



Operation Nightingale Frequently Asked Questions April 27, 2023

Who bears the responsibility in this case?

The responsibility for this alleged fraud rests directly on the perpetrators. This was an attempt to misuse nursing education programs and it is a complex investigation. It is important to understand that the schools involved in these investigations do have legitimate graduates. The allegedly fraudulent transcripts and diplomas provided to individuals who did not attend or successfully complete the program may look just like those issued to legitimate graduates. When education programs fail to maintain the best teaching standards or try and circumvent requirements, it creates significant challenges and threats to public health and safety. Nursing regulatory bodies like the California Board of Registered Nursing (Board) are constantly working to ensure that all nurses and candidates are legitimate. The Board is fully committed to fully resolving this matter.

Does the Board have this list of names available yet that identifies all the individuals who received illegitimate diplomas and credentials? Can we get a copy?

This is an ongoing investigation, and each individual is afforded due process. The Board cannot assume that every individual identified in the authorities' investigation obtained illegitimate educational credentials, unless and until proven in accordance with law. As with any case involving potential revocation or other action on an individual's nursing license, the Board is following California's required processes, including appropriate due process steps. All final disciplinary actions against licensees are posted on the website and can be found on the Department of Consumer Affairs (DCA) license search [webpage](#). All final disciplinary actions against applicants will be posted to the National Council of State Boards of Nursing's (NCSBN) nationwide data system available to all boards of nursing (Nursys®).

What will happen to the individuals who received fake degrees if they are still licensed and working in healthcare settings?

The Board is dedicated to identifying individuals who supplied illegitimate education credentials to obtain licensure. The Board is following California's due process requirements as we review cases involving licensed registered nurses. If it is proven that the individual's education credentials were fraudulent, the Board will take appropriate disciplinary action.

This seems like an urgent public safety crisis. Why are these individuals allowed to continue practicing as licensed nurses?

As noted above, the Board cannot assume that every individual identified in the authorities' investigation obtained their education credentials through illegitimate means, unless and until proven in accordance with law. The Board is acting diligently and expeditiously to identify, investigate, and resolve these matters to address public health and safety concerns.

What are you doing to ensure this never happens again?

The Board regularly reviews its licensure and application processes to identify any areas of improvement needed. Through the course of this investigation, if the Board identifies any additional safeguards and solutions that may be needed, we will implement them accordingly. Although the Board cannot publicly disclose the identity of individuals under investigation until it initiates formal disciplinary action against them, licensees that are under investigation as a result of Operation Nightingale have been flagged in Nursys® to provide confidential notice to other state boards of nursing.

The Board also requires transcripts from nursing programs directly – the Board does not accept transcripts directly from applicants; this prevents applicants from being able to submit transcripts on their own that they may have altered or forged.

Have the employers of these individuals under investigation been notified?

The Board cannot comment or release information on a pending or ongoing investigation, including to employers. Following the Board's investigation, if the Board initiates disciplinary action against an individual's license, then the employer will be notified if they are enrolled in NCSBN's free Nursys eNotify® notification service. It is the responsibility of employers to ensure their nurses have correct and current licenses. There are several ways employers can do that through the Nursys® system. Employers can also verify the licensure status of California registered nurses through the DCA License Search [webpage](#). The Board is committed to working with employers in the state to ensure public health and safety.

How do you know there aren't more individuals than who has been identified so far?

The Board is continuing to work with the proper authorities on ongoing efforts to identify and discipline individuals who obtained their licenses by fraudulent means or deny their application for licensure. If the Board becomes aware of possible fraud, it will promptly investigate and take appropriate action.

How did candidates pass the exam without formal education?

One cannot assume that the individuals identified in the authorities' investigation took the NCLEX® without any nursing education. It is possible that those who were authorized to take the NCLEX® based on illegitimate credentials and subsequently passed the exam may have had previous training, education, or experience at some other level of nursing. The NCLEX® is designed to measure the level of knowledge currently required to practice competently at an entry-level. It does not measure or assess whether an individual completed an education program or retained knowledge from that program.

Why weren't these fake credentials detected before this investigation?

The Board consistently works to ensure that all licensure applicants obtained legitimate education credentials as a part of the normal process. It is important to note that the education programs involved in the authorities' investigation did have legitimate graduates. For the individuals that obtained fraudulent credentials and did not attend or successfully complete a legitimate program, their transcripts and diplomas provided may appear just like those issued to legitimate graduates. When education institutions operate unethically and inconsistent with best

practices, it creates significant challenges to the nursing licensure process. Nursing regulatory bodies are constantly working to ensure that all nurses and applicants are legitimate.

Is anything being done to prevent these individuals from moving to another state to practice?

Although the Board cannot publicly disclose the identity of individuals under investigation until it initiates formal disciplinary action against them, licensees that are under investigation as a result of Operation Nightingale have been flagged in Nursys® to provide confidential notice to other state boards of nursing. If such licensees apply for licensure in another state, the board of nursing in that state can see the flag and will be responsible for addressing each case according to the state's own statutes and regulations.

How safe is our nursing workforce?

According to data from NCSBN, the vast majority of the nation's more than 5.3 million nurses are competent, safe, and caring individuals. Less than one (1) percent of nurses in the United States are disciplined annually. It is important to understand that the individuals identified in this case comprise an extremely small percentage of the overall workforce and do not represent the excellent nurses who provide top health care in our state every day.

I have information about an individual that may be related to this investigation. What should I do?

If you have any information about a person that you believe may have violated the California Nursing Practice Act, please access the Board's [BreEZe](#) website to file a complaint.

Where can I go to find updated information about the ongoing Operation Nightingale investigation?

The Board updated its website to include a [webpage](#) about Operation Nightingale. As available, updates will be posted to this webpage.