



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

IN THE MATTER OF THE LICENSE OF :
: Administrative Action
RYANN M. FRAME, RN :
License No. 26NR12137000 : FINAL ORDER
: OF DISCIPLINE
TO PRACTICE NURSING :
IN THE STATE OF NEW JERSEY :

This matter was opened to the New Jersey State Board of Nursing (the "Board") upon receipt of information which the Board has reviewed and upon which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Ryann M. Frame ("Respondent") is licensed as a registered professional nurse in the State of New Jersey and has been a licensee at all relevant times.

2. On or about March 29, 2011, Respondent completed her biennial license renewal online for the period of June 1, 2011 - May 31, 2013. The online renewal contains a question which asks "Will you have completed the required continuing education credits by May 31, 2011?" Respondent answered "yes" and certified that answer to be true by submitting the online application.

3. On or about December 7, 2011 the Board sent Respondent a letter requesting information from Respondent. The letter requested that Respondent provide certified responses to ten (10) questions, including question 3 which asks "Have you taken continuing education courses within the last three (3) years? If yes, please provide proof of all credits earned during your last renewal period of 6/1/09 to 5/31/11."

4. On or about December 27, 2011, the Board received Respondent's certified answers to the ten questions. In response to the Continuing Education question, Respondent provided a list of her continuing education units from September 8, 2008 through September 2011, with corresponding certificates of completion. Based upon these submissions, Respondent completed 21 continuing education units in the 06/01/09 - 05/31/11 biennial period and an additional 15 units towards the current biennial period of 06/01/11 - 05/31/13. Respondent maintained that she was required to take continuing education for her employment, but that the cycles of her employer's evaluation and that of her nursing license biennial renewal did not match up. Respondent's continuing education meets her employer's requirements.

CONCLUSIONS OF LAW

Pursuant to N.J.A.C. 13:37-5.3, a nurse shall complete a minimum of 30 hours of continuing education per biennial period.

Falsification of any information submitted on the renewal application may result in penalties and/or suspension or revocation of the license. N.J.A.C. 13:37-5.3(a).

Additionally, a registered professional nurse or licensed practical nurse shall maintain continuing education compliance documentation for a period of four years after completion of the hours and shall submit such documentation to the Board upon request. N.J.A.C. 13:37-5.3(f).

Respondent completed only 21 hours during the appropriate time frame of 6/1/09 - 5/31/11. Thereafter, however, Respondent completed an additional 15 hours. Respondent may apply 9 of those 15 hours toward the deficiency in her last renewal cycle. The 9 hours applied to the 6/1/09 - 5/31/11 biennial cycle may not be used to satisfy the requirements of the current biennial cycle of 6/1/11 - 5/31/13.

Respondent's failure to complete 30 hours of continuing education during the 6/1/09 - 5/31/11 biennial period constitutes a violation of N.J.A.C. 13:37-5.3, which the Board deems professional misconduct within the intendment of N.J.S.A. 45:1-21(e) and also constitutes a violation or failure to comply with a regulation administered by the Board within in the intendment of N.J.S.A. 45:1-21(h). Further, the Board finds that Respondent's submission of her 2011 renewal, wherein she answered affirmatively that she had completed, or would

complete, the required continuing education, when she did not complete the required continuing education, constitutes the use or employment of dishonesty, deception, or misrepresentation within the intendment of N.J.S.A. 45:1-21(b). See also, N.J.A.C. 13:37-5.3.

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on May 15, 2013, provisionally imposing a public reprimand and a \$250.00 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.

Respondent replied to the Provisional Order, via her attorney, who maintained that respondent had earned excess continuing education credits during the 2007-2009 licensing cycle, making her eligible for carryover credits. Ms. Frame's counsel also maintained that respondent relied upon her employer to keep track of her continuing education credits, and therefore reasonably believed

that she had completed all required continuing education credits when she renewed her nursing license in 2011. However, respondent was unable to document any excess continuing education for the 2007-2009 renewal period, since she was only able to document 15.25 hours for that time frame. The Board found that respondent knew or should have known, when she checked "yes" in response to the question on her 2011 renewal application as to whether she would have timely completed continuing education for the 2009-2011 licensing period, that she was not providing accurate information: the question should have prompted Ms. Frame to review the relevant documentation, which would have revealed to her that she had not satisfied the requirements of N.J.A.C. 13:37-5.3. Accordingly, the Board determined that additional proceedings were not necessary, and the Provisional Order should be made final.

ACCORDINGLY, IT IS on this 4th day of September, 2013,
ORDERED that:

1. A civil penalty in the amount of two hundred fifty dollars (\$250.00) is hereby imposed upon Respondent for the violation of N.J.A.C. 13:37-5.3. Payment shall be made by certified check or money order payable to State of New Jersey, delivered to George Hebert, Executive Director, State of Board of Nursing, P.O. Box 45010, Newark, New Jersey 07101. Payment shall be made no later than fifteen (15) days after the entry of any Final Order of Discipline in this matter. 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. Respondent is hereby reprimanded for her violations of N.J.S.A. 45:1-21 (b), (e), and (h).

NEW JERSEY STATE BOARD OF NURSING

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