

**IN THE MATTER OF
ERICKA FLOOD EVANS**

Respondent

Unlicensed

*** BEFORE THE MARYLAND
* STATE BOARD OF
* DIETETIC PRACTICE
* Case Number: 24-006**

* * * * *

FINAL ORDER

On or about May 16, 2024, the Maryland State Board of Dietetic Practice (the “Board”) charged **ERICKA FLOOD EVANS** (the “Respondent”), an unlicensed individual, Under the Maryland Licensed Dietitian-Nutritionists Act the “Act”), Md. Code Ann., Health Occ. (“Health Occ.”) § 5-404 (2021 Repl. Vol. & 2023 Supp.).

The Charges also informed the Respondent that, unless she requested a hearing in writing within thirty (30) days of the date of the Charges, the Board would sign the Final Order, which was enclosed. More than thirty (30) days have elapsed, and the Respondent failed to timely request a hearing.

Specifically, the Board bases its action on the following:

§ 5-402. Representations to the public, dietetics

- (a) Except as otherwise provided under this title, a person may not represent or imply to the public by use of the title “licensed dietitian-nutritionist”, by other title, by description of services, methods, or procedures that the person is authorized to practice dietetics in the State.
- (b) Unless authorized to practice dietetics under this title, a person may not use the words or terms “dietitian-nutritionist”, “licensed dietitian-nutritionist”, “LDN”, “dietitian”, “licensed dietitian”, “D”, “LD”, “nutritionist”, “licensed nutritionist”, or “LN”.

§ 5-403. Fines and penalties

- (a) (b) A person who violates § 5-401 or § 5-402 of this subtitle is subject to a civil fine not to exceed \$50,000 to be assessed by the Board in accordance with regulations adopted by the Board.

FINDINGS OF FACT

The Board makes the following Findings of Fact:

I. BACKGROUND AND COMPLAINT

1. The Respondent has never been licensed to practice dietetics in the State of Maryland.
2. On November 1, 2023, the Board received a complaint from a health care facility (the “Facility”)¹ alleging that the Respondent, who had been hired to work as a licensed dietician at the Facility, had provided falsified credentials.
3. After receiving the complaint, the Board initiated an investigation of the Respondent.

II. BOARD INVESTIGATION

4. As part of its investigation, the Board obtained records from the Facility and interviewed Facility witnesses, including the Licensed Nursing Home Administrator (the “Administrator”) and the assistant dietary manager (the “Dietary Manager”).
5. Interviews of the Administrator and Dietary Manager revealed that the Facility contracts with a third-party company (the “Company”) to handle all dietary needs of the Facility including hiring and overseeing all dieticians, dietary managers, dietary aides, etc.

¹ For confidentiality and privacy purposes, the names of individuals and health care facilities involved in this case are not disclosed in this document. The Respondent may obtain the names of all individuals and health care facilities referenced in this document by contacting the administrative prosecutor.

6. On several occasions, the Dietary Manager asked the Respondent to provide a copy of her Maryland Dietetics License. Frustrated that the Respondent was not forthcoming with a copy of her license, the Dietary Manager notified the Administrator.
7. On or about November 1, 2023, the Administrator contacted the Respondent and requested a copy of her Maryland Dietetics license.
8. On November 1, 2023, the Respondent turned in a copy of her Maryland Dietetics license to the Facility's receptionist who then handed it to the Administrator.
9. The Administrator immediately took the copy of the Maryland Dietetics license and the copy of the Commission on Dietetic Registration card previously provided by the Respondent to the Director of Human Resources.
10. The Director of Human Resources, utilizing the Board's online License Verification system,² entered the license number given by the Respondent. The license number pulled up a record (the "official record") that was drastically different from the Respondent's copy. The only similarity was the last name on both records. The full name, status, expiration date, and original license date were all different. In addition, the formatting on the Respondent's copy did not match the formatting on the official record.
11. The Director of Human Resources then utilized the Commission on Dietetic Registration online License Verification system³ and entered the license number

² <https://mdbnc.health.maryland.gov/dietVerification/Default.aspx>

³ <https://secure.eatright.org/CGIBIN/lansaweb?wam=CDR900&webtrn=selectcust&ml=LANSAXHTML&part=PRD&lang=ENG>

provided by the Respondent on her card. That number was associated with a third individual's name.

12. The Administrator immediately contacted the Company representative who then informed the Respondent that she was terminated and escorted her out of the Facility.
13. A review of the Facility's records revealed that the Respondent signed her name to several medical records as "Erica Evans" and title as "RD".

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes as a matter of law:

The Respondent's actions in representing to the public that she is authorized to practice licensed dietetics in the State of Maryland, specifically in applying for a job as a licensed dietitian in the State of Maryland without a license, and in misrepresenting her credentials in medical records, constitute violations of Health Occ. § 5-402.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 17th day of June, 2024, by a majority of the Board considering this case:

ORDERED, that within **60 days** the Respondent shall pay a civil fine in the amount of \$40,000 by certified check or money order to the Maryland Board of Dietetic Practice; and it is further

ORDERED that this is a Final Order and as such is a **PUBLIC RECORD** pursuant to Md. Code Ann., Gen. Prov. §§ 4-101 – 4-601.

6/11/24

Date



Rebecca Snow, MS, CNS, LDN, RH
Board Chair
Maryland Board of Dietetic Practice

NOTICE OF RIGHT TO APPEAL

Pursuant to Md. Code Ann., Health Occ. § 5-313(a), the Respondent has the right to take a direct judicial appeal. Any appeal shall be filed within thirty (30) days from the date of this Final Order and shall be made as provided for judicial review of a final decision in the Maryland Administrative Procedure Act, Md. Code Ann., State Gov't § 10-222; and Title 7, Chapter 200 of the Maryland Rules of Procedure.

If the Respondent files an appeal, the Board is a party and should be served with the court's process at the following address:

Marie M. Savage, Executive Director
Maryland Board of Dietetic Practice
4201 Patterson Avenue
Baltimore, Maryland 21215

At that point, the Administrative Prosecutor is no longer a party to this case and need not be served or copied.