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FILED

AUG 27 2013

N.J. BOARD OF NURSING

By: Barbara J.K. Lopez
Deputy Attorney General
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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	:	
	:	
DAVID G. NICOLL, R.N.	:	ORDER OF VOLUNTARY
LICENSE #26NO11724900	:	SURRENDER OF LICENSE
	:	TO BE DEEMED A
TO PRACTICE AS A NURSE IN	:	REVOCATION
THE STATE OF NEW JERSEY	:	
	:	

This matter was opened to the New Jersey State Board of Nursing ("Board") upon receipt of information which revealed that David G. Nicoll ("Respondent"), a Registered Professional Nurse in the State of New Jersey, was arrested in April 2013 by Federal authorities and charged with Conspiracy to Bribe Physicians. Respondent is President and part-owner of Biodiagnostic Laboratory Services LLC (BLS). It was alleged that he participated in a long-running scheme to bribe doctors to refer patient blood samples to BLS and to order unnecessary

tests, resulting in millions of dollars in profit for the company.

On May 22, 2013, Respondent and the Board entered into an Interim Consent Order of Voluntary Surrender of License pending disposition of the criminal charges and until further Order of the Board. In June 2013, Respondent pled guilty to federal charges of conspiracy to bribe physicians and money laundering. He faces sentencing, including jail time.

The Board finds that Respondent was convicted of a crime or offense involving moral turpitude and relating adversely to the practice of nursing pursuant to N.J.S.A. 45:1-21(f), and engaged in the use or employment of dishonesty, fraud, deception, or misrepresentation pursuant to N.J.S.A. 45:1-21(b), both of which provide a basis for disciplinary action against Respondent's license. For the purposes of N.J.S.A. 45:1-21(f), a plea of guilty is deemed a conviction.

It appearing that there is good cause for the entry of this Order; that Respondent and the Board agree to its entry; Respondent waiving any right to a hearing; and the Board finding the within Order is sufficiently protective of the public health, safety, and welfare; and for other good cause shown;

ACCORDINGLY, IT IS on this 29th day of Aug. 2013,

ORDERED AND AGREED THAT:

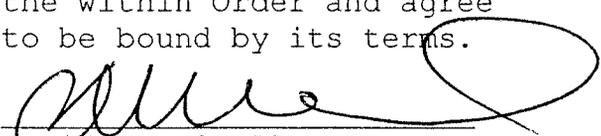
1. Respondent hereby voluntarily surrenders his license to practice nursing in the State of New Jersey to be deemed a revocation. Respondent shall not hereafter apply for reinstatement of his license.

2. By signing below, Respondent certifies that he has been unable to locate his actual paper licenses, both wallet and wall versions, and represents that he will continue to search for them and forward them to the Board of Nursing when found.

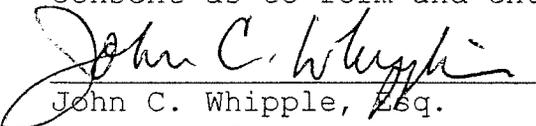
NEW JERSEY STATE BOARD OF NURSING

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

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


David G. Nicoll, R.N.
License # 26NO11724900

Consent as to form and entry.


John C. Whipple, Esq.
Attorney for David G. Nicoll, R.N.