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**FILED**

JAN 17 2013

**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 SUSPENSION  
OR REVOCATION OF THE LICENSE OF

JONATHAN J. ZIHALA, L.P.N.  
LICENSE NO. 26NP05680400

TO PRACTICE NURSING IN  
THE STATE OF NEW JERSEY

Administrative Action

FINAL CONSENT ORDER

This matter was opened to the New Jersey State Board of Nursing (hereinafter the "Board") upon the filing of an Interim Consent Order on or about January 11, 2012 pursuant to which Respondent Jonathan J. Zihala ("Respondent") agreed to surrender his license to practice nursing until further order of the Board.

On or about November 14, 2011, Respondent was arrested by the Dover Police Department and charged with one count of Endangering the Welfare of a Child, in violation of N.J.S.A. 2C:24-4a, a crime of the third degree, and one count of Lewdness, in violation of N.J.S.A. 2C:14-4b(1), a crime of the fourth degree. On or about

July 31, 2012, Respondent pled guilty in the Morris County Superior Court of New Jersey to one count of Endangering the Welfare of a Child, in violation of N.J.S.A. 2C:24-4a, a crime of the third degree. He admitted to having exposed his penis on one occasion to a four (4) year old girl.

Respondent was sentenced and a Judgment of Conviction was entered on October 5, 2012. Respondent's sentence was suspended for three (3) years subject to his compliance with Parole Supervision for Life, registration and reporting requirements under Megan's Law, participation in psychotherapy and completion of a psychiatric evaluation and any subsequent recommendations. Respondent must also surrender his nursing license and may never resume the practice of nursing. Respondent is barred from having any contact with the victim or her family and may not have any unsupervised contact with children under sixteen (16) years of age, except his son.

The Board finds that Respondent's conviction and admission constitute a violation of N.J.S.A. 45:1-21(e) (providing that disciplinary action may be taken against a licensee who engages in professional or occupational misconduct), 45:1-21(f) (providing that disciplinary action may be taken against a licensee that has been convicted of any crime or offense involving moral turpitude or relating adversely to the activity regulated by the Board) and 45:1-21(h) (providing that disciplinary action may be taken against

a licensee who violated or failed to comply with the provisions of any act or regulation administered by the board), specifically N.J.A.C. 13:37-8.3(h).

Respondent desiring to resolve this matter without need for formal disciplinary proceedings, and the Board being satisfied that the need for such proceedings is obviated by the entry of the within Order, and being further satisfied that good cause exists to support entry of the within Order,

It is on this 17 day of JANUARY, 2013,  
~~December~~

Ordered and Agreed.

1. Respondent, Jonathan J. Zihala's, L.P.N., license to practice nursing is hereby revoked.
2. Respondent is barred from re-application for licensure by this Board.

NEW JERSEY STATE BOARD OF NURSING

Patricia Murphy, Ph.D., APN, FAAN, R.N.  
By: Patricia Murphy, Ph.D., APN, FAAN, R.N.  
Board President

I have read and understood this Order and consent to be bound by its terms. Consent is hereby given to the Board to enter this Order.

[Signature]  
Jonathan J. Zihala, L.P.N.  
Date: 1/4/13