

FILED
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N.J. BOARD OF NURSING

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

IN THE MATTER OF THE APPLICATION :
FOR LICENSURE BY ENDORSEMENT OF : Administrative Action
: :
ROSINA E. WALWYN : FINAL ORDER
: OF DENIAL
: :
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. Rosina E. Walwyn ("the Applicant") submitted an official application for LPN nurse licensure by endorsement to the Board on or about April 25, 2012. Question 8 on the application asks "Have you ever changed your name? If "Yes," please submit with this application a copy of the marriage certificate, divorce decree or court order." The Applicant checked "no" and affirmed that answer to be true. Despite answering that she had never changed her name, Ms. Walwyn provided "Jones" as a maiden name on the first page of the application. The Applicant failed to provide any documentation indicating a name change from her maiden name of Jones to her last name of Walwyn.

2. Question 10 on the application asks "Have you ever been disciplined or denied a professional license or certificate of any kind in New Jersey, any other state, the District of Columbia or in any other jurisdiction?" The Applicant checked "No" and affirmed that answer to be true.

3. Question 11 on the application asks "Have you ever had a professional license or certificate of any type suspended, revoked or surrendered in New Jersey, any other state, the District of Columbia or in any other jurisdiction?" The Applicant checked "No" and affirmed that answer to be true.

4. The Board received information indicating that the Applicant's New York nursing license had been the subject of discipline. In or about September 2010, a Consent Order with the New York Board for Nursing was entered whereby the Applicant was charged with unprofessional conduct and agreed to have her New York LPN license suspended for one year -- execution of the suspension was stayed and the Applicant was placed on probation for one year from September 27, 2010 to September 26, 2011. As part of her probation, the Applicant was required to complete certain coursework.

5. The Board requested an explanation from the Applicant concerning the discrepancy in her answers on her application for licensure. In response, the Applicant provided a copy of the Consent Order and accompanying documentation, a Certificate of

Completion for coursework entitled "Ethical Decision Making in Nursing Practice," and a short letter which merely stated that she had administered an incorrect dose of insulin to a patient and did not document the insulin in the patient's medication administration record.

CONCLUSIONS OF LAW

The Board finds that the Applicant has attempted to obtain a license through fraud, deception, or misrepresentation pursuant to N.J.S.A. 45:1-21(a) and has engaged in the use or employment of dishonesty, deception, or misrepresentation pursuant to N.J.S.A. 45:1-21(b). The applicant failed to disclose that her license to practice nursing in another state had been disciplined, in the form of a stayed suspension served as a period of probation. This is the very license upon which the Applicant seeks endorsement. The Applicant also failed to provide truthful answers about her name change or to provide documentation thereof. Moreover, the New York Board for Nursing required education of the Applicant by having her take certain coursework. Despite being disciplined by the New York Board for Nursing partly because of a false entry on a patient's record, and despite completing a class entitled "Ethical Decision Making in Nursing Practice," the Applicant still provided multiple false answers on her application to be licensed as a nurse in New Jersey. The applicant has repeated behavior for which she

has previously been disciplined and about which she has been educated. It appears that the Applicant has not demonstrated insight or rehabilitation and there is a likelihood of continuation of the dishonest conduct.

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on August 28, 2013, provisionally denying Ms. Walwyn's application for licensure by endorsement. 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.

Ms. Walwyn responded to the Provisional Order, claiming that she had been "horrified" to see that she had made "so many serious mistakes" in filling out her application, and that she had no intention of deceiving the Board by entering inaccurate information on the application form. Ms. Walwyn noted that she had provided the Board with her maiden name, and therefore her indication that she

had never changed her name was obviously an error, as opposed to an attempt to deceive the Board. With respect to the failure to disclose the disciplinary action imposed by New York, she claimed she had misread one of the questions about prior discipline, and interpreted the question about whether any license of hers had ever been suspended as inapplicable, because the suspension imposed on her had been stayed. The Board considered these contentions, and determined that the phrasing of the questions on the application form was not ambiguous, and that Ms. Walwyn knew or should have known that she was providing inaccurate information to the Board when she indicated "no" in response to the questions about whether her license had been the subject of disciplinary action in New Jersey or any other state. Given the clear language of the application form, and respondent's multiple false answers, the Board accordingly determined that the Provisional Order should be made final.

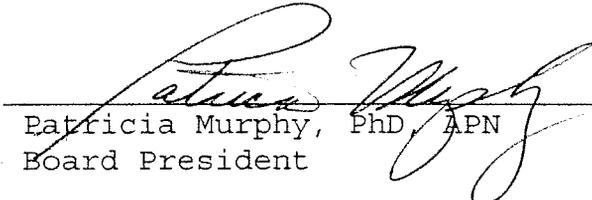
ACCORDINGLY, IT IS on this 1st day of November, 2013,

ORDERED that:

1. Rosina E. Walwyn's application for LPN nurse licensure by endorsement in the State of New Jersey is hereby denied.

NEW JERSEY BOARD OF NURSING

By:


Patricia Murphy, PhD, APN
Board President