



I do hereby certify this to be a complete, accurate, and true copy of the document which is on file or is of record in the offices of the Texas Board of Nursing.
Thomas McKinnie
Executive Director of the Board

In the Matter of § **BEFORE THE TEXAS**
Permanent Registered Nurse §
License Number 1030462 §
Issued to THOMAS DEWAYNE MCKINNIE, §
Respondent § **BOARD OF NURSING**

ORDER OF TEMPORARY SUSPENSION

TO: Thomas McKinnie
7017 Sand Cherry Way
Clinton, MD 20735

A public meeting of the Texas Board of Nursing was held on July 24, 2023 at 1801 Congress Avenue, Suite 10-200, Austin, Texas, in which the Temporary Suspension of Permanent Registered Nurse License Number 1030462, issued to THOMAS DEWAYNE MCKINNIE was considered pursuant to Section 301.455, TEXAS OCCUPATIONS CODE. Staff of the Texas Board of Nursing presented evidence and information concerning the conduct of THOMAS DEWAYNE MCKINNIE and whether his continued practice as a nurse would constitute a continuing and imminent threat to the public welfare.

After review and due consideration of the evidence and information presented, the Board finds that the following charges are substantiated:

On or about March 23, 2023, Respondent’s license to practice professional nursing in the District of Columbia was summarily suspended by the District of Columbia Department of Health. A copy of the Notice of Summary Action to Suspend License dated March 23, 2023, is attached and incorporated herein for all purposes.

On or about April 18, 2023, Respondent’s license to practice professional nursing in the State of Virginia was mandatorily suspended by the Commonwealth of Virginia Department of Health Professions. A copy of the Order of Mandatory Suspension dated April 18, 2023, is attached and incorporated herein for all purposes.

In the Matter of §
Permanent Registered Nurse § **BEFORE THE TEXAS**
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FIRST AMENDED FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, THOMAS DEWAYNE MCKINNIE, is a Registered Nurse holding license number 1030462, which is in current status at the time of this pleading.

Written notice of the facts and conduct alleged to warrant adverse licensure action was sent to Respondent at Respondent's address of record, and Respondent was given opportunity to show compliance with all requirements of the law for retention of the license prior to commencement of this proceeding.

CHARGE I.

On or about December 15, 2020, Respondent submitted an application for licensure by endorsement to the Board attesting that he completed a nursing education program from Palm Beach School of Nursing, LLC, West Palm Beach, Florida. However, Respondent obtained the diploma/degree through fraudulent means by purchasing a fraudulent diploma/transcript. The Respondent was named by the U.S. Department of Health and Human Services Office of Inspector General (HHS-OIG) and its law enforcement partners as part of national scheme involving the sale and use of false and fraudulent nursing degree diplomas/transcripts.

The above action constitutes grounds for disciplinary action in accordance with Sections 301.451 and 301.452(b)(1),(2)&(10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.5 and §217.12(6)(H)&(6)(I).

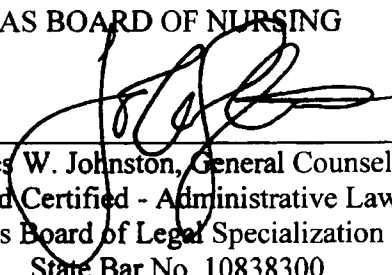
CHARGE II.

On or about March 23, 2023, Respondent's license to practice professional nursing in the District of Columbia was summarily suspended by the District of Columbia Department of Health. A copy of the Notice of Summary Action to Suspend License dated March 23, 2023, is attached and incorporated herein for all purposes.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(8), Texas Occupations Code, and temporary suspension pursuant to Section 301.455, Texas Occupations Code.

Filed this 24th day of July, 2023.

TEXAS BOARD OF NURSING



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D(2023.05.18)

BEFORE THE VIRGINIA DEPARTMENT OF HEALTH PROFESSIONS

IN RE: THOMAS DEWAYNE MCKINNIE, R.N.
License Number: 0001-298915
Case Number: 228259

ORDER OF MANDATORY SUSPENSION

In accordance with Virginia Code § 54.1-2409, the Director of the Virginia Department of Health Professions received evidence that the District of Columbia Health Regulation and Licensing Administration suspended the license of Thomas Dewayne Mckinnie, R.N., to practice as a registered nurse in the District of Columbia. A copy of the Notice of Summary Action to Suspend License is attached hereto as Commonwealth's Exhibit 1.

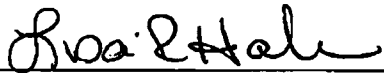
WHEREUPON, by the authority vested in the Director of the Department of Health Professions pursuant to Virginia Code § 54.1-2409, it is hereby ORDERED that the license of Thomas Dewayne Mckinnie, R.N., to practice professional nursing in the Commonwealth of Virginia is hereby SUSPENDED.

Upon entry of this Order, the license of Thomas Dewayne Mckinnie, R.N., will be recorded as suspended. Should Mr. Mckinnie seek reinstatement of his license pursuant to Virginia Code § 54.1-2409, he shall be responsible for any fees that may be required for the reinstatement of the license prior to issuance of the license to resume practice.

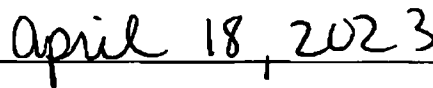
This Order applies to Mr. Mckinnie's practice in Virginia, whether by Virginia licensure or by privilege arising from multistate licensure in another Compact State. Pursuant to the Nurse Licensure Compact, when an Order imposes adverse action against a Virginia multistate license, the multistate licensure privilege shall be deactivated in all party states for the duration of this Order and until all uniform licensure requirements are met.

CERTIFICATION OF DUPLICATE RECORDS

As Chief Operating Officer on behalf of the Director of the Department of Health Professions, I hereby certify that the attached Notice of Summary Action to Suspend License entered March 23, 2023, regarding Thomas Dewayne Mckinnie, R.N., is a true copy of the records received from the District of Columbia Health Regulation and Licensing Administration.



Lisa R. Hahn



Date

All hearings are conducted in the English language. If you or any witnesses to be called are deaf, have a hearing impediment, or cannot readily understand or communicate the spoken English language, an application may be made to the Administrative Law Judge for the appointment of a qualified interpreter.

A request for a hearing will not stay the suspension of your license.

The charge upon which the summary suspension is based is set forth below.

Charge: You lack the necessary education and training to obtain a Registered Nurse (RN) license, so your active licensure permitting you to provide services to patients in the District presents an imminent danger to the health and safety of the public, for which D.C. Health can summarily suspend your license under D.C. Code § 3–1205.15(a)(1)(D).

On January 25, 2023, the Federal Bureau of Investigation (FBI) informed the public that individuals were charged with fraud relating to their purchase of fraudulent nursing diplomas from several schools, including Palm Beach School of Nursing (Palm Beach). The FBI determined that the owner of Palm Beach, Johanah Napoleon, conspired to sell fraudulent nursing degree diplomas and transcripts, misrepresenting the diploma recipients as having completed training and education requirements. The fraudulent diplomas and transcripts enabled purchasers to take the National Council Licensure Examination (NCLEX) when they were not qualified.

On June 7, 2022, Mr. Napoleon attested by affidavit that from 2016 to the present, Palm Beach and other schools he owned issued diplomas and transcripts to individuals who never completed the required program hours and clinical training for a practical nursing diploma and transcript or nursing associate in science degree and transcript. Mr. Napoleon identified you as receiving a diploma and transcript without completing the program hours and clinical training.

You applied for licensure based on the examination you took on May 23, 2019, to the New York Board of Nursing, indicating you completed Palm Beach's nursing program on December 1, 2017. On June 5, 2019, you obtained your New York RN license no. 770289. On July 1, 2019, you obtained your District RN license no. RN1053626 by endorsement based on your fraudulently obtained New York license. Your District license is currently valid until June 30, 2024. And as a nurse with a District license lacking the education and training required for a RN license under 17 DCMR §§ 5402.1(a)(2) and 5405.1, as well as D.C. Code § 3–1205.14(a)(1), you present an imminent danger to the health and safety of the public and the District.