

**STATE OF NEW HAMPSHIRE
OFFICE OF PROFESSIONAL
LICENSURE AND CERTIFICATION**

BOARD OF NURSING

**In Re: Jeanne Uwamungu, LPN
RN Lic. # 013776-22**

Docket No.: 2022-NUR-018

**ORDER OF EMERGENCY
SUSPENSION – 07/01/22**

I. CASE SUMMARY/PROCEDURAL HISTORY:

On or about 06/29/22, the Office of Professional Licensure and Certification, Division of Enforcement (“OPLC Enforcement”), acting on behalf of the Board of Nursing (“Board”), received a complaint alleging Jeanne Uwamungu (“Licensee”) had been diverting controlled substances from Premier Rehab and Healthcare in Nashua, New Hampshire between 10/31/21 and 06/19/22. On 07/01/22, after learning of the complaint and details of OPLC Enforcement’s investigation into the matter, the Board held an emergency meeting at which it voted to suspend Licensee’s license on an emergency basis pursuant to RSA 541-A:30(III), RSA 326-B:37(IV), and N.H. Code Admin. R., Title Nur 402.03(a) (“Rules”). This Order of Emergency Suspension follows. Notice of Emergency Hearing shall be issued no later than end of day on July 6, 2022, with an Emergency Hearing to occur within no later than 10 working days from the date of this order.

II. LEGAL STANDARD:

“In cases involving imminent danger to public health, safety, or welfare, the board may order the immediate suspension of a license pending an adjudicative proceeding.” RSA 326-B:37, IV. The Board has further interpreted that to mean: “[w]hen the board receives information indicating that a licensee has

engaged misconduct that poses an immediate danger to public health, safety, or welfare, the board shall, pursuant to RSA 326-B:37, IV, immediately suspend such person's license ..." Rule 402.03(a).

III. EVIDENCE PRESENTED AND FINDINGS OF FACT:

A. Evidence Presented

The Board was presented with and/or considered the following evidence: a complaint dated 06/29/22, Verified Petition for Emergency Temporary Suspension of Licensure Pursuant to RSA 326-B:37, IV from Michael Porter, Investigations Bureau Chief at OPLC dated 07/01/22 and the testimony of Michael Porter Investigations, Bureau Chief at OPLC dated 07/01/22. The Board also relied on its expertise in the field it regulates. A review of the evidence presented, and the reasonable inferences taken there from, allows the Board to find the following facts.

B. Findings of Fact

The Board hereby adopts and incorporates by reference into its findings of fact the Verified Petition for Emergency Temporary Suspension of Licensure Pursuant to RSA 326-B:37, IV of Michael Porter dated 07/01/22, which is attached hereto. Additionally, the Board makes the following findings of fact based upon the testimony and other evidence presented. Premier Rehab and Healthcare ("Facility") conducted a recent controlled substance audit during which it discovered a pattern of discrepancies. The Facility informed OPLC Enforcement that after it investigated the discrepancies it noticed that between the dates of 10/31/21 through 06/19/22 the records documented the Licensee having dropped or wasted a total of 110 pills. Additionally, documentation times the Licensee removed medication from the CSL did not always match the documentation times in the Medication Administration Record (MAR). The facility was also concerned that multiple controlled medication removals from the CSL were missing dates and times, documentation of narcotic removal was overwritten several times, and there was documented removal of more than one prescribed dose of a prescribed narcotic on three occasions. Although the

Licensee is no longer allowed to enter the Facility and the Facility has alerted IntelyCare of the investigation, the Licensee is actively licensed and has not responded to inquiries from Michael Porter or signed a Preliminary Agreement Not to Practice. On 07/01/22, OPLC Investigator Karen Belair contacted the Facility and learned the Licensee may also work at Courville Nursing Home. Investigator Belair has since contacted Courville Nursing Home and learned that the Licensee is not scheduled this week but eligible to work.

IV. CONCLUSIONS OF LAW:

The Board concludes there is a reasonable basis to suspend the Licensee’s New Hampshire license on an emergency basis pursuant to RSA 326-B:37, IV. The central facts are straightforward—there is evidence that the Licensee has diverted controlled substances from the Facility. While she is no longer allowed in the Facility, her license remains active; she works elsewhere and is eligible to work; and she has not responded to inquiries from OPLC Enforcement or signed a Preliminary Agreement Not to Practice. The Licensee’s conduct on its face appears to be misconduct as defined at RSA 326-B:37, II (m), (n), (p)(2) that also warrants immediate emergency suspension of her license pursuant to RSA 326-B:37(IV), pending a follow-up emergency suspension hearing.

V. ORDER:

Pursuant to RSA 541-A:30(III) and 326-B:37(IV), the Board hereby orders the immediate emergency suspension of Jeanne Uwamungu’s license as an LPN, pending a follow up emergency hearing in this matter. A Notice of Emergency Hearing with an appropriate date/time shall follow forthwith.

DATED: 7/1/2022

_____/s/ Lauren Warner_____
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