

**F I L E D**

FEB 11 2013

**N.J. BOARD OF NURSING**

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

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IN THE MATTER OF THE :  
LICENSE OF :  
:  
:  
SYLVIA CARTWRIGHT, R.N. :  
License # 26NO08258600 :  
:  
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 upon 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. On or about March 22, 2012, respondent indicated that she had completed the continuing education for the June 1, 2008-May 31, 2010 renewal period but was unable to provide documentation of completion.
3. On or about May 15, 2010, respondent renewed her New Jersey nursing license on-line, and indicated that she would have completed required continuing education credits by May 31 2012.
4. Pursuant to N.J.A.C. 13:37-5.3, respondent is required to retain documentation of required continuing education for a minimum of four years.

## CONCLUSIONS OF LAW

Respondent's failure to provide documentation of timely completion of required continuing education credits for the 2008-2010 renewal period is a violation of N.J.A.C. 13:37-5.3, subjecting respondent to sanctions pursuant to N.J.S.A. 45:1-21(e) and (h).

Based upon respondent's inability to document any continuing education completed during the 2008-2010 renewal period, the Board finds that respondent's indicating upon renewal that she would have timely completed required continuing education constitutes misrepresentation within the intendment of N.J.S.A. 45:1-21(b).

Based on the foregoing findings and conclusions, a Provisional Order of Discipline imposing a reprimand, a two hundred and fifty dollar (\$250) civil penalty, and suspending Respondent's license until she completed continuing education was entered on September 25, 2012. Copies were served upon Respondent via regular and certified mail. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the thirtieth day following entry unless Respondent requested a modification or dismissal of the stated findings of fact and conclusions of law by 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.

Respondent timely responded to the Provisional Order of Discipline by providing evidence of completion of more than sixty hours of continuing education. However, the evidence submitted demonstrates that Respondent only completed 5.75 hours during the biennial renewal period of June 1, 2008 – May 31, 2010. All other courses were completed in 2012

The Board reviewed Respondent's submissions and 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. Inasmuch as Respondent completed enough hours of continuing education to cure her deficiencies for the 2008 – 2010 and 2010 – 2012 biennial renewal periods, the Board determined that suspension was no longer warranted. However, the Board determined that Respondent's failure to complete the required continuing education during the 2008 – 2010 biennial renewal period warrants imposition of a two hundred and fifty dollar (\$250) civil penalty. Additionally, the Board determined that Respondent's false answer on the renewal application indicating that she had completed all the required hours of continuing education warrants a reprimand.

**ACCORDINGLY, IT IS** on this 11 day of Feb, 2013,

**ORDERED that:**

1.. A public reprimand is hereby imposed upon respondent for violation of N.J.S.A. 45:1-21(b).

3. A \$250.00 civil penalty is hereby imposed for the violation of N.J.S.A. 45:1-21(e) and (h). Payment shall be made by certified check or money order payable to "State of New Jersey," delivered or mailed to George Hebert, Executive Director, State Board of Nursing, P.O. Box 45010, Newark, New Jersey 07101. Payment shall be made no later than 15 days after the date of filing of this Final Order of Discipline. In the event Respondent fails to make a timely payment, a certificate of debt shall be filed

in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law.

NEW JERSEY STATE BOARD OF NURSING

By:

*Patricia Murphy PhD APN*

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Patricia Ann Murphy, PhD, APN  
Board President