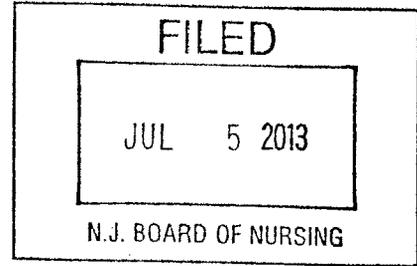
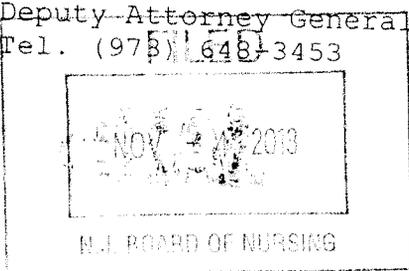


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STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
STATE BOARD OF NURSING

IN THE MATTER OF THE SUSPENSION OR :  
REVOCATION OF THE REGISTRATION OF :  
:  
**ASHLEE SEEBACK, CHHA** :  
Registration No. 26NH14011000 :  
:  
TO PRACTICE AS A HOMEMAKER-HOME :  
HEALTH AIDE IN THE STATE OF :  
NEW JERSEY :

ADMINISTRATIVE ACTION

PROVISIONAL ORDER OF DISCIPLINE

Finalized by Default on: \_\_\_\_\_

November 4, 2013

**FINAL**

This matter was opened to the New Jersey State Board of Nursing ("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. Ashlee Seeback ("Respondent") is a registered Homemaker-Home Health Aide in the State of New Jersey and has been registered at all times relevant hereto. (See L2K attached hereto and made a part hereof as Exhibit A)

2. Upon receipt of a flagging notice indicating that Respondent was arrested on February 7, 2013 by the Burlington Township Police Department for violating N.J.S.A. 2C:20-3 [Theft], the Board sent a letter of inquiry requesting certain information and the submission of documents to Respondent's address of record in Pennsauken, New Jersey via certified and regular mail on or about February 15, 2013. The regular mailing was not returned; the certified mailing was delivered on or about March 15, 2013. (See Flagging Notice, attached hereto and made a part hereof as Exhibit B; Letter of Inquiry, attached hereto and made a part hereof as Exhibit C)

3. Specifically, it was alleged that on February 6, 2013, Respondent stole a Bose Radio System. (See Case Report dated February, 2013, attached hereto and made a part hereof as Exhibit D; Letter from Senior Friends & Services, Inc. dated February 7, 2013 attached hereto and made a part hereof as Exhibit E)

4. Respondent admitted on February 7, 2013 that she had removed a Bose stereo system from a resident's room, with the intent to return it. Respondent admitted that she wanted to test it out at her residence, and that she returned the stereo system to her boss at Senior Friends and Services thereafter. (See Investigative Action Report dated February 7, 2013 attached hereto and made a part hereof at Exhibit F)

5. To date, Respondent has not provided a response to the Board's requests for information and documentation.

CONCLUSIONS OF LAW

Respondent's theft from her client provides grounds to take disciplinary action against Respondent's registration to practice as a homemaker-home health aide in the State of New Jersey pursuant to N.J.S.A. 45:1-21(b), (e), and (f), in that Respondent has engaged in the use or employment of dishonesty, deception, and misrepresentation; in professional misconduct; and in acts constituting a crime or offense of moral turpitude or relating adversely to the activity regulated by the Board. Respondent's failure to respond to the Board's letter constitutes a violation of N.J.S.A. 45:1-21(h) in that Respondent has failed to cooperate with the Board's investigation in contravention of N.J.A.C. 13:45C-1.2 & 1.3.

ACCORDINGLY, IT IS, on this 5<sup>th</sup> day of July, 2013,  
**ORDERED THAT:**

1. Respondent's registration to practice as a homemaker-home health aide in the State of New Jersey is hereby provisionally suspended for a minimum of two (2) years.

2. A \$800.00 civil penalty is hereby imposed for acts constituting a crime or offense of moral turpitude, and a \$200.00 civil penalty is hereby imposed for failure to comply with a Board request for information in contravention of N.J.A.C. 13:37-5.3 for

a total of \$1000.00. Respondent shall remit payment of the monetary penalty pursuant to N.J.S.A. 45:1-25 by certified check or money order payable to the State of New Jersey, delivered to Executive Director George Hebert, State of New Jersey Board of Nursing, P.O. Box 45010, Newark, New Jersey 07101. Payment shall be made no later than 15 days after notice of the entry of any Final Order is served in this matter, including any Order which is finalized by default. 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.

3. Respondent shall immediately cease and desist from holding herself out as a certified homemaker-home health aide and/or practicing as a homemaker-home health aide, which includes but is not limited to performing delegated nursing regimens or nursing tasks delegated through the authority of a duly licensed professional nurse.

4. Respondent shall immediately, upon entry of a Final Order of Discipline, surrender her original registration to the Executive Director of the Board by mailing same to George Hebert, Executive Director, Board of Nursing, P.O. Box 45010, Newark, New Jersey 07101.

5. Respondent may request a modification or dismissal of the above stated Findings of Fact or Conclusions of Law within 30 days of the date this Provisional Order is filed by:

- a) Submitting a written request for modification or dismissal to George Hebert, Executive Director, 124 Halsey Street, Sixth Floor, PO Box 45010, Newark, New Jersey 07101.
- b) Setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed.
- c) Submitting any and all documents or other written evidence supporting Respondent's request for consideration and reasons therefor or offered in mitigation of penalty.

6. Any submissions will be reviewed by the Board and the Board will thereafter determine whether further proceedings are necessary. If no material discrepancies are raised through a supplemental submission during the thirty-day period, or if the Board is not persuaded that the submitted materials merit further consideration, a Final Order will be entered.

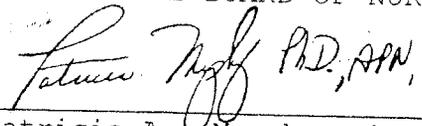
7. In the event that Respondent's submissions establish a need for further proceedings, including, but not limited to an evidentiary hearing, Respondent shall be notified with regard thereto. In the event that an evidentiary hearing is ordered, the preliminary findings of fact and conclusions of law contained herein may serve as notice of the factual and legal allegations in such proceeding. Further, in the event a hearing is held upon

review of the record, the Board shall not be limited to the findings, conclusions and sanctions stated herein.

8. In the event that the Board receives no written request for modification or dismissal within 30 days following entry of this Provisional Order, without further Board review, all referenced preliminary Findings of Fact and Conclusions of Law and all provisional sanctions or penalties imposed by this Order shall automatically become the Final Decision and Order of the Board. Thereafter, Respondent's failure to comply with any sanction or penalty imposed by this Order shall be considered a violation of a Board Order in contravention of N.J.S.A. 45:1-21 (e) and (h) and N.J.A.C. 13:45C-1.4 and may subject Respondent to additional sanction and/or penalty.

NEW JERSEY STATE BOARD OF NURSING

By:

 Patricia Ann Murphy, PhD, APN,  
Patricia Ann Murphy, PhD, APN  
Board President