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Attorney for the Board of Nursing

**FILED**

AUG 10 2012

**N.J. BOARD OF NURSING**

By: Barbara J.K. Lopez  
Deputy Attorney General  
(973) 648-7454

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

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IN THE MATTER OF THE SUSPENSION	:	Administrative Action
OR REVOCATION OF THE LICENSE OF	:	
	:	
STACY L. WEIGAND, L.P.N.	:	CONSENT ORDER FOR
License No. NP45088	:	REINSTATEMENT OF LICENSE
	:	
TO PRACTICE NURSING IN THE	:	
STATE OF NEW JERSEY	:	

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This matter was opened to the New Jersey State Board of Nursing ("the Board") upon receipt of an application from Stacy L. Weigand ("Respondent") for reinstatement of her license to practice nursing in this State. Pursuant to a Consent Order filed on April 15, 1997, Respondent surrendered her license to practice nursing for a period of two years. The 1997 Consent Order was based upon a finding that Respondent had engaged in professional misconduct and the use of fraud, deception,

dishonesty and/or misrepresentation relating to her fraudulent telephoning of prescriptions into a pharmacy in her own name and in the names of her family members without physician authorization. The 1997 Consent Order provided that Respondent may apply for reinstatement of her license after completion of the two year period, but required that her application for reinstatement be accompanied by a written report from a qualified mental health professional indicating that Respondent is fit, competent and sufficiently rehabilitated to reenter the nursing practice.

By letter dated April 21, 2012 Respondent informed the Board that she was interested in pursuing an LPN refresher course and reinstating her LPN license. In support of her application for reinstatement Respondent submitted two letters dated May 3, 2012; one from a Substance Abuse Recovery Therapist stating that Respondent is now able to safely practice her profession as a nurse; and a second letter from her treating psychiatrist stating that Respondent was "stable, substance free, goal directed and appears to be responsible and dependable ... and she demonstrates her readiness to resume professional nursing duties and competency to handle same." Respondent has been participating in the Recovery and Monitoring Program

("RAMP") since January 2009 and her application for reinstatement is supported by RAMP.

The Board has determined that reinstatement of Respondent's license to practice nursing is appropriate, and that given the fifteen year period that Respondent has been out of the field of nursing, retraining is appropriate, and that the within Order is sufficiently protective of the public health, safety and welfare, in lieu of further proceedings, and for other good cause shown;

ACCORDINGLY, IT IS on this 10<sup>th</sup> day of Aug. 2012,  
ORDERED AND AGREED THAT:

1. Respondent's request for reinstatement of her license to practice as a Licensed Practical Nurse in New Jersey shall be granted upon submission of proof of successful completion of nursing refresher course pre-approved by the Board, consisting of a minimum of thirty hours with a clinical component, proof of successful completion of the National Council Licensure Examination for Practical Nurses (NCLEX-PN), and review and approval of a completed application for reinstatement along with the requisite fees, information and the required Criminal History Background Check, if not already submitted.

2. Respondent shall continue her participation in, and comply with, all of the terms and conditions of participation in

the Recovery and Monitoring Program of New Jersey ("RAMP"). Respondent shall cause RAMP to inform the Board in writing if Respondent is non-compliant with, or is terminated from or resigns from further participation in the program together with the reason for and complete documentation of the non-compliance, termination and/or resignation. Notification of the Board shall be within 24 hours of determination of non-compliance, termination or resignation, or as soon thereafter as is practicable. Respondent shall provide RAMP's Director with a complete copy of the within Order.

3. Respondent shall refrain from the use of any and all potentially addictive substances except as prescribed by an authorized health care practitioner who is made aware of Respondent's substance abuse history. Respondent shall report any such use to RAMP in writing within five days of receiving such a prescription together with the name of the prescribing health care practitioner, the name of the drug, the quantity, frequency, expected length of use and reason for its use.

4. Respondent shall provide a release to RAMP allowing RAMP to provide pertinent reports, records and other information pertaining to Respondent to the Board. Respondent's signature on this Order signifies Respondent's waiver of any right to confidentiality with respect to these matters, and Respondent's

agreement that the Board may utilize any such reports, records and other information it receives from RAMP in any proceeding regarding Respondent's licensure and that the Board may release any pertinent information in its possession to RAMP.

5. Respondent shall attend regular 12 step support group meetings or the equivalent, and nurse peer support group meetings, if required by RAMP. She shall attend individual counseling and/or psychiatric treatment until successful discharge, if required by RAMP.

6. Respondent shall submit to random observed urine or hair testing if required by RAMP. Respondent's failure to submit to or provide a urine sample when requested shall be deemed to be a violation of the terms of this Order. All random alcohol and drug screens shall be negative for the presence of alcohol or drugs, unless the drugs detected by screening were properly taken pursuant to a valid prescription from a health care practitioner aware of respondent's substance abuse history. All positive results shall be confirmed by the Gas Chromatograph Mass Spectrometer (GC/MS) testing method. Chain of custody documentation must accompany all laboratory reports and/or the laboratory reports must indicate that chain of custody procedures have been followed.

7. Respondent shall work only in settings approved by

RAMP, and shall have access to or responsibility for administering, dispensing or ordering potentially addictive substances in the course of her employment, only if approved by RAMP. She shall not work more than 12 hours (excluding any additional time needed to meet documentation requirements) within any 24 hour period nor more than 40 hours per week (excluding any additional time needed to meet documentation requirements), unless approved by RAMP. Respondent shall refrain from nursing employment if required by RAMP, and shall petition the Board in writing to place her nursing license in inactive status if so required by RAMP.

8. Respondent shall provide to RAMP any and all reports required pursuant to her RAMP contract, including reports from her employer or self-assessment reports.

9. Respondent shall notify RAMP within 10 days of any change of address, or any termination, resignation or leave of absence from any place of nursing employment.

10. Respondent shall immediately inform each employer representative and nursing supervisor of the terms of this Order and provide them with a copy of the Order. Respondent shall ensure that each employer representative and nursing supervisor provides written notification on facility letterhead to RAMP acknowledging receipt of a copy of the within Order and its

terms.

11. Respondent shall remain in RAMP until successful completion of the program. Upon successful completion of RAMP, Respondent shall notify the Board in writing. Upon receipt of written notification from the Board, Respondent may then be released from the requirements of this Order, without further order of the Board. Unless Respondent has successfully completed RAMP, and received written notification from the Board that she is released from the requirements of this Order, Respondent may not modify the conditions of this Order without submitting a written petition to the Board providing a detailed explanation of the basis for the modification request, and must then enter into a new, modified agreement with the Board in the event the Board grants Respondent's petition for modification.

12. Any deviation from the terms of this Order without the prior written consent of the Board shall constitute a failure to comply with the terms of this Order. Upon receipt of any reliable information indicating that Respondent has violated any term of this Order, Respondent's license may be automatically suspended by the Board. Respondent, upon notice, may request a hearing to contest the entry of such an order. At any such hearing, the sole issue shall be whether any of the information received regarding respondent was materially false. In

addition, the Board reserves the right to bring further disciplinary action.

NEW JERSEY STATE BOARD OF NURSING

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

I have read the within Order and agree to abide by its terms.

Stacy L. Weigand  
Stacy L. Weigand, L.P.N.

7-27-12  
Date

SWORN TO AND SUBSCRIBED  
BEFORE ME THIS 27<sup>th</sup> DAY OF July, 2012

Jennifer C. Zimmer

JENNIFER C. ZIMMER  
NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires 4/19/2016