

FILED
MAY 29 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 :
:
REBECCA A. PICHEN, R.N. : ADMINISTRATIVE ACTION
License No. 26NO11708300 :
:
:
TO PRACTICE NURSING IN THE STATE : FINAL ORDER OF
OF NEW JERSEY : 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. Rebecca A. Pichen ("Respondent") is a registered professional nurse in the State of New Jersey and has been a licensee at all times relevant hereto.

2. Upon receipt of a flagging notice indicating that Respondent was arrested on August 15, 2012 by the Waterford Township Police Department for violation of N.J.S.A. 2C:21-17, Wrongful Impersonation, N.J.S.A. 2C:17-3(b)(2), Criminal Mischief, and N.J.S.A. 2C:21-5(c)(2), Bad Checks, the Board sent a letter of inquiry, requesting certain information and submission of documents, to Respondent's address of record in Atco, New Jersey, via regular and certified mail on or about August 24, 2012. The

regular mailing was not returned; the United States Postal Service ("USPS") reports that the certified mailing arrived in Berlin, New Jersey on August 29, 2012. USPS provided no additional information.

3. To date, Respondent has not responded to the Board's request for information.

CONCLUSIONS OF LAW

Respondent's failure to respond to the Board's request for information constitutes a failure to cooperate with a Board investigation, in contravention of N.J.A.C. 13:45C-1.2, -1.3, in violation of N.J.S.A. 45:1-21(e), subjecting Respondent to disciplinary action pursuant to N.J.S.A. 45:1-21(h).

Respondent's failure to provide the Board with a valid address constitutes a violation of N.J.A.C. 13:37-5.7.

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on February 4, 2013 provisionally suspending respondent's nursing license, and imposing a \$200.00 civil penalty. A copy of the Order was served upon respondent by certified and regular mail at her address of record. 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 therefor.

Ms. Pichen responded to the Provisional Order, providing the information and documentation that the Board had originally requested. The Board therefore determined that suspension of Ms. Pichen's license was no longer appropriate. However, the Board determined that in light of Ms. Pichen's earlier failure to respond, which led to an unnecessary expenditure of time and effort in order to obtain information that should have been furnished earlier, the Board further determined that imposition of the monetary penalty for Ms. Pichen's initial failure to cooperate was appropriate.

ACCORDINGLY, IT IS on this 29th day of May, 2013,

ORDERED that:

1. A civil penalty in the amount of \$200.00 is hereby imposed upon Respondent. Payment shall be made by certified check or money order, payable to the State of New Jersey, delivered 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 entry 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.

2. Nothing herein precludes the Board from taking action on the underlying conduct that was originally the subject of inquiry in this matter.

NEW JERSEY STATE BOARD OF NURSING

By: Patricia Murphy PhD APN
Patricia Murphy, PhD, APN
President