

IN THE MATTER OF

*

BEFORE THE MARYLAND

COLLINS AKALAMBI ASHIME

*

BOARD OF NURSING

LPN APPLICANT

*

* * * * *

**CONSENT ORDER OF DENIAL OF APPLICATION FOR LICENSED PRACTICAL
NURSING LICENSE**

On or about February 8, 2017, COLLINS AKALAMBI ASHIME (the "Applicant") submitted an Initial Application for Exam of LPN License (the "Application") to the Maryland Board of Nursing (the "Board"). During the Board's review of the Application, the Board discovered that the LPN program that the Applicant listed on his Application was under investigation for supplying fraudulent transcripts.

As a result of that investigation, on November 3, 2022, the Board issued "Charges Under the Maryland Nurse Practice Act: Initial Denial of Application for Licensed Practical Nurse License," notifying the Applicant that the Board initially denied his application for licensure as a Licensed Practical Nurse based on violations of the Maryland Nurse Practice Act, specifically Md. Code Ann., Health Occupations Article ("Health Occ."):

§ 8-316 (a) *In general.* – Subject to the hearing provisions of § 8-317 of this subtitle, the Board may deny a license or grant a license, including a license subject to a reprimand, probation, or suspension, to any applicant, . . . if the applicant or licensee:

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

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- (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⁽¹⁾ to the licensed practical nursing education programs approved in this State at the time of the applicant's graduation[.]

On December 6, 2022, the Applicant and his attorney attended a case resolution conference (“CRC”) with members of the Board in an effort to resolve the initial denial in lieu of an evidentiary hearing. The Assistant Attorney General – Administrative Prosecutor, also attended

¹ 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.

the CRC on behalf of the State. At that CRC, the Applicant and the State agreed to, and the Board hereby accepts, the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

The Board finds:

1. On or about February 8, 2017, the Applicant submitted an online Maryland Application for Exam of LPN License (“LPN Application”).
2. On the LPN Application, the Applicant indicated that he graduated from an LPN program located in Woodbridge, Virginia (the “LPN School”) on May 17, 2013.
3. The online LPN Application was submitted by the Applicant who affirmed the following:²

I hereby make an 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

4. On July 21, 2010, the Virginia Board of Nursing approved a Consent Order, ordering that the LPN School be placed on Conditional Provisional Approval for not less than one (1) year, subject to terms and conditions. The Consent Order was signed by LPN School’s Program Director (“Program Director”).³

² The on-line application contains the listed affirmation. The applicant selects either a “yes” or “no” response. The applicant’s response to the affirmation statement determines the outcome of the on-line application process. A “Yes” response to the affirmation allows the applicant to pay the application fee and submit the application. The application is then imported into the on-premises LARS database for the Board to process and go through the checklist and workflow. A “No” response to the affirmation statement halts the on-line application process and prevents the applicant from paying the application fee and submitting the application.

³ Program Director completed and returned the email-based Certification on the Respondent’s LPN Application, as Director of Nursing Program.

5. On May 15, 2012, the Virginia Board of Nursing approved a Consent Order, signed by the Program Director. The May 15, 2012 - Consent Order orders that:
- a. [LPN School's] approval to operate a practical nursing education program in Virginia is WITHDRAWN. [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. [LPN School] shall not admit any new or transfer students.

THE APPLICANT'S LPN SCHOOL OFFICIAL TRANSCRIPT

6. On or about August 25, 2021, the Board issued a Subpoena Duces Tecum (“Subpoena”) to the Applicant commanding him 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.
7. The only transcript provided by the Applicant was an Official Transcript that listed the school as the LPN School. It is signed by the Program Director⁴ and dated May 17, 2013, and provides the following information:

<u>FIRST QUARTER</u> From: 01/23/2012 To: 03/23/2012		<u>THIRD QUARTER</u> From: 7/16/2012 To 11/02/2012	
<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
		Med/Surg Lab	40
Total Contact Hours Required	270	Geriatrics Theory	30
		Geriatrics Clinical	40
		Total Contact Hours Required	550

⁴ On or about July 8, 2021, in the U.S. District Court of Maryland, Program Director was indicted on charges of Conspiracy to Commit Health Care Fraud; Conspiracy to Commit False Statements Relating to Health Care Matters

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<u>SECOND QUARTER</u> From: 03/26/2012 To: 07/13/2012		<u>FOURTH QUARTER</u> From: 11/05/2012 To: 05/17/2013	
<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
		Mental Health Clinical	40
Total Contact Hours	490	Professional Development & NCLEX Review	60
		Total Contact Hours Required	390

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	07/09/12	07/13/12	40
Medical-Surgical Nursing	Facility 1 Facility 2	09/17/12	10/19/12	200
Geriatric Nursing	Facility 3	10/29/12	11/02/12	40
Maternity Nursing	Facility 4	02/04/13	02/08/13	40
Pediatric Nursing	Facility 4	02/11/13	02/15/13	40
Mental Health Nursing	Facility 5	03/04/13	03/08/13	40

THE BOARD'S INVESTIGATION

8. In a letter dated September 8, 2021, the Board's staff was notified by Facility 1, "we regret to inform you that after searching our records, we were unable to locate any school agreement for clinical rotations with [LPN School]."

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 healthcare 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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9. On August 5, 2021, a Board Investigator contacted the General Counsel for Facility 2 and Facility 3, requesting information on any agreements with LPN School. On August 5, 2021, the General Counsel responded by email, stating “I searched our contracts database and do not find any contracts with [LPN School]. Additionally, as a skilled nursing facility, I do not believe we would have hosted clinicals for surgical nursing.”
10. On August 6, 2021, a Board Investigator contacted Facility 4’s Executive Director by phone. Executive Director stated that Facility 4 does not offer OB/GYN or pediatric care and that the program offers services to troubled teens, there are no nurses on staff, and the program does not offer any medical services.
11. On August 25, 2021, the Board’s staff was notified by email that Facility 5 “does not have any affiliation or contracts with any nursing institute for any clinical hours.”
12. On or about September 13, 2021, the Board Investigator conducted an interview of the Applicant under oath, with his legal counsel present. The Applicant stated the following during the interview:
 - a. The Applicant is currently employed as a Direct Service Provider/Caregiver in Washington D.C. He works full-time with Employer A assisting an individual with cognitive and health limitations with Activities of Daily Living (ADLs). He is also employed part-time at Employer B, a staffing agency where he provides direct services on the weekends.
 - b. The Applicant was born and educated in Cameroon. He completed a degree in Mathematics Education and was a teacher for seven years before coming to the United States in 2007.

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- c. The Applicant stated that he completed Home Health Aide Training⁵ in 2007 or 2008 and Maryland Medication Technician Training⁶ in 2013.⁷
- d. In 2016, the Applicant learned about the LPN School from LPN1. LPN1 told the Applicant that the LPN School offered a “crash program ... 6 months or less” after which time you would obtain your degree.
- e. The Applicant went to the school, located in a “Townhouse” on “Minnesota Avenue in Washington D.C.”, and provided a down payment of \$4,000 to a man he called “Dr. P” (the “Director”). After providing the cash down payment, the Applicant started classes the same week. The Applicant believes he started classes in either November or December 2016. He paid a total of \$8,000 in cash for the program.
- f. The Applicant explained that classes were “5:00 pm to 9:00 pm” “at least three days a week.”
- g. The Applicant added that based on his discussions with other students, he learned that the school had different programs including Home Health Aides, LPNs, and RNs which met on different days and times.
- h. The Applicant listed the topics his instructors taught during the program including “the reproductive system, the skin . . . something about potassium sodium, how to take care of kids that are sick, elderly care, circulatory system how blood moves around the body, about the ABGs, gout, electrolytes in the body, some psychology[.]”
- i. When shown his transcript, the Applicant stated that he remembers covering most of the topics on the transcript but none of the “course[s] lasted more than 2 weeks” and that “the dates [on the transcript] are very, very wrong.”

⁵ The Respondent was issued a Home Health Aide (HHA) license (License Number HHA8974) in Washington D.C., on July 31, 2013. His HHA is currently “Expired” with an expiration date of October 30, 2021.

⁶ The Respondent was issued a Medication Technician (MT) certificate (Certificate Number MT0084386) in Maryland on October 17, 2013. His MT certification is currently “Active” with an expiration date of September 28, 2024.

⁷ The Respondent failed to mention that he also has a Trained Medication Employee (TME) license (License Number TME2303) in Washington D.C. His TME is currently “Expired” with an expiration date of October 31, 2021.

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- j. The Applicant also admitted that while he was in the program, he **did not** have any labs, hands-on practice, or attend the clinicals listed on the transcript.
- k. The Applicant was told that “it was a crash program for 6 months but after 4 months [the Director] told me that I’m good to go. I completed [the program].” When the Applicant had finished paying the remaining money owed at the four-month mark, “[the Director] brought the certificate to me, the Completion Certificate.” The Applicant added, “there was no graduation.”
- l. Once receiving the Completion Certificate the Applicant “discovered it was 2013 [listed on the certificate] so I told him that it was a mistake... and the name of the school showed a Virginia [address]... meanwhile I started classes in 2016 and he told me that it is affiliated with the school, he has an affiliation with the school in Virginia. That everything is okay. [The Director] will present my documents and send [them] to the Board and I prepare to go write [the NCLEX examination.]”
- m. The Completion Certificate was signed by the LPN School’s Program Director whom the Applicant has never met.
- n. The Applicant stated that the Director filled out his Maryland LPN Application. When shown his LPN Application, the Applicant confirmed that the photo was of him and that the date of graduation on the LPN Application was incorrect.
- o. The Applicant did not take the NCLEX as he “decided to change [his] career ... I decided to enroll, go into an IT program ... right now I’m still in school ... my major is cybersecurity ... I started in 2020.”
- p. When asked if he felt adequately prepared following his time at the LPN School, the Applicant admitted that he “didn’t think that [he] had enough knowledge”

DISCUSSION

On or about February 8, 2017, the Applicant submitted an online Maryland Application for Exam of LPN License along with supporting documentation that contained false information. During the course of the investigation, the Applicant failed to provide documentation that he met the Board’s statutory and regulatory requirements, didactic and clinical training, for LPN licensure

by exam. Therefore, the Board finds that the Applicant violated Health Occ. § 8-316(a)(1) and (30), predicated on COMAR 10.27.01.05(B)(1)(b).

I. CONCLUSIONS OF LAW

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

§ 8-316 (a) In general. – Subject to the hearing provisions of § 8-317 of this subtitle, the Board may . . . reprimand any licensee, place any licensee on probation, or suspend or revoke the license of a licensee if the . . . licensee:

- (1) Fraudulently or deceptively obtains or attempts to obtain a license for the applicant or for another;
- (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 equivalent to the licensed practical nursing education programs approved in this State at the time of the applicant's graduation[.]

ORDER

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

ORDERED that the application of the Applicant, **ASHIME AKALAMBI ASHIME**, for licensure as a Licensed Practical Nurse in the State of Maryland shall be **DENIED**; and it is further

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ORDERED that if the Applicant submits an application for licensure as a licensed practical nurse in the State of Maryland in the future, the Applicant shall meet all statutory and regulatory requirements of the Board for licensure as a licensed practical nurse that are in effect at the time of application, including completion of either a licensed practical nursing education program in Maryland approved by the Board or a licensed practical nursing education program in another state or country that the Board finds substantially equivalent to the education program in this State at the time of the Applicant's graduation; and it is further

ORDERED that this Consent Order is a **PUBLIC RECORD** pursuant to Md. Code Ann., Gen. Prov. §§ 4-101 *et seq.* (2014).

1/25/2023
Date

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

President
Maryland Board of Nursing

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.

Collins Akalambi Ashime, LPN
Collins Akalambi Ashime, LPN Applicant

NOTARIZATION

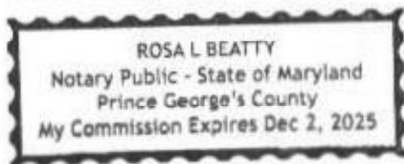
STATE: Maryland

CITY/COUNTY: Bowie / Prince George's

I HEREBY CERTIFY that on this 14th day of December, 2022, before me, Notary Public of the State and City/County aforesaid, **Collins Akalambi Ashime** personally appeared, and made oath in due form of law that signing the foregoing Consent Order of Denial of Application for Licensed Practical Nursing License was the voluntary act and deed of **Collins Akalambi Ashime**.

AS WITNESSETH my hand and notarial seal.

SEAL



Rosa Beatty
Notary Public

My Commission Expires December 02, 2025

[Handwritten signature]