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N.J. BOARD OF NURSING

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF NURSING

IN THE MATTER OF THE LICENSE OF :	Administrative Action
CECILIA AMOATENG, R.N.	ORDER VACATING
License #26NR13935900	FINAL ORDER OF
	DISCIPLINE
TO PRACTICE NURSING IN	
THE STATE OF NEW JERSEY	

This matter was opened to the New Jersey State Board of Nursing (the "Board") upon receipt of information which the Board has reviewed and upon which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Cecilia Amoateng ("Respondent") is a registered professional nurse in the State of New Jersey and has been a licensee at all times relevant hereto.
2. Pursuant to N.J.A.C. 13:37-5.3(b), licensees are required to complete a minimum of thirty (30) hours of continuing education during the preceding biennial period in order to renew their licenses.
3. Pursuant to N.J.A.C. 13:37-5.3(f), licensees are required to maintain documentation of completion of continuing education for a period of four years after completion, and shall submit such documentation to the Board upon request.

4. On or about May 4, 2010, Respondent completed and submitted an online biennial license renewal for the period of ~~June 1, 2010 through May 31, 2012, and Respondent's license was~~ then renewed by the Board through May 31, 2012.

5. Respondent was asked on the biennial renewal application whether Respondent would have "completed the required continuing education credits by May 31, 2010," referring to the biennial renewal period of June 1, 2008 through May 31, 2010. Respondent answered "No" to the question.

6. On or about September 23, 2010, the Board sent a letter to Respondent requesting an explanation as to why Respondent did not complete the required continuing education.

7. On or about October 21, 2010, Respondent sent a note explaining that she had moved out of state and did not know about the continuing education requirement. Respondent stated that she was in the process of "getting them ready."

8. On or about March 24, 2011, the Board sent a second letter to Respondent, advising that she had not fulfilled the continuing education requirement for the 2010 license renewal and that the matter was being referred to the Board for disciplinary action.

9. On or about December 8, 2011, the Board sent a third letter to Respondent requesting that she provide within thirty

(30) days, either proof of successful completion of 30 hours of continuing education credits or submission of her active license.

10. To date, Respondent has not complied with the Board's continuing education requirement.

CONCLUSIONS OF LAW

Respondent failed to demonstrate, to the satisfaction of the Board, completion of the required 30 hours of continuing education for the two-year period of June 1, 2008 through May 31, 2010. The Board therefore finds Respondent in violation of N.J.A.C. 13:37-5.3(b), which subjects Respondent to sanctions pursuant to N.J.S.A. 45:1-21(e) and 45:1-21(h).

Based on the foregoing findings and conclusions, a Provisional Order of Discipline ("POD") was entered by this Board on March 27, 2012, which provisionally suspended Respondent's license to practice nursing. The Provisional Order of Discipline clearly stated that it was subject to finalization by the Board at 5:00 p.m. on the 30th day following entry unless Respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written

evidence supporting Respondent's request for consideration and reasons therefor. Copies of the POD were sent to Respondent's address of record in Newark, New Jersey via certified and regular mail. Both mailings were returned to the Board with post office stickers indicating "insufficient address."

Respondent failed to submit a response to the POD. Because the POD was forwarded to Respondent's address of record, the Board deemed service to have been effected, pursuant to N.J.A.C. 13:45-3.2. Accordingly, it is determined that further proceedings were not necessary and that the Provisional Order should be made final. On May 7, 2012, a Final Order of Discipline was entered suspending Respondent's license until she submitted proof of completion of 30 hours of continuing education and obtained further Order of the Board. By the time the Final Order of Discipline was filed and prepared for mailing, Respondent had submitted an online renewal application for her license and provided a new address in Avenel. The Final Order of Discipline was mailed to the Newark address and the Avenel address. The mailing to the Avenel address was then forwarded by the post office to another newer address, also in Avenel.

After receiving the Final Order of Discipline that had been forwarded to her current address in Avenel, Respondent

petitioned the Board and provided proof of completion of thirty hours of continuing education. Respondent maintained that she ~~did not recognize the Newark address and did not provide that~~ address to the Board of Nursing as her address of record.

Respondent maintained that she lived in Avenel, albeit at two different addresses, during the relevant time periods.

The Board being satisfied that Respondent completed her continuing education, and that an administrative mishap occurred involving Respondent's address of record, and for good cause shown;

ACCORDINGLY, it is on this 13th day of July, 2012

ORDERED that:

1. The Final Order of Discipline filed on May 7, 2012 and the Provisional Order of Discipline filed on March 27, 2012 are hereby vacated in their entirety.

NEW JERSEY STATE BOARD OF NURSING

By:

Patricia Murphy PLD APN
Patricia Murphy, PhD, APN
Board President