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FILED

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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
STATE BOARD OF NURSING

IN THE MATTER OF THE SUSPENSION	:	
OR REVOCATION OF THE LICENSE OF	:	Administrative Action
	:	
CAROL L. MONTEIRO, LPN	:	ORDER OF SUSPENSION
License # 26NP06675100	:	OF LICENSE
	:	
TO PRACTICE NURSING IN	:	
THE STATE OF NEW JERSEY	:	

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

1. Carol L. Monteiro ("Respondent") is a Licensed Practical Nurse (LPN) in the State of New Jersey and has been a licensee at all relevant times. (Exhibit A).

2. Respondent entered into a private letter agreement with the Board on or about June 1, 2011. The agreement required, in part, that Respondent enroll in and participate with the

Recovery and Monitoring Program of the Institute for Nursing ("RAMP") to undergo evaluation and monitoring. The agreement, which was to remain private and confidential unless and until the Board received reliable information that Respondent had violated any term, was to have the force and effect of a Board Order within the intendment of N.J.A.C. 13:45C-1.4. (Exhibit B).

3. Respondent entered the private letter agreement with the Board during the period of time that the Board was considering Respondent's application for LPN licensure. Respondent admitted to a history of alcohol abuse, including a DUI in 2009. (Exhibit C). Respondent entered a five year contract with RAMP and gained RAMP's support for licensure. The Board granted Respondent's license in September 2011. (Exhibit A).

4. In July 2012, RAMP granted Respondent a medical leave from participation with RAMP while Respondent underwent inpatient hospitalization for treatment of medical issues and a relapse of abuse of alcohol. (Exhibit C). The private letter agreement required Respondent to refrain from the use of potentially addictive substances, including alcohol. (Exhibit B).

5. In March 2013, Respondent's medical leave from participation with RAMP ended. Respondent failed to resume participation with RAMP and failed to respond to RAMP's communication attempts. It was subsequently learned that Respondent was incarcerated for DUI at that time. (Exhibit C). The private letter agreement required Respondent to notify the Board in writing if she was arrested within ten days thereof. Respondent failed to notify the Board in writing.

6. On or about June 4, 2013, a communication was sent to Respondent at her address of record by overnight and regular mail, advising Respondent that the Board had received information indicating that she was not in compliance with the private letter agreement and with her agreement with RAMP. Respondent was further advised to provide the Board with proof of any inaccuracy in that information within two weeks. (Exhibit D).

7. Respondent replied to the letter and indicated that on May 4, 2013, she had placed her license to practice on inactive status and had signed a revised agreement with RAMP in order to remain in compliance with her agreement. (Exhibit E).

8. As of August 28, 2013, RAMP advised the Board that RAMP had just learned of Respondent's incarceration, which

overlapped with Respondent's medical leave from RAMP. Since her release from jail in April 2013, Respondent has required inpatient treatment for medical issues and relapse of abuse of alcohol from April 25, 2013 through April 30, 2013; outpatient treatment from May 1, 2013 through July 29, 2013; followed by the need for further inpatient treatment for medical issues and relapse of abuse of alcohol from July 30, 2013 through August 26, 2013. (Exhibit C). The private letter agreement required Respondent to refrain from the use of any and all potentially addictive substances. (Exhibit B).

9. Respondent failed to attend peer support meetings since September 2012, failed to submit multiple attendance reports, and failed to submit monthly self-evaluation reports, all of which are required by the private letter agreement. (Exhibits B and C).

10. The private letter agreement signed by Respondent provided for automatic suspension of Respondent's nursing license upon receipt of reliable information indicating that Respondent had violated any term of the private letter agreement. The agreement states that Respondent may, upon notice to the Board, request a hearing to contest her automatic suspension; however, at any such hearing, the sole issue shall

be whether any of the information received regarding Respondent's violation of the agreement was materially false. The Board also reserved the right to bring further disciplinary action. (Exhibit B).

11. Respondent's repeated failures to comply with her agreement with RAMP, and in particular her repeated failures to refrain from the use of addictive substances, violate the private letter agreement and constitute a violation of N.J.A.C. 13:45C-1.4, subjecting Respondent to sanctions pursuant to N.J.S.A. 45:1-21(e), and automatic suspension of her license as provided in the private letter agreement.

ACCORDINGLY, IT IS on this 9th day of Sept., 2013, HEREBY ORDERED that:

1. Respondent's license to practice nursing in the State of New Jersey is hereby suspended for her violation of the terms of the private letter agreement as set forth above, which is 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, request a hearing, upon notice, on the sole issue of whether information received that Respondent has failed to comply with the terms of the private letter agreement was

materially false.

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 a demonstration by Respondent that she is in full compliance with the terms and conditions of the private letter agreement and with any agreement with RAMP, in addition to a demonstration that she is fit and competent to practice and meets all other statutory and regulatory requirements for reinstatement.

NEW JERSEY STATE BOARD OF NURSING

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