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ATTORNEY GENERAL OF NEW JERSEY
Division of Law
124 Halsey Street, 5th Floor
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Attorney for the Board of Nursing

FILED

APR 22 2013

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
STATE BOARD OF NURSING

IN THE MATTER OF THE SUSPENSION : Administrative Action
OR REVOCATION OF THE LICENSE OF :
: :
CHERYL A. LONG, LPN : ORDER OF SUSPENSION
License # 26NP05669600 : OF LICENSE
: :
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 indicating the following:

1. Cheryl A. Long ("Respondent") is a Licensed Practical Nurse (LPN) in the State of New Jersey and has been a licensee at all relevant times. (Exhibit A).

2. Respondent consented to and signed a Consent Order with the Board on or about August 22, 2012. (Exhibit B). The

Consent Order was based upon Respondent's December 26, 2011¹ arrest by members of the Medford police department for obtaining controlled dangerous substances (180 pills of oxycodone) by means of a fraudulent prescription. Respondent admitted to the conduct alleged. The Consent Order reprimanded Respondent and required her to enroll in and participate with the Recovery and Monitoring Program ("RAMP") of the Institute of Nursing to undergo a comprehensive mental health and substance abuse evaluation. (Exhibit B).

3. On or about November 28, 2012, the Board received a flagging notice indicating that Respondent had been arrested on July 25, 2012 by members of the Winslow Township Police Department and charged with Obtaining Controlled Dangerous Substance by Fraud in violation of N.J.S.A. 2C:35-13. (Exhibit C).

4. The Board contacted RAMP and RAMP revealed that Cheryl A. Long had not enrolled in RAMP nor participated with RAMP. (Exhibit D).

5. On or about March 20, 2013, a communication was sent to Respondent at her address of record by overnight and regular

¹ The Consent Order mistakenly stated the date as January 26, 2011.

mail, advising Respondent that the Board had received information indicating that she was not in compliance with the Consent Order and that she had failed to enroll in RAMP. Respondent was further advised to provide the Board with proof of any inaccuracy in that information within two weeks. (Exhibit E).

6. Respondent timely replied and acknowledged that she had failed to enroll in or participate with RAMP. Respondent cited reasons to explain her failure to enroll in RAMP. First, Respondent claims that she is financially restricted. Additionally, she maintains that she has been rendered disabled after an accident and she is unsure if she will be able to work again. Lastly, she maintains that she is participating with SODAT (Services to Overcome Drug Abuse Among Teenagers) and NA (Narcotics Anonymous) and that she believes them to be similar to RAMP. Respondent provided no documentation of the requirements of such programs or her participation in them, nor do they comply with the Consent Order she signed whereby she agreed to enroll in and participate with RAMP. (Exhibit F).

7. The Consent Order signed by Respondent provided for automatic suspension of Respondent's nursing license upon receipt of reliable information indicating that Respondent had

violated any term of the Order. The Order states that Respondent may, upon notice to the Board, request a hearing to contest her automatic suspension; however, at any such hearing, the sole issue shall be whether any of the information received regarding Respondent was materially false. The Board also reserved the right to bring further disciplinary action. (Exhibit B).

CONCLUSIONS OF LAW

Respondent's failure to enroll in or participate with RAMP violates the Consent Order and constitutes a violation of N.J.A.C. 13:45C-1.4, subjecting Respondent to sanctions pursuant to N.J.S.A. 45:1-21(e), and automatic suspension of her license as provided in the Consent Order. Additionally, according to Respondent, she suffered injuries and is thus "disabled" and appears incapable, for medical or any other good cause, of discharging the functions of a licensee in a manner consistent with the public's health, safety and welfare within the intendment of N.J.S.A. 45:1-21(i).

ACCORDINGLY, IT IS on this 22nd day of Apr., 2013,

HEREBY ORDERED that:

1. Respondent's license to practice nursing in the State of New Jersey is hereby suspended for her violation of the terms

of the Consent Order, which is a violation of a Board Order within the intendment of N.J.A.C. 13:45C-1.4 and N.J.S.A. 45:1-21(e).

2. Respondent may, under the terms of the Consent Order, request a hearing, upon notice, on the sole issue of whether information received that Respondent has failed to comply with the terms of the Order was materially false.

3. In the event that Respondent seeks reinstatement of her New Jersey nursing license at any future time, the Board shall not entertain any application for reinstatement without a demonstration by Respondent that she has enrolled in RAMP, participates with RAMP, and is in full compliance with the terms and conditions of the Order and with any agreement with RAMP, in addition to a demonstration that she is fit and competent to practice.

NEW JERSEY STATE BOARD OF NURSING

By: Patricia Murphy Ph.D. APN
Patricia Murphy, PhD, APN
Board President

Exhibit

A

Cheryl A. Long

Date of birth: ~~XXXXXXXXXX~~

Date of death:

License No.: **26NP05669600**

Profession: Nursing

License type: Licensed Practical Nurse

License status: **Active**

Last renewal date: 05/17/2011

Probation: Y

Date this status: 07/29/2005

Expiration date: 05/31/2013

Issue date: 07/29/2005

Address of Record

19 Concord Blvd
Sicklerville, NJ 08081

Education

School name: TICC

Degree/Certificate: Certificate of Completion

Date Graduated: 06/01/2005

Major: Nursing

Prerequisite License(s)

None

Exhibit

B

FILED
AUG 27 2012
N.J. BOARD OF NURSING

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Attorney for the State Board of Nursing

By: Susan Carboni
Deputy Attorney General
Tel. (973) 648-2894

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

IN THE MATTER OF THE LICENSE OF : Administrative Action
: :
CHERYL A. LONG, L.P.N. :
LICENSE # NP 05669600 : 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 that respondent had been arrested on January 26, 2011 and charged with obtaining

a controlled dangerous substance by fraud, and obtaining 180 pills of oxycodone by means of a fraudulent prescription. Respondent has admitted to the conduct, and admits to having exercised poor judgment. Respondent indicated that she engaged in this conduct as a "desperate measure" because of dire financial circumstances. Respondent assures the Board that she has been cooperating with the Medford Police Department in this matter, and has expressed regret for her behavior.

The Board finds that respondent's conduct, as set forth above, relates adversely to nursing within the intendment of N.J.S.A. 45:1-21(f).

The Board finding that entry of the within order at this juncture is appropriate, and having determined that under the circumstances a mental health and substance abuse evaluation and a period of monitoring will sufficiently protect the public health, safety and welfare, in lieu of further proceedings, and for other good cause shown;

IT IS on this *22nd* day of *August*, 2012

HEREBY ORDERED AND AGREED that:

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

2. Respondent shall enroll in the Recovery and Monitoring

Program of New Jersey (RAMP) and agree to undergo a comprehensive mental health and substance abuse evaluation to be conducted by a qualified mental health evaluator as recommended by RAMP, within 30 days of enrollment, unless RAMP authorizes a later date. The evaluator shall prepare a report which shall include an evaluation of respondent's mental health condition and substance use history (if any), and whether respondent is able to safely and competently practice nursing, and said report shall include recommendations for further treatment and monitoring, if applicable, including the need for random urine screens or limitations of practice.

3. Respondent shall follow the recommendations (if any) by RAMP and/or the evaluator for further treatment and/or more lengthy enrollment in RAMP. Subsequent to evaluation, respondent shall limit her nursing practice, if recommended by RAMP, which may include respondent placing her license in inactive status.

4. Respondent shall enroll in, and comply with all of the terms and conditions of, participation in the RAMP program for a minimum of 90 days. Respondent shall submit a copy of her initial application and contract with RAMP within 30 days of the effective date of this Order. 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 with a complete copy of the within Order.

5. 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 between respondent, RAMP and the Board, 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.

6. During respondent's period of RAMP enrollment, 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, if there is such a history. Respondent shall report any such use to the 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.

7. While enrolled in RAMP, respondent shall attend regular 12 step support group meetings or the equivalent, and nurse peer support group meetings, as required by RAMP. She shall attend individual counseling and psychiatric treatment until successful discharge, if required by RAMP.

8. While enrolled in RAMP, respondent shall submit to random observed urine testing as 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, if applicable.

9. Respondent shall be responsible for all costs of the comprehensive mental health and substance abuse evaluation, urine screens, the enrollment/participation fees associated with RAMP and/or further treatment and monitoring, if applicable.

10. Respondent shall obey all of the laws of the State of New Jersey, the United States and their political subdivisions as well as all regulations, rules or laws pertaining to the practice of nursing in the State or jurisdiction in which he practices nursing. Respondent shall report to the Board within ten (10)

days any arrest, indictment or conviction for any crime or disorderly persons offense.

11. Respondent shall remain in RAMP until successful completion of or release from the program. Until respondent has successfully completed RAMP or been released from the program, respondent may not modify the conditions of this agreement without submitting a written petition to the Board providing a detailed explanation of the basis for the modification request, and then entering into a new, modified agreement with the Board.

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.

13. The Board reserves the right, in the event that respondent's 2011 arrest results in a criminal conviction, to revisit this matter, ascertain whether respondent's conduct was more egregious than is presently apparent from respondent's depiction of her role in the criminal enterprise, and impose

additional and/or more restrictive sanctions regarding
respondent's license.

NEW JERSEY STATE BOARD OF NURSING

By: _____

Patricia Murphy PhD APN
Patricia Ann Murphy, PhD, APN, C
Board President

I have read and understand
the within Consent Order
and agree to be bound by
its terms.

Cheryl A. Long
Cheryl A Long

Exhibit

C



New Jersey Office of the Attorney General

FLAGGING

November 28, 2012

To: Board Of Nursing

REF: Cheryl A. Long

DOB: ~~XXXXXXXXXX~~

SS#: ~~XXXXXXXXXX~~

Applicant #: 1124732

As a result of the Flagging System, the following information has been revealed:

1. The above individual was arrested on 07/25/12, by Winslow Township Police Department, for 2C:35-13, Obtaining Controlled Dangerous Substance by Fraud. Agency Case # BCI154949.

Please contact this office at 609-826-7126 if you have any questions, concerning the above or dispute any of this information.

Sincerely,
Louis J. Krofka, Chief
Criminal History Review Unit (J.Mc.)

Exhibit

D

JEFFREY S. CHIESA
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Division of Law
124 Halsey Street, 5th Floor
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Newark, New Jersey 07101
By: Barbara J.K. Lopez
Deputy Attorney General
(973) 648-7454

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
:
CHERYL A. LONG, LPN : CERTIFICATION OF
License # 26NP05669600 : JAMIE SMITH
:
TO PRACTICE NURSING IN THE :
STATE OF NEW JERSEY :
:
:

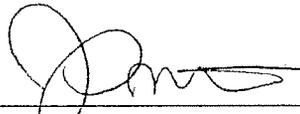
I, Jamie Smith, MSN, RN, CCRN, of full age, certify as follows:

1. I am a registered nurse in the State of New Jersey.
2. I am employed as the Interim Director of the Recovery and Monitoring Program (RAMP), with offices at the Institute of Nursing, 1479 Pennington Road, Trenton, New Jersey 08618. In the course of my employment, I perform the task of informing the Board of Nursing when a RAMP participant is non-compliant and may not be safe to practice. In the course of my employment, I am a custodian of RAMP's records kept in the ordinary course of business.

I searched RAMP's records pertaining to Cheryl A. Long, LPN and I make this certification based upon the results of my search.

3. RAMP's records indicate that Ms. Long is not enrolled in RAMP and does not participate with RAMP. RAMP has no record of Ms. Long ever contacting RAMP.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements are willfully false, I am subject to punishment.



Jamie Smith, MSN, RN, CCRN
Interim RAMP Director

Date: 3/28/13

Exhibit

E



State of New Jersey

OFFICE OF THE ATTORNEY GENERAL
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF LAW
PO Box 45029
Newark, NJ 07101

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

JEFFREY S. CHIESA
Attorney General

CHRISTOPHER S. PORRINO
Director

March 20, 2013

via regular and overnight mail

Cheryl Long
19 Concord Blvd.
Sicklerville, NJ 08081

Re: Noncompliance with Consent Order

Dear Ms. Long:

The New Jersey State Board of Nursing received credible information indicating that you are not in compliance with the Consent Order you signed on or around August 22, 2012. The Consent Order required, in part, that you enroll in and participate in the Recovery And Monitoring Program (RAMP) of New Jersey to undergo a comprehensive mental health and substance abuse evaluation. According to RAMP, you failed to contact RAMP and failed enroll.

The Order provides for automatic suspension of your New Jersey nursing license for noncompliance with the Consent Order. If the information the Board received is not accurate, please forward proofs that you are in compliance with the Consent Order to my attention within two weeks. Your failure to demonstrate that you are in compliance with the Consent Order may result in the filing of a public Order of Suspension of your nursing license in New Jersey.

You may, of course, consult with an attorney if you so desire. If you have any questions, feel free to call me.



March 20, 2013
Page 2

Sincerely yours,

JEFFREY S. CHIESA
ATTORNEY GENERAL OF NEW JERSEY

By: Barbara J.K. Lopez
Barbara J.K. Lopez
Deputy Attorney General



Proof of Delivery

[Close Window](#)

Dear Customer,

This notice serves as proof of delivery for the shipment listed below.

Tracking Number:	1ZF0461E2210399516
Service:	UPS Next Day Air®
Shipped/Billed On:	03/20/2013
Delivered On:	03/21/2013 9:53 A.M.
Delivered To:	SICKLERVILLE, NJ, US
Left At:	Front Door

Thank you for giving us this opportunity to serve you.

Sincerely,

UPS

Tracking results provided by UPS: 03/27/2013 4:36 P.M. ET

[Print This Page](#)

[Close Window](#)

Exhibit

F

3-21-13

Dear Ms Lopez

I want to let you know the reason I could not go to RAMP. First was the money. I live off 772.00 monthly. I now have a lawsuit against SEPTA. A bus hit me + rendered me pretty much disabled. I am not sure I will be able to work again anyway. Second, I have been going to SODAT in Camden since June, 2012. I believe it's similar to RAMP. I apologize but my therapy is intense from being hit by the bus + then SODAT takes up 3 nights weekly + I also go to NA. I really want to retain my license + I hope there is still something I can do in case I am able to perhaps work a couple days a week at private duty or something like that.

Thank you for your assistance.

Very truly yours,

Cheryl Long