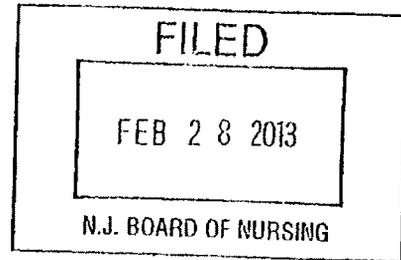


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STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
STATE BOARD OF NURSING

IN THE MATTER OF THE SUSPENSION OR  
REVOCATION OF THE CERTIFICATE OF

**Saint Luc Pierre, C.H.H.A.**  
Certificate No. 26NH12188300

HOMEMAKER HOME HEALTH AIDE  
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 preliminary findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Saint Luc Pierre ("Respondent") is the holder of certificate number 26NH12188300 and has been certified at all times hereto.

2. Upon receipt of flagging notice indicating that Respondent was arrested on March 20, 2012 by the Hamilton Township Police Department, for a violation of N.J.S.A. 2C:12-

1A, Simple Assault, the Board sent a letter of inquiry, requesting certain information and submission of documents, to Respondent's address of record in Trenton, New Jersey, via regular and certified mail on or about March 22, 2012. A response was due within twenty (20) days.

The regular mailing was not returned; the United States Postal Service reports that the certified mailing was delivered in Trenton on March 28, 2012 at 12:17 P.M.

#### CONCLUSIONS OF LAW

Respondent's failure to respond to the Board's request for information constitutes a failure to cooperate with a Board investigation, in contravention of N.J.A.C 13:45C-1.2,-1.3, in violation of N.J.S.A. 45:1-21 (e), subjecting Respondent to disciplinary action pursuant to N.J.S.A 45:1-21 (h).

#### DISCUSSION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline (POD) was entered by this Board on August 22, 2012 provisionally suspending Respondent's certificate to practice as a Certified Homemaker-Health Aide in the State of New Jersey until such time as Respondent cooperates with the Board's investigation by providing the Board with responses to the Board letter sent on or about March 22, 2012, including but not limited to, documentation concerning

allegation that Respondent was arrested on March 20, 2012 by the Hamilton Township Police Department, for a violation of N.J.S.A. 2C:12-1A, Simple Assault. The POD further stated that the Board assessed fine, penalty and investigative cost in the amount of \$200.00. The POD was sent to Respondent's address of record via regular and Certified Mail. The Provisional Order of Discipline clearly stated that it was subject to finalization by the Board at 5:00 p.m. on the 30<sup>th</sup> 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.

On or about September 6, 2012, the Board received a fax by Respondent's attorney providing a copy of the Certificate of Disposition dismissing the complaint for lack of prosecution. Respondent's attorney also provided a narrative in which he expressed regret for not following up with the Board. Accordingly, the Board found that although Respondent's attorney has now responded and taken responsibility for failing to respond in a timely manner, Respondent is still responsible as a

certificate holder for ensuring that all Board inquiries are answered in a timely fashion. Given that the charges have been dismissed suspension of Respondent's certificate is no longer warranted but for the above reasons the fine in the amount of \$200.00 is imposed.

ACCORDINGLY, IT IS on this 20<sup>th</sup> day of February, 2013,  
ORDERED that:

Respondent shall remit payment of a fine and penalty pursuant to N.J.S.A. 45:1-25 in the amount of \$200.00 by certified check or money order payable to the State of New Jersey, delivered to Executive Director George Hebert, State Board of Nursing, P.O. Box 45010, Newark, New Jersey 07101. Payment shall be made no later than fifteen (15) days **after** the entry date of this 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.

NEW JERSEY STATE BOARD OF NURSING

By: Patricia Murphy, PH.D., A.P.N., F.A.A.N.  
Patricia Murphy, PH.D., A.P.N., F.A.A.N.  
President