

PETER NDASI, CERITIFED	*	STATE BOARD
PROGRAM ADMINISTRATOR	*	FOR CERTIFICATION
CERTIFICATE NO. A00180	*	OF RESIDENTIAL CHILD CARE
Respondent	*	PROFESSIONALS
	*	Case No. FY2011-002
* * * * *	*	* * * * *

**FINAL ORDER OF REVOCATION
OF THE RESPONDENT'S PROGRAM ADMINISTRATOR'S CERTIFICATE**

On August 22, 2011, the State Board for Certification of Residential Child Care Professionals (the "Board"), notified Peter Ndasi, the Respondent, of its Intent to Revoke his Program Administrator's license. The Notice also informed the Respondent that, unless he requested a hearing in writing within 30 days of receipt of said Notice, the Board would sign the Final Order herein, which was enclosed. More than 30 days has elapsed and the Respondent failed to timely request a hearing. Therefore, this revocation is final.

The basis for the Board's action was pursuant to the Administrative Procedure Act (the "APA"), Md. State Govt. Code Ann. § 10-226(c) (1) (2009 Repl. Vol.) and the Maryland Pharmacy Act, codified at Md. Health Occ. Code Ann. § 12-101, et seq., ("the Act") (2009 Repl. Vol. and 2010 Supp.).

The pertinent provision of § 10-226(c) (1) of the APA states:

Revocation of suspension. (sic)— (1) Except as provided in paragraph (2) of this subsection, a unit may not revoke or suspend a license unless the unit first gives the licensee:

- (i) written notice of the facts that warrant suspension or revocation; and,
- (ii) an opportunity to be heard.

The pertinent provisions of § 20-313. Investigations; complaints; sanctions; prohibited acts of the Act state:

- (b) Complaints; sanctions; prohibited acts. -- Subject to the hearing provisions of § 20-314 of this subtitle, the Board may deny a certificate to any applicant, reprimand any certified program administrator or certified residential child and youth care practitioner, place any certified program administrator or certified residential child and youth care practitioner on probation, or suspend or revoke a certificate if the applicant, certified program administrator, or certified residential child and youth care practitioner:
 - (10) Commits an act of unprofessional conduct in performing the duties of a program administrator or residential child and youth care practitioner;

FACTS THAT WARRANT THE REVOCATION OF THE RESPONDENT'S LICENSE

1. At all times relevant hereto, the Respondent was certified to practice Residential Child Care Program Administrator in Maryland. The Respondent was first certified on September 16, 2009. The Respondent's certification expires on September 16, 2011.

2. The Respondent owned and operated a residential group home in Baltimore City, called Dashi Paradise Group Home (Dashi), for troubled youth. The Respondent served as Program Administrator at that home.

3. Pursuant to a complaint of neglect, a Case Worker from the Department of Social Services (DSS) visited Dashi on November 22, 2010 and found several disturbing conditions, while the Respondent was present, including the following:

- A. Even though it was November, the home was chilly;

B. The basement door was locked and the food was kept in the basement;

C. The part of the basement where the food was not stored was unkempt, containing a lot of used appliance parts/junk;

D. The refrigerator in the kitchen had very little food in it and the kitchen cabinet had about three canned items in it;

E. The living room was redesigned to be a bedroom with three beds, with clothes and papers everywhere—completely disheveled. There appeared to be no closets to hang clothes in. There was an adjoining bathroom, but the light in that bathroom didn't work;

F. There were three residents, juveniles, in the group home at the time that the Case Worker entered, and no staff members. About a minute later, the Respondent entered;

G. The second floor had two bedrooms; two were furnished and one was empty and contained some new office supplies. The second floor bathroom light worked. There was a large living room with a large TV, which didn't work;

H. After a little while, another adult came in to prepare the meals. When the Case Worker asked for documentation regarding the staff, the Respondent was unable to provide same so that clearances could be obtained;

I. The residents informed the Case Worker that the only meals that they get are dinner, because the Respondent believes that they should eat breakfast and lunch at school. Thus, when they don't go to school, such as on the day that the Case Worker came, and on the weekends or when school is not

open, they don't get three meals;

J. The residents also informed the Case Worker that the Respondent only allowed them to use plastic spoons to eat with because he thought that they could use forks and knives as weapons; thus, they had difficulty cutting their meat;

K. None of the phones in the home worked;

L. The residents informed the Case Worker that there were rodents in the home;

M. The Respondent failed to provide one of the residents with his daily medication;

N. The Respondent admitted that the van that he used to transport the juveniles had a window missing and that it was missing for a while—again, it was late November and chilly.

4. In the midst of these observations, DSS decided to remove the juveniles for their protection. Subsequently, DSS revoked the Respondent's right to operate a residential youth center.

5. As set forth above, the Respondent posed a danger to the public health, welfare or safety, and, as a result, on May 18, 2011, the Board summarily suspended the certificate of the Respondent. The Respondent failed to request a hearing. In addition, his authority to operate a home for emotionally troubled youth was revoked by the Department of Social Services.

6. As set forth above, the Respondent's certificate should be revoked.

CONCLUSIONS OF LAW

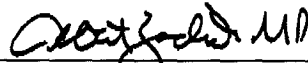
Based upon the foregoing Facts, the Board concludes that the Respondent violated its Act and that the revocation is warranted, pursuant to § COPY FROM NOTICE and § 10-226 (c) (1) of the APA.

NOTICE OF RIGHT OF APPEAL

In accordance with Md. Health Occ. Code Ann. § 202-315 (2009 Repl. Vol. and 2010 Supp.) and the Administrative Procedure Act, Md. State Govt. Code Ann. § 10-201, *et seq.*, (2004 Repl. Vol.) you have a right to a direct judicial appeal of this decision. A petition for appeal of the Final Board Order shall be filed within thirty days from your receipt of this Final Order and shall be made in accordance with the aforecited authority.

September 22, 2011

Date



Albert Zachik, M.D., Chair
Board for Certification of Residential Child
Care Professionals

IN THE MATTER OF	*	BEFORE THE
PETER NDASI, CERITIFED	*	STATE BOARD
PROGRAM ADMINISTRATOR	*	FOR CERTIFICATION
CERTIFICATE NO. A00180	*	OF RESIDENTIAL CHILD CARE
Respondent	*	PROFESSIONALS
	*	Case No. FY2011-002

* * * * *

ORDER FOR SUMMARY SUSPENSION

Pursuant to Md. State Govt. Code Ann. §10-226 (c) (2) (2009 Repl. Vol.), the State Board for Certification of Residential Child Care Professionals (the "Board") hereby suspends the license to practice as a Residential Child Program Administrator in Maryland issued to Peter Ndasi, Program Administrator, (the "Respondent"), under the Maryland Residential Child Care Professionals Act (the "Act"), Md. Health Occ. Code Ann. § 20-101, et seq., (2009 Repl. Vol.). This Order is based on the following investigative findings, which the Board has reason to believe are true:

BACKGROUND

1. At all times relevant hereto, the Respondent was certified to practice Residential Child Care Program Administrator in Maryland. The Respondent was first certified on September 16, 2009. The Respondent's certification expires on September 16, 2011.

2. The Respondent owned and operated a residential group home in Baltimore City, called Dashi Paradise Group Home (Dashi), for troubled youth. The

Respondent served as Program Administrator at that home.

3. Pursuant to a complaint of neglect, a Case Worker from the Department of Social Services (DSS) visited Dashi on November 22, 2010 and found several disturbing conditions, while the Respondent was present, including the following:

A. Even though it was November, the home was chilly;

B. The basement door was locked and the food was kept in the basement;

C. The part of the basement where the food was not stored was unkempt, containing a lot of used appliance parts/junk;

D. The refrigerator in the kitchen had very little food in it and the kitchen cabinet had about three canned items in it;

E. The living room was redesigned to be a bedroom with three beds, with clothes and papers everywhere—completely disheveled. There appeared to be no closets to hang clothes in. There was an adjoining bathroom, but the light in that bathroom didn't work;

F. There were three residents, juveniles, in the group home at the time that the Case Worker entered, and no staff members. About a minute later, the Respondent entered;

G. The second floor had two bedrooms; two were furnished and one was empty and contained some new office supplies. The second floor bathroom light worked. There was a large living room with a large TV, which didn't work;

H. After a little while, another adult came in to prepare the meals. When the Case Worker asked for documentation regarding the staff, the Respondent was unable to provide same so that clearances could be obtained;

I. The residents informed the Case Worker that the only meals that they get are dinner, because the Respondent believes that they should eat breakfast and lunch at school. Thus, when they don't go to school, such as on the day that the Case Worker came, and on the weekends or when school is not open, they don't get three meals;

J. The residents also informed the Case Worker that the Respondent only allowed them to use plastic spoons to eat with because he thought that they could use forks and knives as weapons; thus, they had difficulty cutting their meat;

K. None of the phones in the home worked;

L. The residents informed the Case Worker that there were rodents in the home;

M. The Respondent failed to provide one of the residents with his daily medication;

N. The Respondent admitted that the van that he used to transport the juveniles had a window missing and that it was missing for a while—again, it was late November and chilly.

4. In the midst of these observations, DSS decided to remove the juveniles for their protection. Subsequently, DSS revoked the Respondent's right to operate a residential youth center.

FINDINGS OF FACT

As set forth above, the Respondent poses a danger to the public health, welfare or safety.

CONCLUSIONS OF LAW

Based on the foregoing, the Board finds that the public health, safety or welfare imperatively requires emergency action, pursuant to Md. St. Gov't. Code Ann. §10-226 (c) (2) (2009 Repl. Vol.).

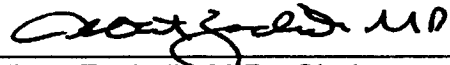
ORDER

Based on the foregoing, it is therefore this **18th** day of **May**, 2011, by a majority vote of a quorum of the State Board for Certification of Residential Child Care Program Professionals, by authority granted by the Board by Md. St. Gov't. Code Ann. § 10-226(c) (2) (2009 Repl. Vol.), the certificate held by the Respondent to practice as a certified Residential Child Care Program Administrator in Maryland, Certificate No. A00180, is hereby **SUMMARILY SUSPENDED**; and be it further

ORDERED, that upon the Board's receipt of a written request from the Respondent, a Show Cause Hearing shall be scheduled within thirty days of said request, at which the Respondent will be given an opportunity to be heard as to whether the Summary Suspension should be continued, regarding the Respondent's fitness to practice as a Certified Residential Child Care Program Administrator and the danger to the public; and be it further

ORDERED, that the Respondent shall immediately turn over to the Board his wall certificate and wallet-sized certificate to practice as a Certified Residential Child Care Program Administrator issued by the Board; and be it further

ORDERED, that this document constitutes a final Order of the Board and is therefore a public document for purposes of public disclosure, as required by Md. State Gov't Code Ann. §10-617(h) (2009 Repl. Vol.).



Albert Zachcik, M.D., Chair
Board for Certification of Residential
Child Care Professionals

NOTICE OF HEARING

A Show Cause hearing to determine whether the Summary Suspension shall be continued will be held before the Board at 4201 Patterson Avenue, Baltimore, 21215 following a written request by the Respondent for same.