

EMELDINE NGATI: LP53429: PERMANENT VOLUNTARY SURRENDER

Gary N. Hicks, MS, RN, CEN, CNE
President
Maryland Board of Nursing
4140 Patterson Avenue
Baltimore, Maryland 21215-2254

**RE: Emeldine Ngati: LP53429
Permanent Voluntary Surrender of Licensed Practical Nurse License**

Dear Mr. Hicks,

I agree to permanently voluntarily surrender my Licensed Practical Nurse (“LPN”) license, License Number **LP53429**, in the State of Maryland. By permanently voluntarily surrendering my Maryland LPN license, I understand that I may not engage in the practice of licensed practical nursing with or without compensation, as defined in the Maryland Nurse Practice Act (“the Act”), Md. Code Ann., Health Occupations Article (“Health Occ.”) §§ 8-101 *et seq.* (2021 Repl. Vol.) and the Board’s regulations, Code of Maryland Regulations (“COMAR”) 10.27.01 *et seq.* I understand that, as of the effective date of this Permanent Voluntary Surrender, I am in the same position as an unlicensed individual.

My practice was brought to the attention of the Maryland Board of Nursing (“the Board”) as follows:

On or about June 30, 2016, I submitted an on-line Application for Exam of LPN License (“LPN Application”) to the Board and indicated that I graduated from LPN School in 2013. I affirmed and agreed to the following statement “I affirm that the contents of this document are accurate to the best of my knowledge”.

By order issued on May 15, 2012, the Virginia Board of Nursing ordered that approval of LPN School was withdrawn and LPN School “shall cease operations no later than June 30, 2013”.

My Official Transcript from LPN School, signed by Director¹, indicates that I attended the school from September 19, 2011 to February 8, 2013, and completed a total of 1700 contact hours, including 400 clinical hours in Nursing Fundamentals, medical-surgical nursing, geriatric nursing, maternity nursing, pediatric nursing, and mental health nursing at several “clinical agencies” in Virginia and Washington, D.C.

On or about July 6, 2017, I was issued a Maryland LPN license, which expired on December 28, 2019.

¹ 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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Board investigators verified that none of the “clinical agencies” identified in the LPN School transcript had a contract with LPN School to offer clinical training. I did not respond to a Board subpoena to appear for an interview at the Board’s offices on September 8, 2021.

On or about January 24, 2018, I submitted an Application for RN license by Exam to the Florida Board of Nursing (“Florida Board”). The Florida Board received information that I attended RN School in another country starting in 2009 and that I graduated with a BSN on November 20, 2013. According to my LPN School transcript, the time period that I attended LPN School occurred during the same time period I attended RN School in another country.

On May 5, 2022, the Board issued an Order for Summary Suspension of Licensed Practical Nurse License (“Order for Summary Suspension”), which ordered the immediate suspension of my LPN license.

On May 5, 2022, the Board issued a Notice of Agency Action – Under the Maryland Nurse Practice Act (“Charges”), charging my LPN license with violations under Health Occ. § 8-316 (a) (1) “Fraudulently or deceptively obtains or attempts to obtain a license for the applicant or for another”; (20) “Fails to cooperate with a lawful investigation conducted by the Board”; (25) “Engages in conduct that violates the professional code of ethics,” *to wit*, COMAR 10.27.19.02 B. (1) “A nurse may not, when acting in the capacity or identity of a licensed nurse: Knowingly participate in or condone dishonesty, fraud, deceit, or misrepresentation”; (30) “Violates regulations adopted by the Board or an order from the Board”; *to wit*, 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 equivalent² to the licensed practical nursing education programs approved in this State at the time of the applicant’s graduation.”

In lieu of proceeding to an evidentiary hearing on the Charges and Order for Summary Suspension against my LPN license, issued on May 5, 2022, I agree to the **PERMANENT VOLUNTARY SURRENDER** of my LPN license. I agree the Board has enough evidence to prove by a preponderance of the evidence the above violations cited in the Charges and the merits of the Order for Summary Suspension, and may sanction my LPN license accordingly, pursuant to Health Occ. § 8-316 and COMAR 10.27.26. I understand that, by executing this Permanent

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 requirement for Maryland schools of nursing at the time of the applicant’s graduation, including, but not limited to:
 - (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: ...
 - (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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Voluntary Surrender, I am waiving the right, now and in the future, to any evidentiary hearing at which I would have the right to counsel, to confront witnesses, to give testimony, to call witnesses on my own behalf, and to contest the facts summarized in this Permanent Voluntary Surrender, and at which I would have the right to all other substantive and procedural protections provided by law, including the right to appeal.

In executing this agreement to permanently surrender my LPN license, I agree that I will **NEVER** be eligible for reinstatement of my LPN license, license number LP53429, in the State of Maryland. I agree and understand that if I ever decide to re-apply for licensure as an LPN in Maryland, I will approach the Board in the same posture as an unlicensed individual applying for initial licensure. I understand that it will be my burden, as an applicant for licensure, to demonstrate that I meet all the Board's requirements for issuance of an initial license that exist at the time I apply and that I am fit for licensure in Maryland.

I agree and understand that, in considering whether to grant any future application for licensure, the Board may review my entire Board file, including this Voluntary Surrender and any information that the Board receives after execution of this document, and require me to undergo medical, psychological, and/or psychiatric evaluations and drug and alcohol to determine my fitness to have a license. I further agree and understand that, if I submit an application for licensure, the Board would have sufficient evidence to find that I have violated Health Occ. § 8-316(a)(3) ("Is disciplined by a licensing . . . authority in this state . . . for an act that would be grounds for disciplinary action under the Board's disciplinary statutes") on the basis of this Voluntary Surrender, and may exercise its discretion to deny my application, grant my application without discipline, or grant my application with discipline, including, but not limited to, probation with terms and conditions. I understand that the Board is not required to grant a new license to me.

I understand that this Permanent Voluntary Surrender shall become a **PUBLIC RECORD** and shall become effective on the date of the Board's acceptance of the Permanent Voluntary Surrender. I agree that this Permanent Voluntary Surrender may be released or published by the Board as a final decision and order under the Public Information Act, Md. Code Ann., Gen. Prov. §§ 4-101 *et. seq.* (2019 Repl. Vol.). I expressly consent to the publication of this Permanent Voluntary Surrender, including any and all information that is protected from disclosure under federal and state law.

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ACCEPTANCE

ON BEHALF OF THE MARYLAND BOARD OF NURSING, on this 06 day of 15, 2022, **EMELDINE NGATI'S PERMANENT VOLUNTARY SURRENDER** of her LPN license, license number **LP53429**, in the State of Maryland, is hereby accepted.

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

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President

Maryland Board of Nursing

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I acknowledge that I may not rescind this Permanent Voluntary Surrender in part or in its entirety for any reason whatsoever. I have been given an opportunity to consult with an attorney before signing this Permanent Voluntary Surrender of my LPN license in Maryland. I fully understand the nature of the violations against my Maryland LPN license and fully understand the terms of this Permanent Voluntary Surrender. I have voluntarily, knowingly and freely chosen to submit this Permanent Voluntary Surrender.

Sincerely,



EMELDINE NGATI
LP53429

NOTARIZATION

STATE OF Texas

CITY/COUNTY OF Houston

I HEREBY CERTIFY that on this 06 day of 15, 2022, before me, a Notary Public of the State of Texas of the County afore-said, personally appeared **EMELDINE NGATI** and declared and affirmed under penalties of perjury that signing the foregoing Permanent Voluntary Surrender was his voluntary act and deed.



Notary Public 06/15/2022

My commission expires: 05/21/2025.

