

FILED

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N.J. BOARD OF NURSING

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

IN THE MATTER OF THE SUSPENSION :
OR REVOCATION OF THE LICENSE OF : Administrative Action
:
MICHELLE EILEEN GRAFF, RN :
License # 26NR10430300 : CONSENT ORDER
:
TO PRACTICE NURSING IN :
THE STATE OF NEW JERSEY :
_____ :

This matter was opened to the New Jersey State Board of Nursing ("Board") upon receipt of information which revealed that Michelle Eileen Graff, RN ("Respondent") was suspended from her nursing employment pending an investigation of theft of blank prescriptions and failure to disclose a suspended license in a sister state (Pennsylvania). Thereafter, Respondent was terminated from her employment. Respondent was arrested on April 3, 2012 by Haddonfield police officers and charged with violating

N.J.S.A. 2C:20-3A (Theft of Movable Property). Respondent was also arrested on May 2, 2012 by Cherry Hill police officers and charged with violating N.J.S.A. 2C:21-1 (Forgery) and N.J.S.A. 2C:35-13 (Obtaining Controlled Dangerous Substances by Fraud).

On April 16, 2010, the Pennsylvania Board of Nursing issued a Final Order suspending Respondent's license to practice nursing in Pennsylvania for three years, retroactive to February 23, 2010. The basis for the Order was Respondent's violation of a 2004 Consent Order (and Extensions in 2007 and 2008) requiring her to remain in and make satisfactory progress in an approved treatment and monitoring program for substance abuse.

The Board finds that Respondent has had her authority to engage in the practice of nursing suspended by another state and is thus subject to sanctions pursuant to N.J.S.A. 45:1-21(g). Additionally, the allegations of prescription theft, forgery, and obtaining controlled dangerous substances by fraud, if proven, demonstrate that Respondent: is presently engaged in drug or alcohol use that is likely to impair her ability to practice nursing with reasonable skill and safety within the intendment of N.J.S.A. 45:1-21(l); engaged in acts constituting a crime or offense involving moral turpitude or relating adversely to the practice of nursing according to N.J.S.A. 45:1-21(f); and engaged

in the use or employment of dishonesty, fraud, deception, misrepresentation, false promise or false pretense within the intentment of N.J.S.A. 45:1-21(b).

The Board having reviewed this matter, and having considered the nature of the above conduct, and the parties desiring to resolve this matter, and the Board having determined 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;

IT IS, THEREFORE, ON THIS 21st DAY OF Aug., 2012,
ORDERED AND AGREED THAT:

1. Respondent's license to practice nursing in the State of New Jersey is hereby suspended until Respondent's Pennsylvania license to practice nursing is reinstated and Respondent can demonstrate, to the satisfaction of the Board, that she is fit and competent to practice. Respondent shall, contemporaneously with the signing of this Order, forward her nursing license, both wallet and wall versions, to Barbara J.K. Lopez, DAG, P.O. Box 45029, Newark, New Jersey 07101, on behalf of the Board of Nursing.

2. Respondent shall immediately cease and desist from holding herself out as a Registered Professional Nurse in the

State of New Jersey and shall refrain from the practice of nursing in the State of New Jersey pending further Order of the Board.

3. The Board shall not entertain any application for reinstatement from Respondent unless and until Respondent's Pennsylvania license to practice nursing is reinstated and Respondent can demonstrate, to the satisfaction of the Board, that she is fit and competent to practice. Respondent shall appear before the Board prior to reinstatement, if so requested by the Board. The Board reserves the right to impose limitations or conditions under which any return to practice should take place.

4. The entry of the within Order is without prejudice to the further investigation and/or prosecution of any violations by Respondent of any statutes or regulations governing nursing practice in the State of New Jersey or any other violations of law, by the Board, the Attorney General, or any other regulatory or law enforcement agency, including, but not limited to, pending criminal charges and or any pending matters under investigation.

5. Nothing herein shall preclude the Board from initiating further disciplinary action based upon any new information obtained, including any convictions resulting from pending

criminal charges.

NEW JERSEY STATE BOARD OF NURSING

By: Patricia Murphy PLD APRN
Patricia Murphy, PhD, APN
Board President

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

Michelle Eileen Graff
Michelle Eileen Graff, RN
License # 26 NR10430300

Consent as to entry and form of this Order.

John S. Sitzler
John S. Sitzler Esq.
Attorney for Michelle Eileen Graff, RN