

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: HAWA K. SESAY, L.P.N.
License Number: 0002-067357
Case Number: 174323

CONSENT ORDER

JURISDICTION AND PROCEDURAL HISTORY

The Virginia Board of Nursing (“Board”) and Hawa K. Sesay, L.P.N., as evidenced by their signatures hereto, in lieu of proceeding to a formal administrative proceeding, enter into the following Consent Order affecting Ms. Sesay’s license to practice practical nursing in the Commonwealth of Virginia.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Hawa K. Sesay, L.P.N., was issued License Number 0002-067357 to practice practical nursing on October 14, 2003, which is scheduled to expire on August 31, 2017. Her primary state of residence is Virginia. The license was suspended pursuant to Virginia Code § 54.1-2409 by Order of the Virginia Department of Health Professions on September 20, 2016.

2. By Order of the Department of Health Professions entered March 27, 2015, the license of Ms. Sesay was suspended pursuant to Virginia Code § 54.1-2409 based on evidence that her license to practice nursing in the State of Georgia had been suspended. The Virginia Board of Nursing reinstated Ms. Sesay’s license to practice practical nursing in Virginia contingent on certain conditions by Order entered August 2, 2015, and the Board issued an Order on March 2, 2016 granting Ms. Sesay an unrestricted license to practice practical nursing in Virginia.

3. On May 19, 2016, the Ohio Board of Nursing suspended Ms. Sesay’s license to practice practical nursing based on the actions of the Georgia and Virginia Boards of Nursing. Pursuant to

Virginia Code § 54.1-2409, by Order of the Virginia Department of Health Professions on September 20, 2016, Ms. Sesay's license was suspended based on the suspension of her license to practice practical nursing in the State of Ohio.

4. The matter of reinstatement of Ms. Sesay's license to practice practical nursing in the Commonwealth of Virginia is properly before the Board.

CONSENT

Hawa K. Sesay, L.P.N., by affixing her signature to this Consent Order, agrees to the following:

1. I have been advised to seek advice of counsel prior to signing this document;
2. I am fully aware that without my consent, no legal action can be taken against me or my license except pursuant to the Virginia Administrative Process Act, Virginia Code § 2.2-4000 *et seq.*;
3. I acknowledge that I have the following rights, among others: the right to a formal administrative hearing before the Board; the right to representation by counsel; and the right to cross-examine witnesses against me;
4. I waive all right to a formal hearing;
5. I admit to the Findings of Fact and Conclusion of Law contained herein and waive my right to contest such Findings of Fact and Conclusions of Law and any sanction imposed hereunder in any future judicial or administrative proceeding in which the Board is a party;
6. I consent to the entry of the following Order affecting my right to practice practical nursing in the Commonwealth of Virginia.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, the Virginia Board of Nursing hereby ORDERS that the license of Hawa K. Sesay, L.P.N., to practice practical nursing in the Commonwealth of Virginia is REINSTATED without restriction.

Pursuant to Virginia Code §§2.2-4023 and 54.1-2400.2, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record, and shall be made available for public inspection and copying upon request.

FOR THE BOARD



Joyce A. Hahn, PhD, RN, NEA-BC, FNAP

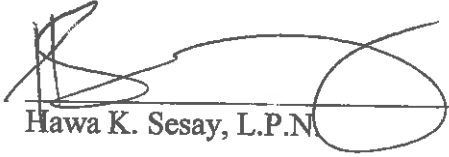
President

Virginia Board of Nursing

ENTERED: _____

9/20/16

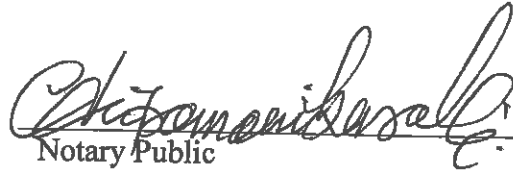
SEEN AND AGREED TO:


Hawa K. Sesay, L.P.N.

COMMONWEALTH OF VIRGINIA
COUNTY/CITY OF Prince William, TO WIT:

Subscribed and sworn to me, a notary public in and for the Commonwealth of Virginia at large, on this
16th day of July, 2016.

CHITRA MANI BARAL
NOTARY PUBLIC 7319086
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES AUGUST 31, 2016


Notary Public

My commission expires: 8/31/2016

Registration No.: 7319086

Certified True Copy
By dpraham
Virginia Board Of Nursing

BEFORE THE VIRGINIA DEPARTMENT OF HEALTH PROFESSIONS

**IN RE: HAWA K. SESAY, L.P.N.
License Number: 0002-067357
Case Number: 174323**

ORDER OF MANDATORY SUSPENSION


In accordance with Virginia Code § 54.1-2409, I, David E. Brown, D.C., Director of the Virginia Department of Health Professions, received and acted upon evidence that the Ohio Board of Nursing suspended the license of Hawa K. Sesay, L.P.N., to practice practical nursing in the State of Ohio. A copy of the Order of the Ohio Board of Nursing 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 Ms. Sesay to practice practical nursing in the Commonwealth of Virginia is hereby SUSPENDED.

Upon entry of this Order, the license of Ms. Sesay will be recorded as suspended and no longer current and valid. Should Ms. Sesay seek reinstatement of her license pursuant to Virginia Code § 54.1-2409, she 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 shall be applicable to Ms. Sesay's multistate licensure privilege, if any, to practice practical nursing in the Commonwealth of Virginia.

Pursuant to Virginia Code § 2.2-4023 and § 54.1-2400.2(G), the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record and shall be made available for public inspection or copying on request.



David E. Brown, D.C., Director
Virginia Department of Health Professions

Certified True Copy
By 

Virginia Board Of Nursing

ENTERED AND MAILED ON:

9/20/16



COMMONWEALTH of VIRGINIA

David E. Brown, D.C.
Director


Department of Health Professions

Perimeter Center
9960 Mayland Drive, Suite 300
Henrico, Virginia 23233-1463

www.dhp.virginia.gov
TEL (804) 367-4400
FAX (804) 527-4475

CERTIFICATION OF DUPLICATE RECORDS

I, David E. Brown, D.C., Director of the Department of Health Professions, hereby certify that the attached Order of the Ohio Board of Nursing, entered May 19, 2016, regarding Hawa K. Sesay, L.P.N., is a true copy of the record received from the Ohio Board of Nursing.



David E. Brown, D.C.

Date: 9/20/16



Ohio Board of Nursing

www.nursing.ohio.gov

17 South High Street, Suite 400 • Columbus, Ohio 43215-7410 • (614) 466-3947

BEFORE THE OHIO BOARD OF NURSING

IN THE MATTER OF:

CASE # 2015-001424 & 2015-001953

HAWA K. KARGBO, LPN
(AKA "HAWA KAMARA SESAY")

ORDER

On September 18, 2015, the Ohio Board of Nursing issued a Notice of Opportunity for Hearing to **HAWA K. KARGBO, LPN**, informing her that the Board intended to consider disciplinary action regarding **MS. KARGBO's** license to practice nursing as a licensed practical nurse in the State of Ohio, and that **MS. KARGBO** was entitled to a hearing if such hearing was requested within thirty (30) days of the mailing of said notice.

In accordance with Section 119.07, Ohio Revised Code, said notice was sent via certified mail, return receipt requested, to the address of record of **MS. KARGBO**. The notice was returned to the Board because **MS. KARGBO** failed to claim it. The Board sent the notice via ordinary mail and obtained a certificate of mailing on December 4, 2015. The notice has not been returned to the Board showing failure of delivery.

No hearing request has been received from **MS. KARGBO** and more than thirty (30) days have now elapsed since the mailing of the notice.

Upon consideration of the charges stated against **HAWA K. KARGBO** in the September 18, 2015 Notice of Opportunity for Hearing and evidence supporting the charges, the Board finds that **MS. KARGBO** has committed acts in violation of the Nurse Practice Act, Ohio Revised Code Chapter 4723, as stated in the Notice of Opportunity for Hearing, and the Ohio Board of Nursing **ORDERS** that **MS. KARGBO's** license to practice nursing as a licensed practical nurse is hereby suspended for an indefinite period of time with the conditions for reinstatement set forth below.

REQUIREMENTS AND CONDITIONS FOR REINSTATEMENT

1. **MS. KARGBO** shall obey all federal, state, and local laws, and all laws and rules governing the practice of nursing in Ohio.



2. **MS. KARGBO** shall appear in person for interviews before the full Board or its designated representative as requested by the Board or its designee.
3. **Prior to requesting reinstatement by the Board, MS. KARGBO** shall submit a request to the Bureau of Criminal Identification and Investigation (BCII) to conduct a criminal records check of **MS. KARGBO**, including a check of Federal Bureau of Investigation (FBI) records, and shall cause BCII to submit **MS. KARGBO's** criminal records check reports to the Board. A request for reinstatement will not be considered by the Board until the completed criminal records check, including the FBI check, has been received by the Board.
4. **Prior to requesting reinstatement by the Board, MS. KARGBO** shall submit documentation of her full compliance with the terms and conditions imposed by the Order issued by the Commonwealth of Virginia, Department of Health Professions ("Virginia Board") dated March 27, 2015, with Exhibit 1: Final Decision and Order issued by the Georgia Board of Nursing, and the Virginia Board Order dated, August 28, 2015, and that her Virginia and Georgia licenses are fully reinstated and unencumbered.

Reporting Requirements of MS. KARGBO

5. **MS. KARGBO** shall sign release of information forms allowing health professionals and other organizations to submit requested documentation or information directly to the Board.
6. **MS. KARGBO** shall submit any and all information that the Board may request regarding her ability to practice nursing according to acceptable and prevailing standards of safe nursing practice.
7. **MS. KARGBO** shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board or to employers or potential employers.
8. **MS. KARGBO** shall submit the reports and documentation required by this Order on forms specified by the Board. All reporting and communications required by this Order shall be made to the Compliance Unit of the Board.
9. **MS. KARGBO** shall submit the reports and documentation required by this Order to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
10. **MS. KARGBO** shall verify that the reports and documentation required by this Order are received in the Board office.
11. **MS. KARGBO** shall inform the Board within five (5) business days, in writing, of any change in address and/or telephone number.

DURATION

The Board may only alter the indefinite suspension imposed if: (1) **MS. KARGBO** submits a written request for reinstatement; (2) the Board determines that **MS. KARGBO** has complied with all conditions of reinstatement; and (3) the Board determines that **MS. KARGBO** is able to practice nursing according to acceptable and prevailing standards of safe nursing care based upon an interview with **MS. KARGBO** and review of the documentation specified in this Order.

This ORDER shall become effective immediately and is hereby entered upon the Journal of the Board for the 19th day of May, 2016.

TIME AND METHOD TO PERFECT AN APPEAL

Any party desiring to appeal shall file a Notice of Appeal with the Ohio Board of Nursing, 17 S. High St., Suite 400, Columbus OH 43215-7410, setting forth the order appealed from and stating that the agency's order is not supported by reliable, probative, and substantial evidence and is not in accordance with law. The notice of appeal may, but need not, set forth the specific grounds of the party's appeal.

A copy of such Notice of Appeal shall also be filed by the appellant with the Franklin County Court of Common Pleas, Columbus, Ohio. In filing a notice of appeal with the agency or court, the notice that is filed may be either the original notice or a copy of the original notice. Such notices of appeal shall be filed within fifteen (15) days after the mailing of the notice of the Ohio Board of Nursing's Order as provided in Section 119.12 of the Ohio Revised Code.

CERTIFICATION

The State of Ohio
County of Franklin

I, the undersigned Betsy J. Houchen, Executive Director for the Ohio Board of Nursing, hereby certify that the foregoing is a true and exact reproduction of the original Order of the Ohio Board of Nursing entered on its Journal, on the 19th day of May, 2016.



Betsy J. Houchen, R.N., M.S., J.D.
Executive Director

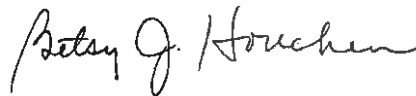
May 19, 2016
Date

(SEAL)

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing Order, concerning **HAWA K. KARGBO**, was sent via certified mail, return receipt requested, this 1st day of June, 2016 to **HAWA K. KARGBO**, at the following address: 4821 Jennie Wren Court S., Columbus, OH 43229.

I also certify that a copy of the same was sent via regular U.S. mail this 1st day of June, 2016, to Lamont Pugh, SAC, Sanctions & Exclusions, Department of Health and Human Services, Office of Inspector General, Office of Investigations, P.O. Box 81020, Chicago, IL 60601-81020.



Betsy J. Houchen, R.N., M.S., J.D.
Executive Director

bah

cc: Henry G. Appel, Principal Assistant Attorney General

Certified Mail Receipt No. 7015 3430 0001 1695 3572