

FILED
SEP 09 2013
 N.J. BOARD OF NURSING

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

IN THE MATTER OF THE :
 LICENSE OF :
 :
 SEAN BROWN, R.N. :
 License # NR 12305500 :
 :
 TO PRACTICE NURSING IN THE :
 STATE OF NEW JERSEY :
 :

Administrative Action

**FINAL ORDER
 OF DISCIPLINE**

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

FINDINGS OF FACT

1. Respondent is a registered nurse in the State of New Jersey, and has been a licensee at all times relevant hereto.
2. On or about February 7, 2013, a Demand for Statement in Writing Under Oath was sent on behalf of the Board to respondent's attention at his address of record by certified and regular mail, inquiring about allegations that he had been terminated from St. Luke's Warren Hospital for suspected diversion of morphine, hydromorphone and syringes in 2012.. The certified mailing was returned, unclaimed. The regular mailing was not returned. No response has been received to date.

CONCLUSIONS OF LAW

1. Respondent's failure to respond to a Board inquiry constitutes a failure to cooperate with a Board investigation in violation of N.J.A.C. 13:45C-1.2, -1.3, subjecting respondent to sanctions pursuant to N.J.S.A. 45:1-21(e).

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on May 23, 2013, provisionally suspending respondent's nursing license, and imposing a \$200.00 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.

The record reflects that the certified mailing of the Provisional Order was returned, unclaimed. The regular mailing was not returned. Inasmuch as the mailings had been sent to respondent's address of record with the Board, the Board determined that service had been effected. A licensee cannot evade process by failing to advise the Board of a current address of record and/or failing to respond. The Board further determined that as no discrepancies had been raised with respect to the findings of fact and conclusions of law of the Provisional Order, additional proceedings were not necessary, and the Provisional Order should be made final.

ACCORDINGLY, IT IS on this 9th day of September, 2013,

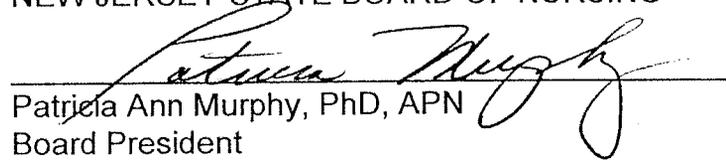
ORDERED that:

1. Respondent's license to practice nursing in the State of New Jersey is hereby suspended until he has fully responded to the Board's inquiry, and until he is able to demonstrate that he is fit and competent to practice nursing.

2. A \$200.00 civil penalty is hereby imposed.

NEW JERSEY STATE BOARD OF NURSING

By:


Patricia Ann Murphy, PhD, APN
Board President