

FILED
JUL 18 2012
 N.J. BOARD OF NURSING

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

 IN THE MATTER OF THE :
 LICENSE OF :
 :
 MAHA KANDIL, R.N. :
 License # NR 11597400 :
 :
 TO PRACTICE NURSING IN THE :
 STATE OF NEW JERSEY :

Administrative Action

FINAL ORDER
 OF DISCIPLINE

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

FINDINGS OF FACT

1. Respondent is a registered nurse in the State of New Jersey, and has been a licensee at all times relevant hereto.
2. Respondent was the subject of a Final Adjudication and Order entered on April 20, 2012 by the Board of Nursing of the Commonwealth of Pennsylvania, affirming a "memorandum order" entered on January 10, 2010, indefinitely suspending her nursing license for failure to comply with an Order issued on October 23, 2009 that respondent undergo a mental health and physical examination.. Prior to the issuance of

this order, respondent had committed recordkeeping errors and medication administration errors while employed through the Fastaff Agency at Delaware County Memorial Hospital, was suspected of diversion, and had tested positive on October 7, 2008 for Butalbital, Nordiazepam, Oxazepam and Temazepam. Respondent had been unable to produce a prescription for the medications for which she tested positive

3. Respondent's nursing license was revoked on June 28, 2011 in Maryland for inability to practice safely due to substance abuse, psychological impairment or mental disorder.

CONCLUSIONS OF LAW

1. Respondent's suspension by Pennsylvania nursing authorities, and her revocation by the Maryland nursing authorities for failure to comply with a Board order to undergo a mental and physical evaluation, and for the inability to practice safely due to substance abuse and mental impairment or disorder subjects respondent to sanctions pursuant to N.J.S.A. 45:1-21(g).

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was filed on May 4, 2012, provisionally suspending respondent's nursing license until respondent was able to demonstrate fitness and competency to practice. A copy of the Order was forwarded to respondent at her address of record with the Board by certified and regular mail. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th business 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 in writing 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.

Although the certified mailing of the Provisional Order was signed for, and the regular mailing was not returned, no response has been received to date. Accordingly, the Board found that service had been effected, inasmuch as the mailings were sent to respondent's address of record with the Board. The Board further found that since no discrepancies had been raised with regard to the Findings of Fact and Conclusions of Law of the Provisional Order, further proceedings were not necessary, and the Provisional Order should be made final.

ACCORDINGLY, IT IS on this 18th day of July, 2012,

ORDERED that:

1. Respondent's New Jersey nursing license is hereby suspended until she can demonstrate that she has been fully reinstated by Pennsylvania and Maryland, and can demonstrate to the Board's satisfaction that she is fit and competent to resume nursing practice..

NEW JERSEY STATE BOARD OF NURSING

By: Patricia Ann Murphy, PhD, APN
Patricia Ann Murphy, PhD, APN
Board President