IN THE MATTER OF	§	BEFORE THE ELIGIBILITY
	§	
PERMANENT CERTIFICATE	§	AND DISCIPLINARY
	§	
NUMBER 465338	§	COMMITTEE
	§	
ISSUED TO	§	OF THE TEXAS
	§	
MANUEL RABOT LAGMAY	§	BOARD OF NURSING

I do hereby certify this to be a complete, accurate, and true copy of the document which is on file or is of record in the offices of the Texas Board of Nursing.

Executive Director of the Board

ORDER OF THE BOARD

TO: Manuel Rabot Lagmay
3325 Wilshire Blvd #505
Los Angeles, California 90010

During open meeting held in Austin, Texas, on Tuesday March 10, 2009, the Eligibility and Disciplinary Committee (hereinafter "Committee") heard the above-styled case. This case was heard, and based on the failure of the Respondent to appear as required by 22 TEX. ADMIN. CODE Ch. 213.

The Committee of the Texas Board of Nursing finds that notice of the facts or conduct alleged to warrant disciplinary action has been provided to Respondent in accordance with Texas Government Code § 2001.054(c) and Respondent has been given an opportunity to show compliance with all the requirements of the Nursing Practice Act, chapter 301 of the Texas Occupations Code, for retention of Respondent's license to practice professional nursing in the State of Texas.

The Committee finds that the Formal Charges were properly initiated and filed in accordance with section 301.458, Texas Occupations Code.

The Committee finds that after proper and timely Notice regarding the violations alleged in the Formal Charges was given to Respondent in this matter, Respondent has failed to appear in accordance with 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that the Board is authorized to enter a default order pursuant to Texas Government Code § 2001.056.

The Eligibility and Disciplinary Committee, after review and due consideration, adopts the proposed findings of fact and conclusions of law as stated in the Formal Charges which are attached hereto and incorporated by reference for all purposes and the Staff's recommended sanction of revocation by default. This Order will be properly served on all parties and all parties will be given an opportunity to file a motion for rehearing (22 TEX. ADMIN.CODE § 213.2(j)). All parties have a right to judicial review of this Order.

All proposed findings of fact and conclusions of law filed by any party not specifically adopted herein are hereby denied.

NOW, THEREFORE, IT IS ORDERED that Permanent Certificate Number 465338, previously issued to Manuel Rabot Lagmay, to practice professional nursing in the State of Texas be, and the same is hereby, REVOKED.

IT IS FURTHER ORDERED that Permanent Certificate Number 465338, previously issued to Manuel Rabot Lagmay, upon receipt of this Order, be immediately delivered to the office of the Texas Board of Nursing.

IT IS FURTHER ORDERED that this Order SHALL be applicable to Respondent's multi-state privilege, if any, to practice professional nursing in the State of Texas.

Entered this 10th day of March, 2009.

TEXAS BOARD OF NURSING

BY: Katherine A. Thomas

KATHERINE A. THOMAS, MN, RN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

Re: Permanent Certificate Number 465338
Issued to Manuel Rabot Lagmay
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 13th day of March, 2009, a true and correct copy of the foregoing DEFAULT ORDER was served by placement in the U.S. Mail via certified mail, and addressed to the following person(s):

Manuel Rabot Lagmay
3325 Wilshire Blvd #505
Los Angeles, California 90010

BY: Katherine A. Thomas
KATHERINE A. THOMAS, MN, RN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

In the Matter of Permanent License	**§**	**BEFORE THE TEXAS**
Number 465338, Issued to	**§**	
MANUEL RABOT LAGMAY, Respondent	**§**	**BOARD OF NURSING**

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, MANUEL RABOT LAGMAY, is a Registered Nurse holding license number 465338, which is in Delinquent status at the time of this pleading.

Written notice of the facts and conduct alleged to warrant adverse licensure action was sent to Respondent at Respondent's address of record and Respondent was given opportunity to show compliance with all requirements of the law for retention of the license prior to commencement of this proceeding.

CHARGE I.

On or about July 4, 2008, Respondent's license to practice professional nursing in the State of California was REVOKED by the Board of Registered Nursing, Department of Consumer Affairs, State of California, Sacramento, California, based on Findings that:

- On January 17, 2006, Respondent entered a plea of Guilty and was convicted of CONSPIRACY TO DEFRAUD THE UNITED STATES (a felony offense and a violation of 18 U.S.C section 371), in the United States District Court for the District of Columbia (Washington, DC); and

- On March 29, 2006, the court sentenced Respondent to twenty-four (24) months incarceration, followed by three (3) years supervised release with conditions. Additionally, the court imposed victim restitution of two hundred ten thousand dollars ($210,000), and "a special assessment of one hundred dollars ($100) . . . to be paid from prison earnings."

A copy of the Findings of Fact, Conclusions of Law and Order of the Board of Registered Nursing, Department of Consumer Affairs, State of California, dated July 4, 2008 is attached and incorporated, by reference, as part of this pleading.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(8), Texas Occupations Code.

NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of revocation of Respondent's license to practice nursing in the State of Texas pursuant to the Board's rules, 22 TEX. ADMIN. CODE §§ 213.27 - 213.33. Additionally, staff will seek to impose on Respondent the administrative costs of the proceeding pursuant to § 301.461, TEX. OCC. CODE ANN. The cost of proceedings shall include, but is not limited to, the cost paid by the board to the State Office of Administrative Hearings and the Office of the Attorney General or other Board counsel for legal and investigative services, the cost of a court reporter and witnesses, reproduction of records, board staff time, travel, and expenses. These shall be in an amount of at least one thousand two

hundred dollars ($1200.00).

NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, www.bon.state.tx.us.

NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Sanction Policies for Fraud, Theft & Deception which can be found at the Board's website, www.bon.state.tx.us.

NOTICE IS ALSO GIVEN that Respondent's past disciplinary history, as set out below and described in the Order which is attached and incorporated by reference as part of the charge, will be offered in support of the disposition recommended by staff: Order of the Board of Registered Nursing, Department of Consumer Affairs, State of California, dated July 4, 2008 .

Filed this 18th day of November, 2008.

TEXAS BOARD OF NURSING

James W. Johnston, General Counsel
Board Certified - Administrative Law
Texas Board of Legal Specialization
State Bar No. 10838300
John F. Legris, Assistant General Counsel
State Bar No. 00785533
TEXAS BOARD OF NURSING
333 Guadalupe, Tower III, Suite 460
Austin, Texas 78701
P: (512) 305-6824
F: (512) 305-8101 or (512)305-7401

Attachments: Order of the Board of Registered Nursing, Department of Consumer Affairs, State of California dated July 4, 2008.

0999/D

BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against: MANUEL R. LAGMAY 604 Menteth Point Drive Millersville, MD 21108-1450 Registered Nurse License No. 406129 Respondent.	Case No. 2007-263 OAH No. 2007090049

DECISION

The attached Proposed Decision of the Administrative Law Judge is hereby adopted by the Board of Registered Nursing as its Decision in the above-entitled matter.

This Decision shall become effective on July 4, 2008.

IT IS SO ORDERED June 4, 2008.

LaFrancine W Tate

President
Board of Registered Nursing
Department of Consumer Affairs
State of California

BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against: MANUEL R. LAGMAY 604 Menteth Point Drive Millersville, MD 21108-1450 Registered Nurse License No. 406129 Respondent.	Case No. 2007-263 OAH No. 2007090049

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IT IS SO ORDERED June 4, 2008.

LaFrancine W Tate

President
Board of Registered Nursing
Department of Consumer Affairs
State of California

BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:	Case No. 2007-263
MANUEL R. LAGMAY, a.k.a. MANUEL RABOT LAGMAY 604 Menteth Point Drive Millersville, MD 21108-1450	OAH No. 2007090049
Registered Nurse License No. 406129	
Respondent	

PROPOSED DECISION

Administrative Law Judge JoAnn Irwin Eshelman, Office of Administrative Hearings, State of California, heard this matter on March 17, 2008, in Sacramento, California.

Arthur D. Taggart, Supervising Deputy Attorney General, appeared on behalf of complainant Board of Registered Nursing, Department of Consumer Affairs.

Respondent Manuel R. Lagmay represented himself.

Oral and documentary evidence was received, the record was closed and the matter was submitted for decision on March 17, 2008.

FACTUAL FINDINGS

1. On October 31, 1986, the Board of Registered Nursing (Board) issued registered nursing license number 406129 to Manuel R. Lagmay (respondent). The license was in full force and effect at all times pertinent to this matter. It expired on January 31, 2008.

2. On April 10, 2007, Ruth Ann Terry, M.P.H., R.N. (complainant), Executive Officer of the Board, Department of Consumer Affairs, made this Accusation in her official capacity.

3. Respondent studied nursing at Baguio General Hospital School of Nursing in Baguio City, Philippines and received his nursing degree in 1973. He was first licensed in California in 1986. He worked at Cedar Sinai Hospital in Los Angeles and, later, worked for the Stat Nursing agency for about 10 years. At some point in his career, respondent moved to Maryland and was licensed to practice there. Based on his nursing experience and what he learned while working for Stat Nursing, respondent decided to establish his own agency for temporary nurses ("temp" agency), which he called International Health Care Services, Inc. (IHSI) (doing business as HealthForce One). Respondent owned the "temp" agency for 10 years and was not practicing as a nurse during that time. He currently resides in Maryland and is not now employed as he was recently released from federal custody for the offense which is the grounds for this disciplinary action.

4. Respondent's Maryland license is currently active and will expire on December 28, 2008. He has also been licensed in Illinois and Texas, but he indicated that his licenses in those states are not current. Respondent allowed his license in California to lapse as he testified that he "used to have a license here." There was no evidence of disciplinary action against respondent's licenses in Maryland, Illinois or Texas.

Respondent's Criminal Conviction

5. On January 17, 2006, in the United States District Court for the District of Columbia (Washington, DC), respondent was convicted, upon his plea of guilty, of violating 18 U.S.C. section 371,[1] Conspiracy to Defraud the United States, a felony. On March 29, 2006, the court sentenced respondent to 24 months incarceration, followed by three years supervised release with conditions. The court imposed victim restitution of $210,000, and "a special assessment of $100… to be paid from prison earnings."

6. According to the Statement of Offense (Statement),[2] which respondent signed at the time of his guilty plea, he committed the offense between July 2000 and December 2003, when he was operating his "temp" agency, IHSI, in the Washington D.C. area. In July 2000, respondent offered a unit secretary at Howard University Hospital between $3,000 and $5,000 to arrange a meeting with her supervisor, the director of nursing, so he could enter

[1] 18 United States Code section 371 provides, "If two or more persons conspire either to commit any offense against the United States, or to defraud the United States, or any agency thereof in any manner or for any purpose, and one or more of such persons do any act to effect the object of the conspiracy, each shall be fined under this title or imprisoned not more than five years, or both. If, however, the offense, the commission of which is the object of the conspiracy, is a misdemeanor only, the punishment for such conspiracy shall not exceed the maximum punishment provided for such misdemeanor."

[2] The Statement was filed with the U.S. District Court on January 17, 2006, and is in the packet of court documents providing the factual basis for respondent's plea. Respondent stipulated to the facts in the Statement under penalty of perjury.

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into a "temp" staffing agreement with the hospital. He also offered the unit secretary a kickback of $5 for every shift that an IHSI nurse worked, if she helped him procure the contract. After entering into the contract on August 24, 2000, respondent paid the secretary the promised kickbacks from January 2001 until December 2002.

In early 2003, respondent offered the unit secretary additional payments to submit fraudulent invoices for IHSI, claiming that IHSI nurses worked shifts which had not been worked. Respondent had his accountant prepare the invoices, using information and amounts which respondent provided. The unit secretary received a 40 percent kickback from this scheme, and respondent had his accountant classify the IHSI checks to her as "loan payments."

In April 2004, respondent provided the U.S. Attorney with reports purporting to list all invoices to the hospital between September 2000 through February 2004, and all checks paid to the unit secretary from April 1, 2000 through April 8, 2004. In these reports, respondent concealed his activities by having his accountant erase computer files of the fraudulent invoices, and by failing to disclose numerous checks paid to the unit secretary. As a result of the conspiracy, respondent received in excess of $320,000 in fraudulent payments from the hospital. The case was prosecuted under federal law because Howard University Hospital receives federal healthcare funds under Medicare and Medicaid, as well as some operating income and payment for contract labor from federal funds.

7. At hearing, respondent characterized the circumstances of his offense differently from those described in the Statement. He testified that the hospital would delay processing payments for 60 to 90 days, causing financial problems for his "temp" agency and motivating him to enter into the conspiracy. Respondent claimed that the unit secretary came to his office and "told me she would like to help me get into the hospital with payment of $5,000." Later, respondent changed this testimony stating that the basic facts about his contact with the unit secretary in the Statement were accurate, but the location of their meeting was not accurate. Respondent acknowledged that his acts, "agreeing with the unit secretary to submit fraudulent invoices to be paid by the hospital," were dishonest. He and the unit secretary split payments on the fraudulent invoices 50-50, and continued with that scheme for four months. Respondent believes that the total loss to the hospital was $210,000. He feels his crime was not related to nursing practice as he was not working as a nurse at the time.

8. Respondent also submitted a letter, dated February 28, 2006, which he wrote to the federal district court judge requesting "...your kind Mercy and Leniency..." The letter was consistent with respondent's testimony at hearing, except that respondent placed more responsibility for the offense on the unit secretary. He characterized himself as a reluctant participant, who acted out of fear for the consequences of not cooperating with the secretary. However, he did acknowledge that what he did was "...a despicable act and I am so ashamed of my guilt."

Rehabilitation Criteria

9. Under California Code of Regulations, title 16, section 1445, subdivision (b), the Board has developed criteria for evaluating rehabilitation "when considering the suspension or revocation of a license on the grounds that a registered nurse has been convicted of a crime..." The six criteria and evidence of each are noted below.

(1) Nature and severity of the act(s) or offense(s).

Respondent committed numerous, ongoing fraudulent acts by developing and implementing a kickback scheme with a hospital secretary. He also worked with the secretary in a scheme to submit false invoices for "temp" nursing not actually performed by IHSI nurses. Respondent concealed his activities and arranged for evidence of the fraudulent invoices to be erased from computer records.

Respondent's offense was severe because it involved a sophisticated scheme, carried out in conjunction with another person, to defraud the hospital of funds. A large sum of money was involved and the illegal conduct continued unabated for three years. Respondent also concealed his activities and destroyed evidence when contacted by the U.S. Attorney's Office.

(2) Total criminal record.

Respondent has only this federal felony offense on his record.

(3) The time that has elapsed since commission of the act(s) or offense(s).

More than four years and three months have elapsed since respondent concluded his criminal activities in December 2003.

(4) Whether the licensee has complied with any terms of parole, probation, restitution or any other sanctions lawfully imposed against the licensee.

Respondent served 18 months in federal prison, from June 2006 through December 2007, when he was released. He is now on supervised release for three years, until December 2010. No evidence was received concerning respondent's efforts to pay the $210,000 in victim restitution.

(5) If applicable, evidence of expungement proceedings pursuant to Section 1203.4 of the Penal Code.

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There was no evidence that respondent has had his conviction expunged under federal law.[3]

(6) Evidence, if any, of rehabilitation submitted by the licensee.

Respondent submitted no evidence of rehabilitation. He wants to keep his license because he does not want "...to have to report on applications that my license has been revoked."

Cost Recovery

10. Complainant established that the actual costs of investigation and prosecution of this matter were $637.75. The reasonableness of such costs is discussed below in the Legal Conclusions.

LEGAL CONCLUSIONS

Discipline of Inactive or Lapsed License

1. Under Business and Professions Code section 2750, the Board may discipline, "every...licensee, including licensees holding...licenses placed in an inactive status..." for any reason set forth in Article 3 (Disciplinary Proceedings) of the Nursing Practice Act.

2. Under Business and Professions Code section 2764, "the lapsing...of a license by operation of law...or the voluntary surrender of a license by a licentiate shall not deprive the board of jurisdiction to proceed with any ... disciplinary proceeding against such license, or to render a decision suspending or revoking such license."

Substantial Relationship Criteria

3. Under Business and Professions Code section 2761, subdivision (f), "conviction of a felony ***or*** of any offense substantially related to the qualifications, functions and duties of a registered nurse..." is one ground for license discipline. (Emphasis added.) Because respondent was convicted of a felony, whether his offense has a substantial relationship to the qualifications, functions and duties of a registered nurse need not be proven. Nevertheless, such relationship does exist under criteria in California Code of Regulations, title 16, section 1444, subdivision (c), because respondent's conviction involved "theft, dishonesty, fraud, or deceit." In addition, respondent's offense is directly related to

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[3] Federal district courts have inherent authority to expunge criminal records in appropriate and extraordinary cases. However, expungement is a narrow, extraordinary remedy used only in extreme circumstances. (See *U.S. v. Crowell* (9th Cir. 2004) 374 F.3d 790, cert. den. 125 S.Ct. 911; See also *U.S. v. Sumner* (9th Cir. 2000) 226 F.3d 1005.)

his practice in the nursing profession because he used his knowledge and experience as a nurse and his "temp" nursing agency to defraud the hospital and benefit himself.

Cause for Suspension or Revocation

4. Under Business and Professions Code section 2761, subdivision (f), the Board established conclusive proof that respondent was convicted of a felony by the record of conviction from the federal district court, as set forth in Factual Finding 5. The Board has established cause for discipline of respondent's license because of this criminal conviction.

Cost Recovery

5. Pursuant to Business and Professions Code section 125.3, if a licensee is found to have committed a violation, the Board can recover its reasonable costs of investigation and enforcement. The factors for determining reasonableness of costs have been set forth in *Zuckerman v. Board of Chiropractic Examiners* (2002) 29 Cal.4th 32. Those factors include whether respondent has been successful at hearing in getting charges dismissed or reduced; respondent's subjective good faith belief in the merits of his or her position; whether respondent has raised a colorable challenge to the proposed discipline; the financial ability of respondent to pay; and whether the scope of the investigation was appropriate to the alleged misconduct.

Respondent was not successful in getting the charge dismissed or reduced. He did not take a legal position denying his guilt, choosing only to present mitigating evidence. Respondent's challenge to the proposed discipline by way of explaining or justifying his criminal conduct was ineffective. He presented no evidence concerning his financial ability to pay. The scope of the investigation was relatively limited and appropriate to the alleged misconduct, which was severe. Therefore, in this case, the reasonable costs of investigation and enforcement are $637.75, as set forth in Factual Finding 10.

Rehabilitation

6. Respondent presented no evidence to show that he has begun the process of rehabilitation. He was released from prison slightly more than three months ago and remains on probation for a little less than three years. Respondent's 2006 letter to the federal district court judge, and, his testimony at hearing, indicate that he has made little progress in accepting responsibility for his conduct. Although respondent gives lip service to the wrongful nature of his actions, he continues to place primary responsibility for the offense with the secretary, who participated in the criminal scheme with him.

7. The matters set forth in Factual Findings 6 through 9, inclusive, were considered in making the following order. Given the seriousness of respondent's offense, his lack of rehabilitative progress, and his continuing court supervision on supervised release until 2010, it would be contrary to the public interest to allow him to continue practicing as a licensed registered nurse at this time.

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ORDER

1. Registered Nurse License number 406129, issued to respondent Manuel R. Lagmay, is REVOKED pursuant to Legal Conclusion 4.

2. Pursuant to Business and Professions Code section 125.3, if and when respondent's license is reinstated, he shall pay to the Board its investigation and enforcement costs of $637.75, as set forth in Legal Conclusion 5. Respondent shall be permitted to pay these costs in a payment plan approved by the Board. Nothing in this provision shall be construed to prohibit the Board from reducing the amount of cost recovery upon reinstatement of respondent's license.

DATED: April 16, 2008

JOANN I. ESHELMAN
Administrative Law Judge
Office of Administrative Hearings

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Attorneys for Complainant

BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against: MANUEL R. LAGMAY, a.k.a. MANUEL RABOT LAGMAY 604 Menteth Point Drive Millersville, MD 21108-1450 Registered Nurse License No. 406129 Respondent.	Case No. 2007-243 **ACCUSATION**

Complainant alleges:

PARTIES

1. Ruth Ann Terry, M.P.H., R.N. ("Complainant") brings this Accusation solely in her official capacity as the Executive Officer of the Board of Registered Nursing ("Board"), Department of Consumer Affairs.

2. On or about October 31, 1986, the Board issued Registered Nurse License Number 406129 to Manuel R. Lagmay, also known as Manuel Rabot Lagmay ("Respondent"). Respondent's registered nurse license was in full force and effect at all times relevant to the charges brought herein and will expire on January 31, 2008, unless renewed.

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STATUTORY PROVISIONS

3. Business and Professions Code ("Code") section 2750 provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with Code section 2750) of the Nursing Practice Act.

4. Code section 2764 provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license. Under Code section 2811, subdivision (b), the Board may renew an expired license at any time within eight years after the expiration.

5. Code section 2761 states, in pertinent part:

> The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:
>
> . . . .
>
> (f) Conviction of a felony or of any offense substantially related to the qualifications, functions, and duties of a registered nurse, in which event the record of the conviction shall be conclusive evidence thereof. . .

6. Code section 2765 states:

> A plea or verdict of guilty or a conviction following a plea of nolo contendere made to a charge substantially related to the qualifications, functions and duties of a registered nurse is deemed to be a conviction within the meaning of this article. The board may order the license or certificate suspended or revoked, or may decline to issue a license or certificate, when the time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal or when an order granting probation is made suspending the imposition of sentence, irrespective of a subsequent order under the provisions of Section 1203.4 of the Penal Code allowing such person to withdraw his or her plea of guilty and to enter a plea of not guilty, or setting aside the verdict of guilty, or dismissing the accusation, information or indictment.

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COST RECOVERY

7. Code section 125.3 provides, in pertinent part, that the Board may request the administrative law judge to direct a licentiate found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

CAUSE FOR DISCIPLINE

(Criminal Conviction)

8. Respondent is subject to disciplinary action pursuant to Code section 2761, subdivision (f), in that he was convicted of a crime which is substantially related to the qualifications, functions, and duties of a registered nurse, as follows: On or about March 29, 2006, in the criminal proceeding titled *U.S.A. v. Manuel R. Lagmay, Defendant* (U.S. District Court, District of Columbia, 2006, No. 06-0002), Respondent was convicted by the Court on his plea of guilty to one felony count in violation of 18 U.S.C. section 371 (conspiracy). The circumstances of the crime are that, from approximately July 2000 through approximately December 2003, Respondent knowingly combined, conspired, confederated, and agreed, together with others known and unknown, to commit health care fraud by devising a scheme and artifice to defraud Howard University Hospital, and to obtain its money and property in an amount exceeding $320,000, by means of materially false and fraudulent pretenses, representations, and promises, in connection with the delivery of or payment of health care benefits, items, or services.

PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

1. Revoking or suspending Registered Nurse License Number 406129, issued to Manuel R. Lagmay, also known as Manuel Rabot Lagmay;

2. Ordering Manuel R. Lagmay, also known as Manuel Rabot Lagmay, to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Code section 125.3; and

3. Taking such other and further action as deemed necessary and proper.

DATED: 4/10/07

RUTH ANN TERRY, M.P.H., R.N.
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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