

**State of New Hampshire  
Board of Examiners of Nursing Home Administrators  
Concord, New Hampshire**

**In the Matter of:**

Ramhance S. Rampersaud  
(Application for Licensure)

**Docket #: 12-01**

**FINAL ORDER ON DENIAL OF APPLICATION**

Pursuant to a Notice of Hearing dated October 24, 2012, the New Hampshire Board of Examiners of Nursing Home Administrators ("Board") was to commence a non-adjudicatory proceeding pursuant to RSA 151-A on December 12, 2012 at 11:00 A.M. On December 12, 2012, Ramhance S. Rampersaud ("Mr. Rampersaud", "Respondent" or "Petitioner") failed to appear at the proceeding. The Board held the hearing in *absentia*.

The Board received an application on or about August 8, 2012 for Ramhance S. Rampersaud ("Mr. Rampersaud", "Respondent" or "Petitioner") for a license to practice as a nursing home administrator in the State of New Hampshire. The Board's next regularly scheduled meeting occurred on Wednesday, September 12, 2012. For the following reasons, the Board has voted to **DENY** the Petitioner's request for licensure.

**Background**

The Board's application for licensure asks in question number 1: "Are you licensed to practice as a nursing home administrator in any other state(s). If yes, please provide the state(s) and license number(s)." The Petitioner checked off the 'yes' column and wrote: "see reverse side." On the reverse side, the Petitioner wrote: "*1. I am licensed in New York State. My license # is: 04665.*"

The Board's application for licensure asks in question number 3: "Have you ever had a license revoked, suspended or placed on probation by any state board?". The Petitioner checked off the 'yes' column and wrote: "see reverse side." On the reverse side, the Petitioner wrote: "*3. My license in Florida was revoked in July 2010. There was a complaint against my license #NH4466 in 2006. Florida Board required that I completed 6 CEU's and pay a small fine to cover the investigation. While I have responded to the Board, I did not do so timely and my license was revoked in 2010.*"

The Board reviewed, among others, the following documents:

1. An Administrative Complaint by the Florida Department of Health, Board of Nursing Home Administrators ("Florida Board") dated May 21, 2007 and an Amended Administrative Complaint by the Florida Board dated December 2007. The complaints allege that the Petitioner was the nursing home administrator in charge of Wuestoff Progressive Care. In October 2006, the Florida Board requested the personnel files of seven Wuestoff employees. The Petitioner interfered with the Florida Board investigation in that he altered the written list of the requested employment files, that he removed two employees whose files were incomplete and replaced them with two additional files that were complete, and that he provided the files only of those on his modified list.
2. A Final Order by the Florida Board dated March 5, 2010. The Final Order found that the Petitioner failed to show for a hearing scheduled for February 2010 and that the Petitioner violated a Florida statute. The Florida Board imposed an administrative fine of \$1,000 and reprimanded the Petitioner.
3. An Administrative Complaint by the Florida Board dated January 14, 2010. This complaint alleges that the Florida Board issued a Final Order against the Respondent in July 2008. That Final Order stated that the Petitioner had been required to attend six hours of continuing education courses in the areas of ethics and record keeping within one year of the final order and that the Petitioner failed to do so.
4. A Final Order by the Florida Board dated August 12, 2010. The Final Order found that the Petitioner failed to show for a hearing scheduled for July 23, 2010 and that the Petitioner violated Florida statutes. The Florida Board imposed an administrative fine of \$1,000 and permanently revoked the Petitioner's license.
5. 'State License Clearance' document completed by the New York Board of Examiners of Nursing Home Administrators ("New York Board"). The New York Board stated that the Petitioner's New York license registration was denied in June 2011. The denial was based on the Florida Board's actions in cases 2006-28282, 2008-21228, 2009-18783. A brief explanation of New York's system of licensure may be appropriate here. In New York, a successful applicant for initial licensure receives a license with a license number and a two year registration. The license number never expires and is assigned indefinitely to that specific applicant/licensee. The registration allows the licensee to practice for two years and it must be renewed every two years

for a licensee to actually practice in the occupation or profession. The Petitioner was issued an initial license in January 1999; he received New York license number 04665. On June 26, 2011, the New York Board denied the Petitioner's registration and he was no longer eligible to practice in that state. It appears that a registration denial would be akin to a suspension or revocation of license in this State.

**Relevant Law:**

**Statutes:**

RSA 151-A:4, I (a) states:

It shall be the function and duty of the board to [d]evelop, impose, and enforce standards which must be met by individuals in order to receive a license as a nursing home administrator, which standards shall be designed to insure that nursing home administrators will be individuals who are of good character and are otherwise suitable, and who, by training or experience in the field of institutional administration, are qualified to serve as nursing home administrators.

RSA 151-A:5, I states:

The board shall admit to examination for licensure as a nursing home administrator any candidate who pays a reasonable fee as established by the board and submits evidence of good moral character and suitability prescribed by the board and evidence that the candidate is at least 21 years old and has completed preliminary education satisfactory to the board....

RSA 151-A:9

The Board, subject to the provisions of this chapter and the rules and regulations of the board promulgated thereunder prescribing the qualifications for nursing home administrator license, may endorse a nursing home administrator license issued by the proper authorities of any other state upon payment of a reasonable fee as established by the board and upon submission of evidence satisfactory to the board that:

- I. Such other state maintained a system and standard of qualifications and examinations for a nursing home administrator license which were substantially equivalent to those required in this state at the time such license was issued by such other state; and,
- II. Such other state gives similar recognition and endorsement to nursing home administrator licenses of this state.

**Administrative Rules:**

Nuh 304.02 (a) states:

A nursing home administrator holding a valid license as a nursing home administrator issued by a state board of examiners shall be eligible for licensure in New Hampshire upon payment of the initial application fee specified in Nuh 307.01 together with the filing of the application form and supporting documents, provided that the applicant successfully passes the examination as described in Nuh 303.01.

Nuh 304.03 (a) states in relevant part:

To be eligible for licensure under reciprocity, any nursing home administrator licensed by another state shall submit to the board the following

- (1) A completed application form as described in Nuh 301.01;
- (2) An attested copy of a current license issued by another state; ...

Nuh 301.01 (b) states in relevant part:

The applicant for licensure as a nursing home administrator shall provide the following:

...

- (5) Whether or not the applicant is licensed to practice as a nursing home administrator in any other state(s), and if yes, the state(s) and license number(s);
- (6) Whether or not the applicant has ever been refused a license by any examining board, and if yes, details of such refusal;
- (7) Whether or not the applicant has ever had a license revoked or suspended, or been placed on probation by any state board, and if yes, the details of such disciplinary action;

**Findings of Fact and Rulings of Law:**

1. The Petitioner has not submitted evidence of a valid license in any other state. The Florida Board revoked the Petitioner's license. The New York Board has denied the Petitioner's registration. Accordingly, the Petitioner is not eligible for licensure by reciprocity. RSA 151-A:9; Nuh 304.02(a); Nuh 304.04(a)(2).
2. The Petitioner's Florida license has been revoked. This negates the Board's ability to find good character. RSA 151-A:4,I(a); RSA 151-A:5, I.
3. The Petitioner's New York registration has been denied. This negates the Board's ability to find good character. RSA 151-A:4,I(a); RSA 151-A:5, I.
4. The Petitioner's New York license registration was denied in June 2011. The Petitioner lied on his sworn application in August 2012 when he stated that he was licensed in the State of New York. Violations of: RSA 151-A:4, I (a) (not of good character); RSA 151-A:5, I (not of good character); RSA 151-A:9 (no valid license to practice from another state); Nuh 304.02(a) (no valid license from another state and false application form); Nuh 304.03(a)(1) (false

application form); Nuh 304.03(a)(2) (license issued by other state not current); Nuh 301.01(5) (not licensed to practice in any other state - falsification concerning New York); Nuh 301.01(b) (6) or (7) (New York registration was denied); Nuh 301.01(b)(7) (Florida license revoked and details thereof falsified/misleading/minimized).

**Conclusion:**

For the reasons stated above, and in light of the Board's authority in RSA chapter 151-A, the Petitioner's application for licensure is **DENIED**.

THEREFORE IT IS ORDERED that Mr. Rampersaud's application for licensure is denied; and

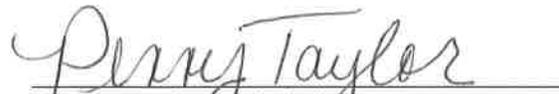
IT IS FURTHER ORDERED that this 'final order' is a public document; and

IT IS FURTHER ORDERED that once a Board order is a 'final order', the petitioner has thirty (30) days to file a request for reconsideration pursuant to RSA 541:3. Such motion shall comply with RSA 541:4.

IT IS FURTHER ORDERED THAT THIS Order shall take effect as an Order of the Board on the date it is signed by an authorized representative of the New Hampshire Board of Examiners of Nursing Home Administrators.

\*\BY ORDER OF THE BOARD

Date: 12/13/2012

  
Penny Taylor, Administrator  
Authorized Representative of the Board

\*\Dennis G. Tobin, OTR, Board Member, recused. Steven E. Woods, NHA, Board Member, absent.