

# **TWO NURSE IMPOSTERS PRACTICING WITHOUT A LICENSE CONVICTED OF FELONIES**

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On October 10, 2003, Carla Moore pled guilty and was convicted in Maricopa Superior Court of “Unlawful Practicing of Nursing”, a Class 6 undesignated offense after working in two healthcare facilities as a licensed practical nurse without having completed a nursing program or obtaining nursing licensure. Moore was sentenced to 3 months in Maricopa County Jail beginning March 1, 2004; 3 years probation; restitution totaling over \$11, 000 to the two healthcare facilities that hired and paid her as an LPN; community service; and prohibited from obtaining employment or working in any capacity as a care-giver or health-care professional.

On February 11, 2004, Shannon Gail was convicted in Maricopa Superior Court of “Unlawful Representation of Nursing” a Class 6 undesignated offense after working in a position as a RN without licensure. Shannon submitted an application for a quality management position to a local hospital and claimed to have a BSN and MSN. She was hired and worked in the position from July 2002- January 2003. Shannon was identified as an imposter after submitting a copy of a nursing license to her employer that she had altered by placing her name on the document and changing the expiration date. Shannon was sentenced to 12 months probation; restitution; fines and fees; and ordered to not apply or work for any jobs as any type of nurse or caregiver and not to hold herself to be any type of nurse.

The Arizona Board of Nursing has continued to see a rise in the number of individuals claiming to be licensed nurses or working in positions that requires nursing licensure without valid license and credentials. These individuals put patients at risk by performing tasks and decision-making which they are unqualified and unlicensed to do.

## **Five Ways Nurse Imposters Gain Employment**

- 1.) An unlicensed person who poses as a “nurse” and who may subsequently practice nursing or represent to patients and the public that they are a licensed nurse;
- 2.) A person who gains nursing licensure based on fraudulent credentials;
- 3.) A person who steals the identity of another licensed nurse and practices;
- 4.) A person who is licensed in one capacity and alters his/her credentials and practices or attempts to practice in another capacity.
- 5.) A person claiming to be a licensed nurse who may have completed a nursing program and may have been licensed at one time, but is not currently eligible for nursing licensure.

## **Approximately One Imposter is Identified Each Month in Arizona**

In 2003, the Board issued 13 Cease and Desist letters to individuals who misrepresented themselves as a licensed nurse. From January 1, 2004 to April 5, 2004, the Arizona State Board

of Nursing (ASBN) has issued 4 Cease and Desist letters to individuals misrepresenting themselves as nurses. Many of these individuals were also referred to the Attorney General's office for criminal prosecution, as were Carla Moore and Gail Shannon.

## **Four Red Flags Employers & Managers Must Know**

Although the typical impostor often has some prior healthcare related training or exposure, imposters have great potential to place patients at risk as they lack the appropriated training and experience to be providing the type and level of care for which they may be employed. Following is a list of red flags for managers and employers that an individual may be a nursing impostor:

- **Failure to provide the license.** Claims to have a license and may even provide you with a license number and expiration date but has multiple reasons why they cannot provide you with the actual license (“It was stolen; I’m waiting for the board to send me a new license.....”)
- **Provides copied & altered license.** You may be provided with a copy of license but not the actual license document issued by the Board. Review of the copied document reflects:
  - The typeset of the name, expiration date and/or license number is different from the typeset otherwise on the license.
  - The expiration date is not consistent with the standard Board issued expiration date of 6/30/\_ \_.
  - Unusual lines indicative of “cut and paste” may be on the copied document.
  - Written/typed information on the copied document is slanted, not level.
- **Demonstration of competencies inconsistent with licensure.** The individual’s knowledge and performance of standard nursing duties does not reflect the level of practice that would be expected given the nursing licensure, education or experience that they claim.
- **Inconsistent state of licensure information.** Individual claims to have a multistate license from another compact state but provides an address of record or other identification such as a driver’s license in a different state.

## **Employer & Manager Safeguards Against Imposters**

- **Insist upon seeing the original license, not a copy.** Although easy to alter a copy of a document, alterations to the original source document will be more evident.
- **If your organization or facility requires that a copy of the nursing license be maintained in the personnel file, make a copy from the original license.** Do not accept a copy from the applicant/employee.
- **Do not allow an individual to work in a capacity that requires nursing licensure without having visualized the license and verifying the status of the license with the issuing Board of Nursing.** If an Arizona license, verify the license with the ASBN. You may verify a license by e-mailing ASBN at [verify@azbn.org](mailto:verify@azbn.org), or through ASBN’s website, [www.azboardofnursing.org](http://www.azboardofnursing.org), and click on Online Verification. Confirm that information provided by ASBN is consistent with information provided by the applicant, including name, license type and number, and expiration date.
- **If an individual presents a multistate license, their primary state of residence must be the state in which they have obtained the multistate license.**

- If they provide a “home” address other than the state that issued the multistate license, confirm that their privilege to work in Arizona is valid or that they have applied for licensure with ASBN.
- Verify the license with the compact state that issued the license. A listing and contact information for all state boards of nursing and information on the Nurse Licensure Compact is available through the National Council of State Boards of Nursing at [www.ncsbn.org](http://www.ncsbn.org).
- **Maintain the security of files that contain copies of nursing staff’s licenses.** A common way of obtaining another individual’s license is theft from employer records or from the actual nurse.
- **Report all cases of suspected fraudulent representation or practice of nursing to ASBN.** If you are aware of other ways imposter nurses have been identified but not hired or previously reported, please contact Valerie Smith, RN, MS at 602 889-5206

**Statutes in the Nurse Practice Act (NPA) related to unlicensed practice include the following:**

- Arizona Revised Statutes (A.R.S.) § 1636: “Use of title by professional nurse”  
Only a person who holds a valid and current license to practice professional nursing in this state or in a party state pursuant to section 32-1668 may use the title “nurse”. “registered nurse”, “graduate nurse” or professional nurse:” or the abbreviation “R.N.”.
- A.R.S. § 1641 “ Use of title by practical nurse”  
Only a person who holds a valid and current license to practice as a licensed practical nurse in this state or in a party state as defined in section 32-1668 may use the title “nurse”, “licensed practical nurse”, “practical nurse” or the abbreviation “L.P.N.”.
- A.R.S. § 32-1666 (A)(1), (2) and (3): Unlawful acts  
It is unlawful for a person not licensed or certified under this chapter to: (1) Practice or offer to practice professional or practical nursing in this state; (2) Represent or use any title, abbreviation, letters, figures, sign, card or device to indicate that the person or any other person is a registered, graduate or professional nurse; (3) Represent or use any title, abbreviation, letters, sign, card or device to indicate that he or any other person is a licensed practical nurse or certified nursing assistant.
- A.R.S. § 1667(2): A person is guilty of a class 6 felony who engages in any conduct prohibited in section 32-1666.