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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF EXAMINERS OF MASTER
PLUMBERS

IN THE MATTER OF THE
APPLICATION OF

BRIAN J. TAYLOR, L.M.P.
License No. 36BI00918700

FOR A PLUMBING LICENSE
IN THE STATE OF NEW JERSEY

Administrative Action

CONSENT ORDER

This matter was opened to the New Jersey State Board of Examiners of Master Plumbers ("the Board") upon receipt of a request for reinstatement of a plumbing license from Brian J. Taylor ("respondent"). On May 25, 2006, the Board entered a Final Order of Discipline suspending respondent's plumbing license based on respondent's failure to respond to inquiries from the Board concerning his positive response to the question relating to criminal arrests or convictions.

Respondent provided a letter to the Board, dated February 20, 2009, as part of his request for reinstatement. In the letter, respondent stated that he had a medical condition which he could not control which he cited as the reason why he did not respond to Board inquiries. Respondent also indicated that he has participated in an intensive treatment program and is now recovered for over two and a half years and able to practice plumbing.

Respondent appeared before the Board on March 26, 2009, reiterated his reasons for not responding to the Board's requests for information regarding his arrest, and produced a letter demonstrating he completed an outpatient treatment program. Respondent further testified he has moved closer to family and now has a stronger support system. He acknowledged he is not currently involved in any treatment or monitoring programs.

Having considered all of the available information, including the testimony of respondent during the investigative inquiry, the Board has determined that respondent's license to practice plumbing may be reinstated subject to the conditions outlined in this order.

IT IS THEREFORE ON THIS 1ST DAY OF APRIL, 2010,
HEREBY ORDERED AND AGREED THAT:

1. Respondent shall abstain from any and all mood altering or intoxicating substances, including, but not limited to alcohol, as well as any controlled dangerous substances except pursuant to a bona fide prescription written by a physician or dentist for good medical or dental cause in his treatment. In addition, respondent shall advise any and all treating physicians and/or dentists of his history of substance abuse. Respondent shall cause any physician or dentist who prescribes medication which is a controlled dangerous substance to provide a written report to the Board together with patient records indicating the need for such medication. Such report shall be provided no later than two (2) days subsequent to the prescription.

2. Respondent shall engage in treatment with Narcotics Anonymous and attend meetings a minimum of twice per week and maintain a sponsor. Prior to reinstatement of his license, respondent shall provide proof of his enrollment with Narcotics Anonymous. After his enrollment, respondent shall provide proof of attendance at Narcotics Anonymous, as well as progress reports from each and every mental health professional (including but not limited to: psychologists, counselors, therapists, psychiatrists) who are participating in respondent's care and/or treatment. This information shall be provided directly to the Board on a quarterly basis. The first submitted quarterly proofs of attendance and counseling progress reports shall be due July 1, 2010, and then quarterly thereafter. If respondent discontinues participation with Narcotics Anonymous or counseling, without first obtaining approval of the Board, he shall be deemed in violation of this order.

3. (a) Respondent shall submit to random urine screens beginning no later than one month following entry of this order, a minimum of twice per month. The urine screen monitoring program, as well as the laboratory facility conducting the urine testing, must be approved by the Board. The Board shall provide respondent and the laboratory facility with specific directions for the protocol of the testing procedure. All urine screens must be directly observed and respondent

shall comply with all additional urine screen procedures and protocols outlined and prescribed by the Board. The urine screen requirement shall include testing for alcohol and such other substances as deemed appropriate by respondent's counselor and shall continue until further order of the Board expressly reducing or discontinuing testing. The initial drug screen shall utilize appropriate screening techniques and all confirming tests and/or secondary tests shall be performed by gas/chromatography/mass spectrometry (G.C./M.S). The testing procedure shall include a forensic chain of custody protocol to ensure sample integrity and to provide documentation in the event of a legal challenge. The Board may, in its sole discretion, modify the frequency of testing or method of testing during the monitoring period.

(b) All test results shall be provided to the Board on a quarterly basis. For purposes of this order, the first submitted quarterly urine screen results shall be due July 1, 2010 and then quarterly thereafter. If respondent discontinues submitting to urine screening, without first obtaining approval of the Board, he shall be deemed in violation of this order. The Board retains sole discretion to modify the manner and the extent of testing in the event technical developments or individual requirements indicate that a different methodology or approach is required in order to guarantee the accuracy and reliability of the testing.

(c) Any failure by respondent to submit or provide a urine screen within twenty-four (24) hours of a request will be deemed to be equivalent to a confirmed positive urine test. In the event respondent is unable to appear for a scheduled urine test or provide a urine sample due to illness or other impossibility, consent to waive that day's test must be secured from the Executive Director of the Board or the Executive Director's designee. Personnel at the lab facility shall not be authorized to waive a urine test. In addition, respondent must provide the Board with written substantiation of his inability to appear for a test within two (2) days, e.g., a physician's report attesting that respondent was so ill that he was unable to provide the urine sample or appear for the test. "Impossibility" as employed in this provision shall mean an obstacle beyond the control of respondent that is so insurmountable or that makes appearance for the test or provision of the urine sample so infeasible that a reasonable person would not withhold consent to waive the test on that day.

(d) In the event respondent will be out of the State for any reason, the Board shall be so advised so that arrangements may be made at the Board's discretion for alternate testing.

(e) Any urine test result showing creatinine levels below 20 mg/dL and a specific gravity below 1.003 shall be deemed dilute and a presumption of a confirmed positive urine test shall arise requiring a confirming test by hair analysis or other appropriate means.

(f) Respondent shall familiarize himself with all foods, food additives or other products (such as poppy seeds) which may affect the validity of urine screens, be presumed to possess that knowledge, and shall refrain from the use of such substances. Ingestion of such substances shall not be an acceptable reason for a positive urine screen and/or failure to comply with the urine monitoring program.

4. Respondent shall provide any and all releases to any and all parties who are participating in the monitoring, treatment or other program as outlined in this order or as may be required in the future, in order that all reports, records, and other pertinent information may be provided to the Board in a timely manner. Via his signature on this order, respondent agrees that the Board may utilize any information received in connection with any proceeding regarding licensure.

5. Respondent may seek modification of the terms of this order not sooner than January 1, 2011. Prior to any modification or removal of restrictions set forth in this order, respondent shall:

(a) Appear before the Board to discuss his recovery and to demonstrate to the satisfaction of the Board that he is not then suffering from any impairment or limitation resulting from any psychiatric condition or the use of any mind altering or intoxicating substance, whether legal or illegal, which could affect his practice;

(b) Prior to his appearance, the Board may require receipt of a report of an independent psychiatric evaluation with a Board approved psychiatrist.

6. Respondent hereby consents to the entry of an order of automatic suspension of license without notice, upon the Board's receipt of documentation of a prima facie showing of a violation of this order or a relapse or recurrence of drug or alcohol abuse or any reliable information that respondent has violated any term of this order or any information which the Board in its sole

discretion deems reliable demonstrating that respondent is not capable of carrying out the functions of a licensee consistent with the public health, safety or welfare or that respondent has failed to comply with any of the conditions set forth in this consent order.

7. Respondent shall have the right to apply for removal of the automatic suspension on five (5) days notice but in such event shall be limited to a showing that the evidence of a relapse or recurrence of drug or alcohol abuse or other information submitted was false.

BOARD OF EXAMINERS OF MASTER PLUMBERS

By: Peter Voros
Peter Voros
Board Chairman

I have read and I understand this Consent Order and agree to be bound by its terms. I consent to the entry of this order by the Board.

Brian J. Taylor
Brian J. Taylor

3/13/10
Date

BOARD OF EXAMINERS
OF MASTER PLUMBERS
2010 APR -5 PM 1:55

PLEASE NOTE CHANGE OF ADDRESS TO:

BRIAN TAYLOR
10 WARREN AVE.
LANOKA HARBOR, N.J
08734

Address
changed
L.S.

THANK YOU
B. Taylor