

Diane M. Davis ("Respondent") holds New Jersey license 26NO09004600 as a Registered Nurse with the Board. Respondent is employed by Home Companion Care, LLC ("Home") in Turnersville, New Jersey as a Registered Nurse. Beginning with Home's renewal Board registration in 2008, and for every subsequent year thereafter, Respondent was identified by Home as its Nursing Supervisor.

Through its investigation, the Board has determined that while serving as Home's Nursing Supervisor, Respondent engaged in multiple violations of N.J.S.A. 45:11-23 and N.J.A.C. 13:37-6.2 by failing to ensure that aides assigned to clients who required personal care were Certified Homemaker-Home Health Aides; failing to document that the care provided did not exceed the scope of the delegated tasks and procedures; and/or that the delegated tasks were performed in a satisfactory manner.

Given the above, the Board finds that Respondent has violated the statutes and/or regulations governing the practice of nursing pursuant to N.J.S.A. 45:1-21(h).

The parties being desirous of resolving this matter, without any admissions of wrongdoing, and the Board, being satisfied that entry of the within Order obviates the need for formal proceedings, and being further satisfied that the within disposition is adequately protective of the public health, safety and welfare, and for good cause shown

IT IS, therefore, ON THIS 30 day of August, 2013, ORDERED and AGREED that:

1. Respondent is hereby reprimanded for violating the statutes and/or regulations governing the practice of nursing.
2. Respondent is assessed an aggregate civil penalty of \$3,500 pursuant to N.J.S.A. 45:1-25 for the violations described herein. Respondent shall pay a total of \$3,500 in penalties

and costs in six (6) equal monthly installments of \$583.33 each. The first payment shall be due on or before October 1, 2013, with each subsequent payment due on the first day of each of the following five months. All monthly payments shall be made by money order or other certified funds payable to the Treasurer, State of New Jersey, and forwarded to the attention of George Hebert, Executive Director of the Board of Nursing, 124 Halsey Street, 6th Floor, P.O. Box 45027, Newark, NJ, 07101.

3. A Certificate of Debt reflecting the \$3,500 currently due and owing shall be filed with the New Jersey Superior Court.

4. In the event Respondent defaults on the payment terms of this Order she specifically acknowledges that: 1. Following notice by certified and regular mail to Respondent's address on file with the Board, she shall have five (5) business days to cure the deficiency by immediately making all overdue payments to the Board; 2. Failure to cure the default within the specified time shall result in the default of Respondent's obligations under this Order without further notice or opportunity to be heard; 3. Upon default of any and all amounts then due and owing under this Order, including any future installments, shall immediately be due in full; 4. The Board may issue a summary order of suspension of Respondent's license to practice nursing in the State of New Jersey. The summary suspension order may issue following a certification from the Board's Executive Director of Respondent's default and failure to cure, without further notice to Respondent or opportunity to be heard; and 5. Following the issuance of a summary suspension order pursuant to the proceeding, any application by Respondent to lift the suspension shall not be considered by the Board unless and until all payments due under this Order have been paid in full.

5. Respondent shall reimburse the Board's investigative costs and fees totaling

\$4,312.64 pursuant to N.J.S.A. 45:1-25(d). The payment of said costs and fees shall be suspended provided that Respondent complies with the terms of this Consent Order and the rules and regulations governing the practice of nursing in the State of New Jersey.

6. The Board shall retain jurisdiction to enforce the terms of this Order. Upon receipt of any reliable information indicating that Respondent has violated any term of this Order, the Board reserves the right to bring further disciplinary action.

NEW JERSEY STATE BOARD OF NURSING

Patricia Murphy, PhD, APN, FAAN

By: _____

Patricia Murphy, PhD, APN, FAAN,
President

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

Diane M. Davis, R.N.

I hereby consent to the form of this
Order.

JoAnn Pietro

JoAnn Pietro, RN, Esq.

Date: 8-28-13