

IN THE MATTER OF

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BEFORE THE MARYLAND

MODUPEOLA BALOGUN

BOARD OF NURSING

License Number: R242553

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**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 **R242553**, of **MODUPEOLA BALOGUN** (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:

- 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).

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**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:¹

1. On February 13, 2020, the Respondent was issued a Registered Nurse (“RN”) license in the State of Maryland. The Respondent’s RN license has a status of “Active-Compact” and is due to expire on December 28, 2024.

MARYLAND APPLICATION FOR RN LICENSE BY EXAM (“RN APPLICATION”)

2. On or about July 1, 2018, the Respondent submitted an on-line Application for RN License by Exam. The Respondent indicated on the RN Application that she graduated on December 1, 2017 from Palm Beach School of Nursing, LLC with an Associate Degree in Nursing.
3. The Respondent 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.”

NURSYS²

4. NCLEX³ registration data shows: the Respondent sat for the NCLEX-RN exam on February 12, 2020; education program: Palm Beach School of Nursing, LLC; Applicant made eligible by: Maryland.⁴

¹The 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.

² A national database provided through the National Council of State Boards of Nursing (NCSBN), for verification of LPN/RN licensure, disciplinary action, and practice privilege.

³ Licensure examination.

⁴ The information provided via NCLEX department combines personal data, supplied by the applicant to the board on 2-12-2020 during the exam eligibility process, with exam registration data taken.

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BACKGROUND:

U.S District Court for the District of Maryland

5. On July 8, 2021, a Criminal Complaint and Affidavit of Criminal Complaints 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.
6. The Affidavit alleged that 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.

U.S District Court – Southern District of Florida

Information:

7. On June 2, 2022, an Information 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.
8. According to the Information, the Purpose of the Conspiracy 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.”

Affidavit of Johanah Napoleon

9. In a notarized affidavit, signed on June 7, 2022, Johanah Napoleon declared under penalties of perjury the following information was true and correct:

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I owned and operated the following schools:

....

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 present, ..., Palm Beach School of Nursing, and ... 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 or a nursing associate in science degree and transcript.

10. The Respondent’s name is listed in Attachment B of the Affidavit, along with the Respondent’s DOB and SSN.

THE RESPONDENT’S RESPONSE TO THE BOARD’S REQUEST FOR INFORMATION

11. On or about February 16, 2023, the Respondent submitted a response to the Board’s request for information. The Respondent’s response includes the following:

Q: What is the name of the nursing education program from which you received a diploma or degree? **A:** Palm Beach School of Nursing – ASN.

Q: What is the date that you enrolled in your nursing education program? **A:** 7/26/2017 – Palm Beach School of Nursing.

Q: What is the date that you received a diploma or degree from your nursing education program? **A:** 12/01/2017 – Palm Beach School of Nursing.

Q: Have you taken any online courses as a part of your nursing education program? **A:** Yes- All courses were online for Palm Beach School of Nursing.

Q. Did you attend any clinicals *in person* as part of your nursing education program(s)? **A:** Yes

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Q: If you answered “Yes”

a. Please list all of the courses for which you received clinical experience:

A: Palm Beach School of Nursing – Adult Nursing I & II; Psychiatric Nursing; Maternal & Newborn Nursing; Advanced Nursing Skills; Pediatric Nursing.⁵

b. Please provide all the names of and contact information for the facilities at which you completed your clinical experience.

A: Palm Beach School of Nursing – Clinical site – Palm Beach School of Nursing.

DISCUSSION

12. The Respondent submitted registration information to NCLEX and information on her RN Application to the Board, indicating that she received her basic nursing education from Palm Beach School of Nursing and that she graduated on December 1, 2017.
13. In her written response to the Board, the Respondent confirmed that she received an Associate in Science of Nursing degree from Palm Beach School of Nursing on December 1, 2017. The Respondent further reported that at Palm Beach School of Nursing, she completed ALL courses on-line, including clinicals.
14. In a signed affidavit, Johanah Napoleon, owner and operator of Palm Beach School of Nursing, provided a list of individuals who did not complete the required program hours and clinical training at Palm Beach School of Nursing, necessary to receive a transcript or a nursing associate in science degree. The Respondent was identified on the list by name, DOB and SSN.
15. The Respondent does not meet the Board’s statutory and regulatory requirements for RN licensure in Maryland.
16. 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

⁵ The Respondent submitted an Official Transcript from Palm Beach School of Nursing which indicates that these courses and practicums were completed. The transcript further indicates that the Respondent attended the program from June 27, 2016 to December 1, 2017 and received an Associate Degree in Nursing.

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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 **R242553**, of **MODUPEOLA BALOGUN**, 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 11:45 AM** 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


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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 6, 2023
Date


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

Maryland Board of Nursing