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FILED WITH THE BOARD OF
RESPIRATORY CARE

ON 2 May 2000
Steven R. O'Neil

By: Sandra Y. Dick
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STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF RESPIRATORY CARE

IN THE MATTER OF	:	Administrative Action
	:	
	:	
NAIRA JUHARIAN	:	CONSENT ORDER
LICENSE ZA3556	:	
	:	
LICENSED TO PRACTICE RESPIRATORY	:	
CARE IN THE STATE OF NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Respiratory Care upon the review of information submitted which alleged that Naira Juharian had been arrested for theft of a diamond ring from the finger of a patient who expired within an hour of the taking of the ring on May 23, 1999. The allegations, if true, provide grounds for disciplinary action pursuant to N.J.S.A. 45:1-21(b) and (e) for dishonesty and professional misconduct, and pursuant to N.J.S.A. 45:1-21(i), for incapacity to discharge the duties of a licensee in a manner consistent with the public's health, safety and welfare. Ms. Juharian acknowledged that she had taken the ring, claimed that it was an impulsive act

and that she had never engaged in similar conduct. Ms. Juharian returned the ring, expressed regret, and has begun psychotherapy.

The Board has considered the aforesaid information, and both parties are desirous of resolving this matter without the necessity of further formal proceedings. Ms. Juharian having admitted the allegations outlined above and having waived any right to a hearing before the Board of Respiratory Care in this matter; and the Board finding that the within Order is adequately protective of the public health, safety and welfare and that good cause exists for its entry;

IT IS THEREFORE ON THIS 28 DAY OF April 2000,

ORDERED:

1. That the license of Naira Juharian to practice respiratory care in the State of New Jersey is suspended for one year beginning on the date of entry of this Order.

2. Naira Juharian shall immediately forward her license to the State Board of Respiratory Care located at 124 Halsey Street, 6th Floor, Newark, New Jersey 07101.

3. Naira Juharian shall cease, desist and refrain from the practice of respiratory care in the State of New Jersey until further Order of the Board.

4. Naira Juharian shall pay costs of \$1,121.00 plus interest at 5% in twelve monthly installments of \$95.97 by means of a certified check or money order payable to the Treasurer of the

State of New Jersey and forwarded to the Board of Respiratory Care at the address indicated above. The first installment shall be due on May 1, 2000, then on the 1st of each month thereafter ending on April 1, 2001. If any payment is not received by the 15th of the month, the full amount of costs and interest remaining shall immediately become due and owing and the Board may file a Certificate of Debt and may begin action for collection of the full debt due and owing.

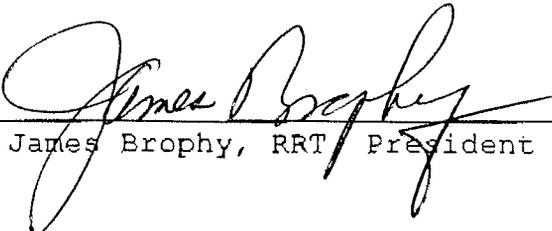
5. After the conclusion of one year from the entry of this Order, Naira Juharian may apply for reinstatement of her license to practice respiratory care. On any application, the burden shall be upon Ms. Juharian to demonstrate she has been rehabilitated, has complied with the terms of this Order, and can practice consistent with the public's health, safety and welfare. Any such application shall include a report from a psychotherapist approved by the Board including proof that Ms. Juharian has engaged in psychotherapeutic treatment with Sharad Wagle, M.D., or another psychotherapist approved by the Board, a minimum of twice per month for a minimum of one year from entry of this Order, that she has followed all recommendations of the treating therapist as to both therapy and psychopharmacology, and which contains the therapist's opinion regarding the ability of Ms. Juharian to reenter practice without the danger of recurrence of the incidents which formed the basis of this Order. Respondent's license shall be restored provided the

Board determines that she has been sufficiently rehabilitated, is competent to practice, has complied in all respects with this Order, and has complied with all statutory requirements for reinstatement (including but not limited to training or testing) as are in effect at the time of application for reinstatement and consistent with the public health, safety and welfare. Upon any reinstatement of license, the Board shall place Respondent on a one year period of probation in accordance with terms to be determined by the Board in its sole discretion at that time.

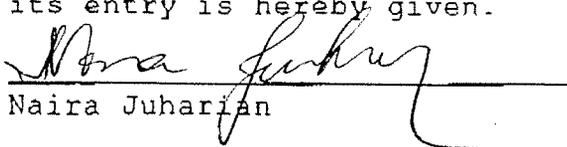
6. Naira Juharian, by her signature on this Order, expressly waives any claim to privilege or confidentiality she may have concerning all reports required to be made to the Board by Sharad Wagle, M.D., or any other psychotherapist.

NEW JERSEY STATE BOARD OF RESPIRATORY CARE

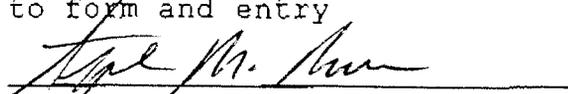
By: _____


James Brophy, RRT President

I have read the above Order and I understand and agree to abide by its terms. Consent to its entry is hereby given.


Naira Juharian

The above Order is approved as to form and entry


Steven Russo, Esq.