

FILED

AUG 13 2012

N.J. BOARD OF NURSING

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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 :
 :
IBRAHIM SUARAU, L.P.N. :
License # NP06095600 :
a/k/a SUARAU IBRAHIM :
 :
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 licensed practical nurse in the State of New Jersey, and has been a licensee at all times relevant hereto.
2. Respondent was denied licensure by the Montana Board of Nursing in a Final Order of Default filed on January 27, 2011. The basis for the denial was the finding that respondent submitted transcripts in support of the application for licensure that purportedly issued from the New York Institute of Technology which were not official

transcripts, or were obtained fraudulently or illegitimately, and consequently engaged in unprofessional conduct.

3. Although required pursuant to N.J.A.C. 13:37-5.9(a)4 to immediately notify the Board when the subject of any disciplinary action or order by any state of Federal agency, board or commission, respondent did not notify the Board that he was the subject of such an order.

CONCLUSIONS OF LAW

Respondent's conduct, in failing to disclose the Montana Board's action, subjects respondent to sanctions pursuant to N.J.S.A. 45:1-21(h), violation of a regulation administered by the Board.

Based on the foregoing findings and conclusions, a Provisional Order of Discipline reprimanding Respondent and imposing a two hundred and fifty dollar (\$250.00) civil penalty was entered on May 4, 2012 and a copy served on Respondent. 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 therefore.

Respondent responded via his attorney, Richard Q. Hark, Esq., with a letter dated May 24, 2012. Mr. Hark represented that Respondent accepts full responsibility for his lack of compliance with N.J.A.C. 13:37-5.9(a)4. Furthermore, the letter

explained Respondent's family situation. At the time of the investigation by the Montana Board Respondent was the sole provider for his family, with children that were 1, 5 and 8 years old. Furthermore, Respondent was working weekend and holiday shifts, on top of his normal hours at his employer nursing home. As such, Respondent's time was entirely spent working and caring for his young family.

Additionally, Mr. Hark wrote that Respondent did not perceive the Montana Board's denial of an application to constitute a disciplinary action that would require reporting to this Board. Instead, Respondent failed to respond to the Montana Board because of an inability to devote the time and money such a response would require, and because he was not aware of the consequences such default could have on his New Jersey license. Respondent requested that no reprimand be entered against him, but is willing to pay any fine forthwith.

Respondent's submissions were reviewed by the Board, and the Board determined that further proceedings were not necessary and that no material discrepancies had been raised. The Board was not persuaded that the submitted materials merited further consideration, as Respondent did not dispute the Findings of Fact or conclusions of Law.

ACCORDINGLY, IT IS on this 13th day of Aug. , 2012,

ORDERED that:

1. A public reprimand is hereby imposed upon respondent for the violation of N.J.A.C. 13:37-5.9(a)4.
2. A civil penalty in the amount of \$250.00 is hereby imposed. Payment shall be in the form of a certified check or money order, made payable to the State of New

Jersey, and shall be submitted no later than fifteen (15) days subsequent to the filing of a Final Order of Discipline in this matter.

NEW JERSEY STATE BOARD OF NURSING

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