

FILED
SEP 19 2013
N.J. BOARD OF NURSING

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

IN THE MATTER OF THE SUSPENSION : Administrative Action
OR REVOCATION OF THE LICENSE OF :
: :
RUTH STENBERG, R.N. : :
License # 26NO05869500 : :
: :
TO PRACTICE NURSING IN THE : :
STATE OF NEW JERSEY : :
: :

FINAL ORDER
OF DISCIPLINE

This matter was opened to the New Jersey State Board of Nursing ("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. Ruth Stenberg ("Respondent") is a registered professional nurse in the State of New Jersey and has been a licensee at all times relevant hereto.
2. The Board received information indicating that Respondent's employer suspected Respondent of being impaired while working as a nurse. Based upon reasonable suspicion, a urine screening was conducted on November 21, 2012. The results indicated the presence of oxazepam and morphine¹.

¹ The laboratory reports identify Respondent by her social security number, which has been redacted as part of this public record.

3. Respondent was offered the opportunity to participate with the Board's designated intervention program, the Recovery and Monitoring Program of the Institute for Nursing ("RAMP"), but failed to avail herself of their services.

CONCLUSIONS OF LAW

Based upon the positive results of Respondent's urine screening the Board finds that Respondent is presently engaged in drug use that is likely to impair her ability to practice nursing with reasonable skill and safety within the intendment of N.J.S.A. 45:1-21(1). Under N.J.S.A. 45:1-21(1), the term "presently" means at this time or any time within the previous 365 days. As a condition of any reinstatement of licensure, the Board will require Respondent to submit to monitoring and evaluation to determine whether Respondent's continued practice may jeopardize the safety and welfare of the public in accordance with N.J.S.A. 45:1-22(f). Additionally, as a condition of any reinstatement the Board will also require Respondent to submit to professional treatment as may be necessary to properly discharge nursing functions in accordance with N.J.S.A. 45:1-22(e).

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on June 26, 2013, provisionally suspending respondent's nursing license. 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, indicating that she is no longer able to work because of chronic pain. Respondent does not contest the findings and conclusions of the Provisional Order, and the Board found additional proceedings were not necessary, and the Provisional Order should be made final.

ACCORDINGLY, IT IS on this 19th day of September, 2013

ORDERED that:

1. Respondent's license to practice nursing is hereby suspended for violating N.J.S.A. 45:1-21(1).
2. The Board will not entertain an application for reinstatement from Respondent unless and until (1) Respondent demonstrates that she is fit and competent to practice nursing by undergoing monitoring, evaluation, and treatment under the

auspices of RAMP and (2) RAMP supports her return to practice.

3. In the event that respondent applies for reinstatement of her nursing license, the Board reserves the right, in light of respondent's acknowledgment that her health problems prevent her from engaging in working, to ascertain that respondent is able to discharge the functions of a licensee within the intendment of N.J.S.A.45:1-21(i).

NEW JERSEY STATE BOARD OF NURSING

By:

Patricia Murphy PhD APRN

Patricia Murphy, PhD, APRN
President