Adult under \$1,500, in the Circuit Court for Anne Arundel County, Maryland (Case Number 138015), a crime of moral turpitude. The Respondent was sentenced to 364 days of incarceration with all 364 days suspended, and 12 months of unsupervised probation.

4. According to the Application for Statement of Charges:

On 2/25/2018, at approximately 1145 hours, [Police Officer<sup>2</sup>] was dispatched to a theft call . . . [Police Officer] met with the [Victim's Wife], who advised the following:

[The Victim's Wife] was recently notified by the . . . Pawn Unit that some items which belonged to her had been placed on hold at a pawn shop. One of the items recovered was a ring with [Victim's name] inscribed on it. . . . [Victim] was 86 years old at the time and suffered from dementia and as such, he was not fully aware of his surroundings.

Investigation revealed that the [Victim and Victim's Wife] had a caregiver for [the Victim] back in August 2017 named "Sabrina" . . .

. . . .

Follow-Up Investigation:

On 3/6/2018 at approximately 2200 hours, [Police Officer] contacted [Victim's Wife] to discuss the case further. [Victim's Wife] stated she was aware of the situation and that the suspect, later fully identified as Sabrina Mwinyi CARTER . . . via pawn records, had been working for them until about August of 2017. . . .

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<sup>2</sup> For purposes of ensuring confidentiality, proper names have been omitted and replaced with generic placeholders. Upon written request, the Administrative Prosecutor will provide the information to the Respondent.



**ORDER FOR SUMMARY SUSPENSION PURSUANT TO § 10-226(c)(2) OF THE  
STATE GOVERNMENT ARTICLE**

**Sabrina Carter: A00046534**

....

On 7/19/2018, at approximately 1400 hours, the writer met [the Victim's Wife] at [the Pawn Shop]. . . . CARTER had pawned a lot of property at the pawn shop so the manager brought everything out so [the Victim's Wife] could look at it all. After looking through the property for a short period of time, [the Victim's Wife] claimed the following items as her family's property:

- (1) black & gold . . . College class ring with the name [of the Victim] inscribed on the inside.
- (1) red & gold University . . . class ring with [the Victim's initials] inscribed on the inside.
- (1) gold ring with black stones.

....

The writer examined the Maryland DLLR Pawn Transaction Sheets for the transactions involving the property claimed by [the Victim's Wife]. The first transaction involved the gold ring with black stones on it which was pawned to [the Pawn Shop] on 10/4/2017 at 1633 hours. Records show that Sabrina Mwinyi CARTER . . . sold the above ring and several other items to the pawn shop on that date and obtained \$180.00 for the ring. . . .

The second transaction involving [the Victim's Wife]'s property occurred again at [the Pawn Shop], on 2/1/2018 at 1335 hours. Records show that CARTER sold both class rings to the pawn shop that day; she got \$290.00 for the University . . . ring and she got \$195.00 for the black . . . College ring. Just for these two items, she was paid \$485.00. ....

....

On 7/30/2019, at approximately 1500 hours, the writer . . . met CARTER in the lobby of the MCPD Second District Station. . . .

The writer asked CARTER if she knew [the Victim and the Victim's Wife] . . . She affirmed that she did and stated she was the night caretaker for [the Victim]. She said her job was to supervise and take care of [the Victim]. She advised that she normally worked nights, from 1900 hours – 0700 hours. The writer then showed her pictures of the items that [the Victim's Wife] claimed as her property. CARTER stated that she did in fact pawn those items at [the Pawn

**ORDER FOR SUMMARY SUSPENSION PURSUANT TO § 10-226(c)(2) OF THE  
STATE GOVERNMENT ARTICLE  
Sabrina Carter: A00046534**

Shop]. However, she stated that [the Victim] gave her those items because he wanted her to have them to help her out financially. She stated that he fully understood the situation before he gave her the rings. CARTER advised that his [the Victim's Wife], was gone on vacation and was not there at the time. She also advised that her employer fired her when the rings turned up at the pawn shop. . . .

The writer asked her about some of the other pieces of property that were on hold at the pawn shop. She said one of the other class rings belonged to [another individual] who lives somewhere in Montgomery Village, Maryland. . . .

. . . .

On 8/8/2019, the writer called [the Victim's Wife] to inform her of the interview with CARTER. The writer told her that CARTER said [the Victim] gave her the items as a gift. [The Victim's Wife] said that was ridiculous as her husband could barely speak at that time. She stated that her husband had a disease called "PSP" which is a form of dementia. Sadly, she said that her husband passed away in November 2018. She reiterated that there was no truth that [the Victim] would have given her the rings to her.

The writer later researched "PSP" and learned that it stood for "Progressive Supranuclear Palsy". The writer found an article on the Mayo Clinic's website which states the following:

"Progressive supranuclear palsy is an uncommon brain disorder that causes serious problems with walking, balance and eye movements, and later with swallowing. The disorder results from deterioration of cells in areas of your brain that control body Steel-Richardson-Olszewski syndrome.

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Progressive supranuclear palsy worsens over time and can lead to life-threatening complications, such as pneumonia and swallowing problems. There's no cure for progressive supranuclear palsy, so treatment focuses on managing the signs and symptoms."

. . . .

On 11/19/2019, the writer finally received CARTER's full personnel file. . . .

. . . there was one other very relevant incident that CARTER had with a patient in 2016. In the notes for one of CARTER's clients, the writer found an incident where CARTER was reprimanded for

**ORDER FOR SUMMARY SUSPENSION PURSUANT TO § 10-226(c)(2) OF THE  
STATE GOVERNMENT ARTICLE  
Sabrina Carter: A00046534**

her handling of a client's money. The document states that on 4/19/2016, CARTER agreed to take an organizer to the store and get a refund for the client. There was some type of misunderstanding as to when CARTER was going to return to the client's home and the client complained to the manager. The manager stated the following in her notes:

"...I explain to Sabrina going to the store wasn't on the care plan she should not have done it. It was very nice of Sabrina wanting to help the client but we never accept money from the clients or transport them anywhere. Sabrina apologized. [Individual] said our nurse need to have a talk to Sabrina that she should not ever accept money from clients..."

5. In an interview with the Board's investigator on September 17, 2021, the Respondent stated the following:

- a. She previously worked with the Victim.
- b. When asked if anything unusual took place with the Victim she stated, "from my understanding, no."
- c. She admitted she pawned his items.
- d. When asked to explain, she stated that first she wanted to read the letter of surrender the Board mailed to her and then "choose my answer very carefully because I don't want to say something wrong."

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**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 FOR SUMMARY SUSPENSION PURSUANT TO § 10-226(c)(2) OF THE  
STATE GOVERNMENT ARTICLE  
Sabrina Carter: A00046534**

**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 certificate of Sabrina Carter to practice as a certified nursing assistant in the State of Maryland is hereby **SUMMARILY SUSPENDED**; and be it further

**ORDERED** that there will be a Show Cause Hearing on **Wednesday June 22, 2022 at 11:00 a.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 certificate 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 certificate 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 certificate shall continue until further Order of the Board; and it is further

**ORDER FOR SUMMARY SUSPENSION PURSUANT TO § 10-226(c)(2) OF THE  
STATE GOVERNMENT ARTICLE  
Sabrina Carter: A00046534**

**ORDERED** that this, “Order for Summary Suspension of Certified Nursing Assistant Certificate” is a **PUBLIC RECORD** pursuant to Md. Code Ann., General Provisions § 4-101 *et seq.* & § 4-333 (2019).

May 25, 2022  
Date

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



# Board of Nursing

Larry Hogan, Governor • Boyd K. Rutherford, Lt. Governor • Dennis R. Schrader, Secretary

May 25, 2022

**VIA REGULAR AND CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

The Respondent's Address Appears  
On the Original Document

**RE: NOTICE OF AGENCY ACTION-Charges under the Maryland Nurse Practice Act  
SABRINA CARTER, A00046534**

Dear Ms. Carter:

The Maryland State Board of Nursing (the "Board") is the state agency responsible for the regulation of the practice of nursing in the State of Maryland pursuant to the authority of the Maryland Nurse Practice Act, Md. Code Ann., Health Occupations ("Health Occ."), § 8-101 *et seq.* (2014 Repl. Vol. & 2021 Supp.). Pursuant to § 8-6A-10(a) and (b) of the Health Occupations Article, the Board may reprimand any certificate holder, place any certificate holder on probation, suspend or revoke the certificate of a certificate holder, and/or impose a monetary penalty if the Board finds that the certificate holder has violated any of the disciplinary grounds set forth under HO § 8-6A-10(a)(1)-(34).

Based on the allegations of fact and violation(s) of the disciplinary ground(s) cited in the enclosed document entitled, "Charges Under the Maryland Nurse Practice Act," (hereinafter "Charges"), the Board is notifying you of its intent to take disciplinary action against your certification, which may include reprimand, probation, suspension, revocation, and/or monetary penalty. This letter and the enclosed Charges constitute the notice of agency action that is required by the Maryland Administrative Procedure Act, Md. Code Ann., State Government ("State Gov't.") § 10-207.

Under § 86A-10.1 of the Health Occupations Article, the Board is required to give you an opportunity for an evidentiary hearing before it may take any disciplinary action against your certification.

**TO REQUEST A HEARING:**

If you wish to schedule a hearing, please submit a written request for hearing to the Board within 30 days of the date of this letter, by mail, fax or email, to:

4140 Patterson Avenue - Baltimore, Maryland 21215-2254  
Toll Free: 1 (888) 202-9861 • Phone: (410) 585-1900 • TTY/TDD: 1 (800) 735-2258  
Fax: (410) 358-3530  
[www.mbon.maryland.gov](http://www.mbon.maryland.gov)





**NOTICE OF AGENCY ACTION: Charges Under the Nurse Practice Act  
SABRINA CARTER, A00046534**

**Attn: Amber Havens Bernal  
Enforcement Division – Discipline Dept.  
Maryland Board of Nursing  
4140 Patterson Avenue  
Baltimore, Maryland 21215  
Fax: (410) 358-1499  
Email: [mbon.nursingdiscipline@maryland.gov](mailto:mbon.nursingdiscipline@maryland.gov)**

A Request for Hearing form has been enclosed for your convenience.

If you submit a written request for an evidentiary hearing, the Board will schedule a case resolution conference to provide an opportunity for a resolution of this case without proceeding to a formal evidentiary hearing. Your attendance at the case resolution conference is voluntary, and your decision not to attend the case resolution conference will not have any influence on subsequent proceedings in this case. If you choose not to attend the case resolution conference, the Board will schedule an evidentiary hearing on the merits of the Charges.

The Board will notify you in writing, at your last known address on record with the Board, of the date, time and location of the case resolution conference and evidentiary hearing. A copy of the Board's hearing procedures will be made available to you upon request. The hearing before the Board will be conducted in accordance with the Maryland Administrative Procedure Act, State Gov't § 10-201 *et. seq.*, § 8-6A-10.1 of the Health Occupations Article, and regulations promulgated by the Board at Code of Maryland Regulations ("COMAR") Title 10, Subtitle 27, Chapter 02.

Pursuant to § 8-6A-10.1 of the Health Occupations Article, and §§ 10-206.1 and 10-208 of the State Government Article, you have the right to be represented by an attorney, to subpoena evidence and witnesses, to present evidence, to cross-examine witnesses called against you, and to present summation and argument. Pursuant to § 8-6A-10(a)-(b) of the Health Occupations Article, § 10-221 of the State Government Article, and COMAR 10.27.02.09, if, after a hearing, the Board finds that you violated any of the disciplinary ground(s) in the enclosed Charges, the Board may take disciplinary action against your certification by issuing a **public** Final Decision and Order, which will include findings of fact, conclusions of law, and an order of a disciplinary sanction against your certification, which may include reprimand, probation, suspension, revocation and/or a monetary penalty.

Also, pursuant to § 10-208(b)(7) of the State Government Article, you may agree to the evidence and waive your right to appear at the hearing before the Board. However, if you waive your right to appear at the hearing or fail to appear at the hearing for any other reason, please be advised that pursuant to § 8-317(e) of the Health Occupations Article, § 10-210(4) of the State Government Article, the Board may hear and consider the State's evidence, decide the disposition of your case despite your absence, and issue a **public** Final Decision and Order, which will include findings of fact, conclusions of law, and, if necessary, a disciplinary sanction against your certification, which may include reprimand, probation, suspension, revocation and/or a monetary penalty.

**NOTICE OF AGENCY ACTION: Charges Under the Nurse Practice Act  
SABRINA CARTER, A00046534**

**IF YOU DO NOT REQUEST A HEARING:**

If you do not request a hearing in writing within 30 days of the date of this letter, you will have waived your opportunity for a hearing. Pursuant to the authority of § 8-6A-10(a) and (b) of the Health Occupations Article, §§ 10-210(4) and 10-221 of the State Government Article, and COMAR 10.27.02.09, the Board may, in its discretion, issue a **public** Final Decision and Order by default, in which: (1) the allegations of fact in the Charges become findings of fact; (2) the section(s) of § 8-6A-10(a) of the Health Occupations Article that the Board has alleged you violated in the Charges become conclusions of law; and (3) a disciplinary sanction is ordered against your certification, which may include reprimand, probation, suspension, revocation and/or a monetary fine.

Any decision made by the Board regarding the Charges could affect your certificate to practice as a certified nursing assistant in the State of Maryland. Any Final Decision and Order issued by the Board will be a **public document** and **cannot be expunged**. Therefore, you are **strongly advised to retain and be represented by an attorney in any proceeding before the Board. To appear on your behalf, your attorney must be admitted to the Bar in Maryland or specifically admitted pursuant to Maryland Rule 19-217 which governs special admission of out-of-state attorneys pro hac vice.**

If you or your attorney have any questions about this letter or the enclosed Charges, or you wish to see any other material in your Board file regarding this case, please contact the Administrative Prosecutor assigned to your case, Kelly Cooper, AAG, at (410) 767-5828.

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

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Enclosures: Charges under the Maryland Nurse Practice Act  
Request for Hearing form

cc: Kelly Cooper, Assistant Attorney General, Administrative Prosecutor



IN THE MATTER OF

\*

BEFORE THE MARYLAND

SABRINA CARTER

\*

BOARD OF NURSING

Certificate No.: A00046534

\*

OAG Case No.: 22-BP-007

\* \* \* \* \*

**CHARGES UNDER THE MARYLAND NURSE PRACTICE ACT**

The Maryland Board of Nursing (the "Board") hereby charges the certificate of **SABRINA CARTER** (the "Respondent"), Certified Nursing Assistant Certificate No. **A00046534**, pursuant to the Maryland Nurse Practice Act (the "Act"), Md. Code Ann., Health Occ. §§ 8-101 *et seq.* (2021 Repl. Vol.). The pertinent provisions of the Act are as follows:

§ 8-6A-10 (a) *Penalties.* - Subject to the hearing provisions of § 8-317 of this title and § 8-6A-10.1 of this subtitle, the Board may . . . reprimand any certificate holder, place any certificate holder on probation, or suspend or revoke the certificate of a certificate holder, if the . . . certificate holder:

- (4) Is convicted of or pleads guilty or nolo contendere to a felony or to a crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside;
- (26) When holding an expired certificate or a lapsed certificate, commits any act that would be grounds for disciplinary action under this section[.]

**ALLEGATIONS OF FACT<sup>1</sup>**

The Board bases its charges on the following facts that the Board has reason to believe are

true:

1. On February 11, 2002, the Respondent was certified to practice as a Certified Nursing Assistant ("CNA") in the State of Maryland, certificate number A00046534. The Respondent's certificate is currently "non-renewed" and expired on November 28, 2020.

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<sup>1</sup> The allegations set forth in this document 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 testimonial or documentary, to be offered against the Respondent in connection with these charges.

2. The Board received a complaint on or about April 12, 2021, alleging the Respondent pled guilty to obtaining property from a vulnerable adult.

3. On or about April 6, 2021, the Respondent plead guilty to, and was found guilty of, Obtain Property of Vulnerable Adult under \$1,500, in the Circuit Court for Anne Arundel County, Maryland (Case Number 138015), a crime of moral turpitude. The Respondent was sentenced to 364 days of incarceration with all 364 days suspended, and 12 months of unsupervised probation.

4. According to the Application for Statement of Charges:

On 2/25/2018, at approximately 1145 hours, [Police Officer<sup>2</sup>] was dispatched to a theft call . . . [Police Officer] met with the [Victim's Wife], who advised the following:

[The Victim's Wife] was recently notified by the . . . Pawn Unit that some items which belonged to her had been placed on hold at a pawn shop. One of the items recovered was a ring with [Victim's name] inscribed on it. . . [Victim] was 86 years old at the time and suffered from dementia and as such, he was not fully aware of his surroundings.

Investigation revealed that the [Victim and Victim's Wife] had a caregiver for [the Victim] back in August 2017 named "Sabrina" . . .

. . . .

Follow-Up Investigation:

On 3/6/2018 at approximately 2200 hours, [Police Officer] contacted [Victim's Wife] to discuss the case further. [Victim's Wife] stated she was aware of the situation and that the suspect, later fully identified as Sabrina Mwinyi CARTER . . . via pawn records, had been working for them until about August of 2017. . . .

. . . .

On 7/19/2018, at approximately 1400 hours, the writer met [the Victim's Wife] at [the Pawn Shop]. . . CARTER had pawned a lot of property at the pawn shop so the manager brought everything out so [the Victim's Wife] could look at it all. After looking through the

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<sup>2</sup> For purposes of ensuring confidentiality, proper names have been omitted and replaced with generic placeholders. Upon written request, the Administrative Prosecutor will provide the information to the Respondent.

property for a short period of time, [the Victim's Wife] claimed the following items as her family's property:

- (1) black & gold . . . College class ring with the name [of the Victim] inscribed on the inside.
- (1) red & gold University . . . class ring with [the Victim's initials] inscribed on the inside.
- (1) gold ring with black stones.

....

The writer examined the Maryland DLLR Pawn Transaction Sheets for the transactions involving the property claimed by [the Victim's Wife]. The first transaction involved the gold ring with black stones on it which was pawned to [the Pawn Shop] on 10/4/2017 at 1633 hours. Records show that Sabrina Mwinyi CARTER . . . sold the above ring and several other items to the pawn shop on that date and obtained \$180.00 for the ring. . . .

The second transaction involving [the Victim's Wife]'s property occurred again at [the Pawn Shop], on 2/1/2018 at 1335 hours. Records show that CARTER sold both class rings to the pawn shop that day; she got \$290.00 for the University . . . ring and she got \$195.00 for the black . . . College ring. Just for these two items, she was paid \$485.00. . . .

....

On 7/30/2019, at approximately 1500 hours, the writer . . . met CARTER in the lobby of the MCPD Second District Station. . . .

The writer asked CARTER if she knew [the Victim and the Victim's Wife] . . . . She affirmed that she did and stated she was the night caretaker for [the Victim]. She said her job was to supervise and take care of [the Victim]. She advised that she normally worked nights, from 1900 hours – 0700 hours. The writer then showed her pictures of the items that [the Victim's Wife] claimed as her property. CARTER stated that she did in fact pawn those items at [the Pawn Shop]. However, she stated that [the Victim] gave her those items because he wanted her to have them to help her out financially. She stated that he fully understood the situation before he gave her the rings. CARTER advised that his [the Victim's Wife], was gone on vacation and was not there at the time. She also advised that her employer fired her when the rings turned up at the pawn shop. . . .

The writer asked her about some of the other pieces of property that were on hold at the pawn shop. She said one of the other class rings belonged to [another individual] who lives somewhere in Montgomery Village, Maryland. . . .

. . . .

On 8/8/2019, the writer called [the Victim's Wife] to inform her of the interview with CARTER. The writer told her that CARTER said [the Victim] gave her the items as a gift. [The Victim's Wife] said that was ridiculous as her husband could barely speak at that time. She stated that her husband had a disease called "PSP" which is a form of dementia. Sadly, she said that her husband passed away in November 2018. She reiterated that there was no truth that [the Victim] would have given her the rings to her.

The writer later researched "PSP" and learned that it stood for "Progressive Supranuclear Palsy". The writer found an article on the Mayo Clinic's website which states the following:

"Progressive supranuclear palsy is an uncommon brain disorder that causes serious problems with walking, balance and eye movements, and later with swallowing. The disorder results from deterioration of cells in areas of your brain that control body Steel-Richardson-Olszewski syndrome.

Progressive supranuclear palsy worsens over time and can lead to life-threatening complications, such as pneumonia and swallowing problems. There's no cure for progressive supranuclear palsy, so treatment focuses on managing the signs and symptoms."

. . . .

On 11/19/2019, the writer finally received CARTER's full personnel file. . . .

. . . there was one other very relevant incident that CARTER had with a patient in 2016. In the notes for one of CARTER's clients, the writer found an incident where CARTER was reprimanded for her handling of a client's money. The document states that on 4/19/2016, CARTER agreed to take an organizer to the store and get a refund for the client. There was some type of misunderstanding as to when CARTER was going to return to the client's home and the client complained to the manager. The manager stated the following in her notes:

"...I explain to Sabrina going to the store wasn't on the care plan she should not have done it. It was very nice of Sabrina wanting to

help the client but we never accept money from the clients or transport them anywhere. Sabrina apologized. [Individual] said our nurse need to have a talk to Sabrina that she should not ever accept money from clients...”

5. In an interview with the Board’s investigator on September 17, 2021, the Respondent stated the following:

- a. She previously worked with the Victim.
- b. When asked if anything unusual took place with the Victim she stated, “from my understanding, no.”
- c. She admitted she pawned his items.
- d. When asked to explain, she stated that first she wanted to read the letter of surrender the Board mailed to her and then “choose my answer very carefully because I don’t want to say something wrong.”

**NOTICE OF POSSIBLE SANCTIONS**

If the Board finds that there are grounds for action pursuant to Health Occ. § 8-6A-10(a)(4) and/or (26), the Board may impose disciplinary sanctions against the Respondent’s certificate, pursuant to COMAR 10.27.26, including reprimand, probation, suspension, revocation, and/or the imposition of a monetary penalty.

\_\_\_\_\_  
May 25, 2022  
Date

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



# Board of Nursing

Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Dennis R. Schrader, Secretary

June 22, 2022

**VIA REGULAR AND CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

The Respondent's Address Appears  
On the Original Document

**RE: ORDER CONTINUING SUMMARY SUSPENSION OF CERTIFIED NURSING  
ASSISTANT CERTIFICATE  
Sabrina Carter, A00046534**

Dear Ms. Carter:

Enclosed is an "Order Continuing Summary Suspension of Certified Nursing Assistant Certificate" ("Order") issued by the Maryland Board of Nursing (the "Board") in the above-referenced case. Your certificate to practice as a certified nursing assistant in the State of Maryland remains summarily suspended at this time.

You have the opportunity to request an evidentiary hearing before the Board on the merits of the summary suspension. The evidentiary hearing before the Board will be conducted in accordance with the Maryland Administrative Procedure Act ("APA"), Annotated Code of Maryland, State Government Article ("State Gov't") §§ 10-101 *et seq.* (2014 Repl. Vol.). Pursuant to State Gov't § 10-208 of the APA, you will have the right to be represented by an attorney, subpoena evidence and witnesses, call witnesses and submit documents or other evidence, cross-examine witnesses called against you, and present summation and argument.

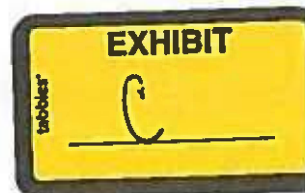
**TO REQUEST AN EVIDENTIARY HEARING:**

If you wish to schedule an evidentiary hearing on the merits of the summary suspension, please submit a written request for a hearing to the Board within 30 days of the date of the enclosed Order, by mail or fax, to:

Attn: Amber Havens Bernal  
Enforcement Division – Discipline Dept.  
Maryland Board of Nursing  
4140 Patterson Avenue  
Baltimore, Maryland 21215  
FAX: (410) 358-1499; EMAIL: [mbon.nursingdiscipline@maryland.gov](mailto:mbon.nursingdiscipline@maryland.gov)

A Request for Hearing form is enclosed for your convenience.

4140 Patterson Avenue - Baltimore, Maryland 21215-2254  
Toll Free: 1 (888) 202 - 9861 • Phone: (410) 585 - 1900 • TTY/TDD: 1 (800) 735 - 2258  
Fax: (410) 358 - 3530  
[www.mbon.maryland.gov](http://www.mbon.maryland.gov)





**Sabrina Carter, A00046534**  
**Order Continuing Summary Suspension**

If you submit a written request for an evidentiary hearing, the Board may schedule a case resolution conference to provide an opportunity to resolve this case without proceeding to a formal evidentiary hearing. Your attendance at the case resolution conference, if scheduled, is voluntary, and your decision not to attend the case resolution conference will not influence the Board in deciding what, if any, action to take in your case. If you choose not to attend the case resolution conference, the Board will schedule an evidentiary hearing on the merits of the summary suspension of your certificate.

The Board will notify you in writing, at your address last known to the Board, of the date, time, and location of the evidentiary hearing.

**IF YOU DO NOT REQUEST A HEARING:**

If you do not request an evidentiary hearing in writing within 30 days of the date of the enclosed Order, you will have waived your opportunity for an evidentiary hearing on the merits of the summary suspension. Pursuant to its authority under the APA, State Gov't §§ 10-210(4) and 10-221, the Board may, in its discretion, issue a **public** Final Decision and Order by default, in which (1) the investigative findings and reasons in support of summary suspension in the Order for Summary Suspension become findings of fact and (2) the summary suspension of your certificate is affirmed and shall be continued until further order of the Board.

Any decision made by the Board could affect your certificate to practice as a certified nursing assistant in the State of Maryland. Any Final Decision and Order issued by the Board will be a **public document** and **cannot be expunged**. Therefore, you are strongly advised to retain and be represented by an attorney in any proceeding before the Board. To appear on your behalf, your attorney must be admitted to the Bar in Maryland or specifically admitted pursuant to Maryland Rule 19-217 which governs special admission of out-of-state attorneys *pro hac vice*.

If you or your attorney have any questions about this letter or the enclosed Order, or wish to review the Board file regarding this case, please contact the Administrative Prosecutor assigned to your case, Kelly Cooper, AAG, at (410) 767-5828, or Amber Havens Bernal, Enforcement Division – Discipline Department, at [amber.havens@maryland.gov](mailto:amber.havens@maryland.gov).

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

Enclosures: Order Continuing Summary Suspension of Certified Nursing Assistant Certificate  
Request for Hearing form

cc: Kelly Cooper, Assistant Attorney General, Administrative Prosecutor

IN THE MATTER OF

SABRINA CARTER

Certificate No.: A00046534

\* BEFORE THE MARYLAND  
\*  
\* BOARD OF NURSING  
\*  
\* OAG CASE NO. 22-BP-007  
\*

\* \* \* \* \*

**ORDER CONTINUING SUMMARY SUSPENSION OF CERTIFIED NURSING  
ASSISTANT CERTIFICATE**

On May 25, 2022, the Maryland Board of Nursing (“the Board”) issued an “Order for Summary Suspension of Certified Nursing Assistant Certificate Pursuant to Section 10-226(c)(2) of the Administrative Procedure Act” to SABRINA CARTER, Certificate Number A00043534 (“the Respondent”). On June 22, 2022, the Board held a Show Cause Hearing to give the Respondent an opportunity to present argument as to why the Board should not continue the summary suspension of the Respondent’s certificate. The Respondent failed to appear at the Show Cause Hearing. The Administrative Prosecutor was present at the Show Cause Hearing on behalf of the State. After considering the oral argument(s) presented at the Show Cause Hearing, the Board decided to continue the summary suspension of the Respondent’s certificate to practice as a certified nursing assistant in the State of Maryland.

**CONCLUSIONS OF LAW**

The Board concludes that the public health, safety, or welfare imperatively requires continued emergency action in this case under Md. Code Ann., State Gov’t § 10-226(c)(2) (2014).

**ORDER**

Based on the foregoing, it is hereby:

**ORDERED** that the **SUMMARY SUSPENSION** of the Respondent’s certificate to practice as a certified nursing assistant in the State of Maryland is **CONTINUED** until further Order of the Board in this case; and it is further



Sabrina Carter, A00046534

**Order Continuing Summary Suspension of Certified Nursing Assistant Certificate**

**ORDERED** that an evidentiary hearing on the merits of the Order for Summary Suspension will be scheduled before the Board of Nursing if the Respondent submits a written request to the Board **no later than thirty (30) days from the date of this Order**; and it is further

**ORDERED** that if the Respondent does not submit a timely written request to the Board for an evidentiary hearing within thirty (30) days of the date of this Order, the Respondent shall have waived all rights now and in the future to an evidentiary hearing; and it is further

**ORDERED** that this Order Continuing Summary Suspension is a **PUBLIC RECORD** pursuant to Maryland Code Ann., General Provisions §§ 4-101 *et seq.* (2014).

June 22, 2022  
Date

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