

IN THE MATTER OF  
IMAFIDON AKHIGBE

\* BEFORE THE MARYLAND  
\* BOARD OF NURSING

Certificate No.: A00167002

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**CONSENT ORDER OF REPRIMAND OF  
CERTIFIED NURSING ASSISTANT/GERIATRIC NURSING ASSISTANT  
CERTIFICATE**

On or about October 30, 2020, Imafidon Akhigbe (the “Respondent”) submitted an online Maryland Application for Exam of Licensed Practical Nurse (“LPN”) License (“LPN Application”) to the Maryland Board of Nursing (the “Board”). While the Respondent’s LPN application was being processed, the Board received information regarding the LPN School that the Respondent had attended. The Board conducted an investigation. Based on information learned during that investigation, on May 12, 2022, the Board issued Charges under the Maryland Nurse Practice Act: Initial Denial of Application for Licensed Practical Nurse License, which notified the Respondent of the Board’s decision to initially deny her application for licensure as an LPN based on alleged violations of the Maryland Nurse Practice Act (the “Act”), Md. Code Ann., Health Occ. §§ 8-101 *et seq.* The Board also issued a Notice of Agency Action – Charges Under the Maryland Nurse Practice Act against the Respondent’s Multistate Privilege to Practice (“MSPTP”) as an LPN in Maryland under the Nurse Licensure Compact (under Virginia State-License No. 0002101023) and the Respondent’s Medication Technician certificate, certificate number MT0130906, based on alleged violations of the Act.

The Board’s May 12, 2022 Charging Documents inadvertently did not issue charges against the Respondent’s certificate to practice as a certified nursing assistant (“CNA”)/geriatric nursing assistant (“GNA”) in the State of Maryland, certificate number A00167002. Before formal charges against the Respondent’s CNA/GNA certificate were issued, the Respondent agreed to,

and the Board hereby accepts, the following Findings of Fact, Conclusions of Law, and Order in order to resolve this matter informally.

**I. FINDINGS OF FACT**

The Board finds that:

1. On or about May 16, 2017, the Respondent was issued a certificate to practice as a CNA/GNA in the State of Maryland, certificate number A00167002. The Respondent's CNA/GNA certificate is currently active and scheduled to expire on July 28, 2023.
2. On or about April 10, 2019, the Respondent was issued a certificate to practice as an MT in the State of Maryland, certificate number MT0130906. The Respondent's MT certificate is currently non-renewed, having expired on July 28, 2021.
3. On or about October 30, 2020, the Respondent submitted to the Board an online Maryland Application for Exam of LPN License.
4. On or about April 15, 2021, the Virginia Board of Nursing issued the Respondent a license to practice as an LPN in the Commonwealth of Virginia, license number 0002101023. The Respondent's Virginia LPN license is currently suspended.<sup>1</sup>

**Initial Denial/Charges**

5. On May 12, 2022, the Board issued Charges under the Maryland Nurse Practice Act: Initial Denial of Application for Licensed Practical Nurse License ("Initial Denial"), which notified the Respondent of the Board's decision to initially deny her application for licensure as an LPN in Maryland based on alleged violations of the Act. Also on May 12, 2022, the Board issued a

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<sup>1</sup> On June 13, 2022, the Virginia Department of Health Professions ("Virginia Board") issue an Order of Mandatory Suspension suspending the Respondent's Virginia LPN license to practice in Virginia based upon the Maryland Board's May 12, 2022 "Order for Summary Suspension of Multistate Licensure Privilege to Practice Licensed Practical Nursing." See "Order of Mandatory Suspension," Before the Virginia Department of Health Professions, In Re: Imafidon Akhigbe, LPN, License Number: 002-101023, Case Number 220612, signed June 10, 2022.

Notice of Agency Action – Charges Under the Maryland Nurse Practice Act (“Charges”), which notified the Respondent that the Board was charging her MSPTP to practice as an LPN under the Nurse Licensure Compact and the Respondent’s MT certificate, certificate number MT013096, with violations of the Act.

#### Agreed Disciplinary Orders

6. On July 12, 2022, the Respondent, along with her counsel, Cory Silkman, Esq., and the Administrative Prosecutor attended a case resolution conference (“CRC”) with members of the Board in an effort to resolve the Initial Denial and Charges prior to an evidentiary hearing before the Board.

7. At the CRC, the Board and the Respondent agreed to the following resolutions: (1) Consent Order of Denial of Application for Licensed Practical Nurse Licensure (“Consent Order of Denial”); (2) Permanent Voluntary Surrender of MSPTP; and (3) Consent Order of Reprimand of Medication Technician Certificate (“Consent Order of Reprimand”).

8. The Consent Order of Denial provided, *inter alia*:

The [Respondent] submitted an application to the Board for LPN licensure on October 20, 2020 in which the [Respondent] affirmed that that the contents of her application were accurate to the best of her knowledge and that providing false or misleading information on her application may result in the denial of her licensure. The Board received the [Respondent]’s LPN School transcript that indicated she attended 400 hours of clinical training at 5 different clinical facilities. The Board confirmed when they contacted all five clinical facilities listed on the [Respondent]’s transcript that the [Respondent]’s LPN school had no agreements with the LPN School to conduct clinical rotations at their sites for the school’s students. The [Respondent] not only provided false and fraudulent information on her LPN application to the Board, but the [Respondent] has never received the requisite didactic or clinical training required of an LPN and had been practicing on a fraudulently obtained LPN license.

9. In the Consent Order of Denial, the Board found that the Respondent violated the Act, specifically § 8-316(a):

- (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,*

Code of Maryland Regulations ("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<sup>[2]</sup> to the licensed practical nursing education programs approved in this State at the time of the applicant's graduation[.]

10. The Consent Order of Denial ordered that the Respondent's LPN application be denied and

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<sup>2</sup> 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.

that the Board would not consider another application from the Respondent for licensure as an LPN in Maryland.

11. The Permanent Voluntary Surrender provided that the Respondent agreed that the Board had enough evidence to prove, by a preponderance of the evidence, that the Respondent violated the same charges as upheld in the Consent Order of Denial as well as Health Occ. § 8-316(a)(20). Accordingly, the Respondent agreed to permanently surrender her MSPTP to practice as an LPN in Maryland.

12. The Consent Order of Reprimand provided, *inter alia*:

The Respondent submitted a Maryland LPN application to the Board with fraudulent information about her LPN school, including fraudulent dates of attendance. The Respondent's transcript from the LPN school contained fraudulent information about clinical training sites and dates of clinical and didactic coursework. The five clinical training sites listed on the Respondent's LPN School transcript did not have agreements with the LPN school and the Respondent did not attend clinical training at the sites. The Respondent did not meet the Board's statutory and regulatory requirements to obtain an LPN license by exam in Maryland. At relevant times when these events occurred, the Respondent's MT certificate was non-renewed.

13. In the Consent Order of Reprimand, the Board found that the Respondent violated the Act, specifically § 8-6A-10(a):

(20) Has violated any provision of this title or has aided or knowingly permitted any individual to violate any provision of this title; *to wit*,

§ 8-316 (a) 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:

(10) Has violated any provision of this title; *to wit*,

- (1) Fraudulently or deceptively obtains or attempts to obtain a license for the applicant or for another;
- (25) Engages in conduct that violates the professional code of ethics; *to wit*.

COMAR 10.27.19.02

B. A nurse may not, when acting in the capacity or identity of a licensed nurse:

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

(26) When holding an expired certificate or a lapsed certificate, commits any act that would be grounds for disciplinary action under this section[.]

14. The Consent Order of Reprimand ordered that the Respondent's MT certificate be reprimanded.

15. On August 24, 2022, the Board accepted the Consent Order of Denial, the Voluntary Surrender, and the Consent Order of Reprimand.

### Discussion

Upon consideration of the foregoing, the Board finds that the Respondent violated the Maryland Nurse Practice Act. The Respondent was disciplined by the Consent Order of Denial,

the Consent Order of Reprimand, and the Voluntary Surrender issued by the Board, a licensing authority in this State. These disciplinary actions of the Board were based on acts that are grounds for disciplinary action under the Board's disciplinary statutes. Therefore, the Board finds that the Respondent violated Health Occ. § 8-6A-10 (a) (3), with the underlying ground of Health Occ. § 8-6A-10(a) (20), with underlying charges of Health Occ. § 8-316 (a) (1), (25); to wit, COMAR 10.27.19.02.B(1); and/or (30), to wit, COMAR 10.27.01.05.B(1)(b).

The Board concludes that the Respondent's violations of the Act fall within C of the Board's sanctioning guidelines. See COMAR 10.27.26.07.C. The range of potential sanctions is reprimand to revocation, and the range of monetary penalties is \$100 to \$500.

## II. CONCLUSIONS OF LAW

Based on the foregoing findings of fact, the Board concludes that Respondent violated Health Occ. § 8-6A-10(a):

- (3) Is disciplined by a licensing, military, or disciplinary authority in this State or in any other state or country or convicted or disciplined by a court in this State or in any other state or country for an act that would be grounds for disciplinary action under the Board's disciplinary statutes; specifically:

Health Occ. § 8-6A-10(a):

- (20) Has violated any provision of this title or has aided or knowingly permitted any individual to violate any provision of this title; *to wit*,

Health Occ. § 8-316(a):

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

- (25) Engages in conduct that violates the professional code of ethics; *to wit*,

Code of Maryland Regulations ("COMAR")  
10.27.19.02

- B. A nurse may not, when acting in the capacity or identity of a licensed nurse:

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

**III. ORDER**

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

**ORDERED** that **IMAFIDON AKHIGBE'S** certificate to practice as a **CERTIFIED NURSING ASSISTANT/GERIATRIC NURSING ASSISTANT** in the State of Maryland, (Certificate Number A00167002) is hereby **REPRIMANDED**; and it is further

**ORDERED** that this Consent Order is a **PUBLIC RECORD** pursuant to Md. Code Ann., Gen. Prov. §§ 4-333 *et seq.* (2019).

10/26/2022  
Date

Gary  
Pres  
Maryland Board of Nursing

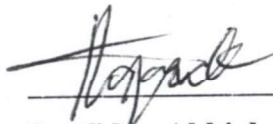
Gary Hicks  
The Board President's Signature  
Appears on the Original Document



**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.

 9/21/22  
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**Imafidon Akhigbe**

**NOTARIZATION**

STATE: Maryland

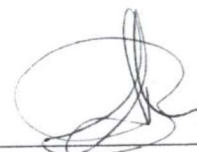
CITY/COUNTY: Odenton / Anne Arundel

I HEREBY CERTIFY that on this 21 day of September, 2022 before me, Notary Public of the State and City/County aforesaid, **IMAFIDON AKHIGBE**, personally appeared, and made oath in due form of law that signing the foregoing Consent Order was the voluntary act and deed of **IMAFIDON AKHIGBE**.

AS WITNESSETH my hand and notarial seal.



3/9/2024

  
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Notary Public

