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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
BOARD OF NURSING

IN THE MATTER OF THE SUSPENSION	:	Administrative Action
OR REVOCATION OF THE LICENSE OF	:	
	:	
DIANE CANNITO, R.N.	:	ORDER OF SUSPENSION
LICENSE # NO 12389500	:	OF LICENSE
	:	
	:	
TO PRACTICE AS A	:	
REGISTERED NURSE (R.N.) IN THE	:	
STATE OF NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Nursing (" Board") upon the receipt of information indicating the following;

1. Respondent, Diane Cannito, is the holder of License No. NO 12389500 and is a registered professional nurse in the State of New Jersey.

2. Respondent entered into a private letter agreement with the Board, which she signed on or about March 6, 2012. (Exhibit A) The agreement required respondent to enroll in the Recovery and Monitoring Program of New Jersey (RAMP), undergo evaluation and monitoring, agree to follow recommendations by RAMP for further treatment, and to refrain from the use of any and all potentially addictive substances. (Exhibit A, ¶¶2, 6, and 10.) The agreement was to have the force and effect of a Board Order within the intendment of N.J.A.C. 13:45C-1.4. In the event that the Board received reliable information that respondent had acted in violation of the RAMP contract and/or the agreement, the agreement was no longer to remain confidential.

3. In a communication dated June 7, 2013, RAMP Case Manager Nancy Haddock advised the Board that respondent was noncompliant with RAMP monitoring requirements. (Exhibit B)

4. On or about July 22, 2013, a letter issued by overnight and regular mail to respondent at her address of record, advising respondent that the Board had received credible information indicating that she was not in compliance with the private letter agreement, and advising her to forward within five days any proof that she was currently in compliance with RAMP. The overnight mailing was delivered on July 24, 2013. The regular mailing was not returned. No response has been received to date. (Exhibit C)

5. The private letter agreement signed by respondent

provided for automatic suspension of respondent's nursing license upon receipt of reliable information indicating that respondent has violated any term of the private letter agreement. (Exhibit A, ¶13)

6. A certification from RAMP's Director dated August 15, 2013 indicates that respondent ceased participation in the RAMP program as of May 24, 2013, and since that date has not called in to see whether substance abuse screening was scheduled, has not reported for screenings, has not submitted any required reports, and has not responded to RAMP's attempts to contact her. (Exhibit D) This conduct constitutes a violation of the private letter agreement signed by respondent and thus provides grounds for automatic suspension of respondent's license to practice nursing.

IT IS on this 19th day of August, 2013

HEREBY ORDERED that:

1. Respondent's license to practice nursing in the State of New Jersey shall be and hereby is suspended for her violation of the private letter agreement, which is deemed 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 private letter agreement, upon notice, request a hearing on the sole issue of whether respondent has failed to comply with the terms of the private letter agreement.

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 respondent's demonstrating that she is in full compliance with the terms and conditions of the private letter agreement and with any agreement with RAMP.

NEW JERSEY STATE BOARD OF NURSING

By:

Patricia Murphy PhD, APN

Patricia Ann Murphy, PhD, APN, C
Board President