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Virginia Board of Nursing

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

December 3, 2014

Kenneth Ally Dramani, Sr.
23 Cleremont Avenue
Irvington, NJ 07111

RE: License No.: 0002-090531

Dear Mr. Dramani:

CERTIFIED MAIL

DUPLICATE COPY
VIA FIRST CLASS MAIL

DATE 12/3/14

Pursuant to Section 54.1-2409 of the Code of Virginia (1950), as amended, ("Code"), you are hereby given notice that your license to practice nursing in the Commonwealth of Virginia has been mandatorily suspended by the enclosed Order entered December 3, 2014. You are hereby advised that, pursuant to Section 54.1-2409.1 of the Code, any person who practices a profession or occupation after having their license or certificate to do so suspended shall be guilty of a felony. Please return your license to Jay P. Douglas, Executive Director of the Virginia Board of Nursing, at the above address, immediately upon receipt of this letter.

Section 54.1-2409 of the Code further provides that you may apply to the Board of Nursing ("Board") for reinstatement of your license, and shall be entitled to a hearing not later than the next regular meeting of the Board after the expiration of sixty days from the receipt of such reinstatement application. You have the following rights, among others: to be represented by legal counsel, to have witnesses subpoenaed on your behalf, to present documentary evidence and to cross-examine adverse witnesses. The reinstatement of your license shall require the affirmative vote of three-fourths of the members present of the Board of Nursing.

Should you wish to petition the Board of Nursing for reinstatement of your license, contact Jay P. Douglas, Executive Director, at the above address or (804) 367-4599.

Sincerely,

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

Enclosures

Case # 160237

VIRGINIA:

BEFORE THE DEPARTMENT OF HEALTH PROFESSIONS

IN RE: KENNETH ALLY DRAMANI, SR., L.P.N.
License No.: 0002-090531

ORDER

In accordance with Section 54.1-2409 of the Code of Virginia (1950), as amended, ("Code"), I, David E. Brown, D.C., Director of the Virginia Department of Health Professions, received and acted upon evidence that the license of Kenneth Ally Dramani, Sr., L.P.N., to practice nursing in the state of New Jersey was suspended by a Final Order of Discipline entered November 3, 2014. A certified copy of the Final Order of Discipline is attached to this Order and is marked as Commonwealth's Exhibit No. 1.

WHEREFORE, by the authority vested in the Director of the Department of Health Professions pursuant to Section 54.1-2409 of the Code, it is hereby ORDERED that the license of Kenneth Ally Dramani, Sr., L.P.N., to practice nursing in the Commonwealth of Virginia be, and hereby is, SUSPENDED.

Upon entry of this Order, the license of Kenneth Ally Dramani, Sr., L.P.N., will be recorded as suspended and no longer current. Should Mr. Dramani seek reinstatement of his license pursuant to Section 54.1-2409 of the Code, he shall be responsible for any fees that may be required for the reinstatement and renewal of his license prior to issuance of his license to resume practice.

Pursuant to Sections 2.2-4023 and 54.1-2400.2 of the Code, 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.



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

ENTERED: 12/3/14



COMMONWEALTH of VIRGINIA

David E. Brown, D.C.
Director


Department of Health Professions

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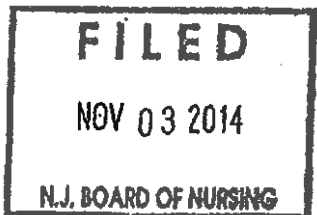
CERTIFICATION OF DUPLICATE RECORDS

I, David E. Brown, D.C., Director of the Department of Health Professions, hereby certify that the attached Final Order of Discipline entered November 3, 2014, regarding Kenneth Ally Dramani, Sr., L.P.N., is a true copy of the records received from the New Jersey State Board of Nursing.



David E. Brown, D.C.

Date: 12/3/14



STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF NURSING

IN THE MATTER OF THE LICENSE OF

Administrative Action

KENNETH ALLY DRAMANI, Sr., LPN
a/k/a ALIDU DRAMANI
License # 26NP06297800

TO PRACTICE NURSING IN THE
STATE OF NEW JERSEY

**FINAL ORDER
OF DISCIPLINE**

This matter was opened to the New Jersey State Board of Nursing ("the Board") upon receipt of information which the Board has reviewed and upon which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Kenneth Ally Dramani, Sr., also known as Alidu Dramani, (Respondent) is a Licensed Practical Nurse (LPN) in the State of New Jersey and has been a licensee at all times relevant hereto.

2. On or about December 17, 2013, Respondent was convicted of Conspiracy to Submit False Claims Against the United States in violation of Federal law, following a guilty plea entered on August 7, 2013. Respondent was sentenced to a term of four months imprisonment; a term of one year of supervised release; and payment of \$176,503 in restitution. As a special condition of Respondent's supervised release, he



was to refrain from employment granting him access to individuals' identification information. This indicates that the court found that a direct relationship existed between Respondent's occupation, business or profession and the conduct relevant to the offense of conviction; and that the imposition of the restriction is reasonably necessary to protect the public because there is reason to believe that absent such restriction, Respondent will continue to engage in unlawful conduct similar to that for which he was convicted.

CONCLUSIONS OF LAW

The conduct that resulted in Respondent's guilty plea and conviction, the submission of false claims, constitutes moral turpitude, and relates adversely to the practice of nursing within the intendment of N.J.S.A. 45:1-21(f).

DISCUSSION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline seeking the revocation of Respondent's nursing license was entered on July 7, 2014. Copies were served upon Respondent via regular and certified mail. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the thirtieth day following entry unless Respondent requested a modification or dismissal of the stated findings of fact and conclusions of law by setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting Respondent's request for consideration and reasons therefor.

Respondent replied to the Provisional Order of Discipline and seeks to discredit the ability of the Board to discipline Respondent's license on the basis of a conviction

alone. However, the Board's ability to do so is firmly grounded in N.J.S.A. 45:1-21(f), which provides that a Board may suspend or revoke any license issued by the Board upon proof that the holder of the license "has been convicted of, or engaged in acts constituting, any crime or offense involving moral turpitude or relating adversely to the activity regulated by the board. For the purpose of this subsection a judgment of conviction or a plea of guilty, non vult, nolo contendere or any other such disposition of alleged criminal activity shall be deemed a conviction." In this instance, Respondent was convicted based upon his part in a scheme whereby he extracted personal identifying information from developmentally disabled patients for whom he was providing nursing care at a developmental center and forwarded that information to tax preparers who filed fraudulent tax returns. The underlying conduct that gave rise to the conviction is antithetical to the practice of nursing. Respondent was trusted to care for vulnerable disabled patients and abused that trust by participating in a scheme that also robbed the public fisc.

Respondent maintains that the sentence that the Federal court imposed was not about Respondent personally, but more a public policy pronouncement and the court's firm belief that a message had to be sent to the public at large. Like the federal court, this Board believes that a message has to be sent to all of its licensees: Nurses must not use the access they have because of their license to steal patient's personal identifying information and participate in schemes to use that information to file false tax returns seeking tax refunds that are received by the schemers; and if a nurse does that, the nurse will lose his or her license to practice.

Respondent also points out that he argued, albeit unsuccessfully, in federal court

for a lower restitution amount, but that the court decided to impose restitution in the amount of \$176,503. Respondent maintains that although he has already paid \$6,000 towards restitution and intends to honor his obligation, it will be a challenge to do so. Respondent requests that reinstatement of his license not be contingent upon satisfying his restitution. The Board finds that restitution is an integral part of rehabilitation. Respondent has shattered this Board's trust in him. Respondent has caused a rift in the public's trust, as a whole, in nurses. All members of the public suffer the effects of financial fraud committed against the government. The righting of Respondent's financial wrongs is one component necessary to restore that trust.

As part of his reply, Respondent included the transcript of his sentencing hearing wherein Respondent's attorney advised the court that Respondent was working in non-nursing fields, he was prepared to be terminated when his non-nursing employers learned of his conviction, and one of the alternatives Respondent would probably pursue was to go work privately in home healthcare for elderly people and to continue his vocation as an LPN. In his position as a nurse for the developmentally disabled, Respondent cared for a vulnerable population in a supervised setting. Respondent violated those patients by stealing their personal identifying information. At this time, the Board does not trust Respondent to care for another particularly vulnerable population, elderly people, in the privacy of their homes, with little or no supervision. The potential for future financial abuse is far too great.

Overall, Respondent requests modification of the Provisional Order based upon Respondent's cooperation with the United States Attorney's Office, Respondent's otherwise lawful life, and Respondent's time served as a "model" prisoner.

The Board reviewed Respondent's submissions and determined that further proceedings were not necessary and that no material discrepancies had been raised. The Board was not persuaded that the submitted materials merited further consideration, as Respondent could not dispute that he had been convicted of a crime involving moral turpitude and/or relating adversely to the practice of nursing. However, the Board considered Respondent's reply and determined to finalize the Provisional Order with modification by changing the revocation to a suspension and including a definitive minimum time period of five years and one day. Respondent may petition for reinstatement of his nursing license after five years and one day, provided he has met the other requirements of reinstatement, including full payment of all restitution.

ACCORDINGLY, IT IS on this 3RD day of November, 2014,

ORDERED that:

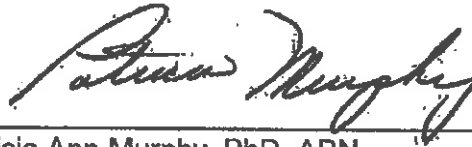
1. Respondent's New Jersey license to practice as a Licensed Practical Nurse is hereby suspended for five years and one day and until further Board Order.
2. The Board will not entertain any petition for reinstatement for a minimum period of five years and one day. At the time of any petition for reinstatement, Respondent shall demonstrate that he has satisfied all aspects of his criminal sentencing, document full and complete payment of all restitution and any fines or assessment imposed by the Federal Court, demonstrate rehabilitation to the satisfaction of the Board, comply with all regulatory requirements for reinstatement (which may include completing a refresher course and re-taking the National Council Licensure Examination for Practical Nurses), and shall appear before the Board.

3. Respondent shall refrain from practicing as a nurse and shall not represent himself as a Licensed Practical Nurse until such time as his license is reinstated. Any practice in this State prior to reinstatement shall constitute grounds for a charge of unlicensed practice.

4. The Board reserves the right to impose restrictions upon Respondent's license at the time of reinstatement, which may include but is not limited to restricting Respondent from working in home care or any other unsupervised setting.

NEW JERSEY STATE BOARD OF NURSING

By:



Patricia Ann Murphy, PhD, APN
Board President