

FILED

APR 15 2014

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 :
:
DIONNE HOLT, R.N. :
License # 26NO11830000 :
:
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 upon which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Respondent is a registered professional nurse in the State of New Jersey and has been a licensee at all times relevant hereto.
2. On or about July 10, 2013, the Board sent a letter of inquiry by certified and regular mail to respondent's address of record, asking respondent for information about an arrest on May 29, 2013, on charges of assault, and other questions including documentation of continuing education taken within the last three years, in the form of certificates of completion.
3. The certified mailing of the letter of inquiry was signed for. The regular mailing was not returned. No response has been received to date.

4. On her renewal application, submitted on May 29, 2012, respondent indicated that she would have completed required continuing education for the June 1, 2010 – May 31, 2012 renewal period by May 31, 2012.

CONCLUSIONS OF LAW

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).

By virtue of having failed to respond to the Board's inquiry, Respondent also failed to demonstrate, to the satisfaction of the Board, that Respondent completed continuing education requirements for the June 1, 2010 - May 31, 2012 renewal period, which constitutes a failure to comply with N.J.A.C. 13:37-5.3, subjecting respondent to sanctions pursuant to N.J.S.A. 45:1-21(e) and (h).

Respondent's indication on her 2012 renewal application that she would have timely completed continuing education requirements, when she was unable to demonstrate timely completion of those requirements constitutes misrepresentation in violation of N.J.S.A. 45:1-21(b).

DISCUSSION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline imposing a civil penalty, reprimand, and suspension was entered on December 23, 2013. Copies were served on Respondent via certified and regular mail. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the thirtieth 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.

In response to the Provisional Order of Discipline, Respondent acknowledged that she had originally failed to respond to the Board's inquiry because she was devastated by the arrest. She provided a full response to the original inquiry which indicated that the criminal matter, revolving around an argument with her then boyfriend, was dismissed due to lack of prosecution. Additionally, Respondent provided evidence that she had successfully completed thirty (30) contact hours of continuing education during the June 1, 2010 - May 31, 2012 renewal period.

The Board reviewed Respondent's submissions and determined that further proceedings were not necessary. The Board was not persuaded that the submitted materials merited further consideration. Inasmuch as Respondent provided the information originally requested and demonstrated timely completion of continuing education, the Board determined that suspension was no longer warranted. However, the Board determined that Respondent's failure to respond to the original inquiry, thereby necessitating the filing of the Provisional Order of Discipline, and review of Respondent's subsequent reply months later, warrants imposition of a five hundred dollar (\$500) civil penalty.

ACCORDINGLY, IT IS on this 15th day of Apr., 2014,

ORDERED that:

1. A civil penalty in the amount of five hundred dollars (\$500) is hereby imposed upon respondent for failure to cooperate in a timely manner with a Board investigation. Payment shall be in the form of a certified check or money order, made payable to the State of New Jersey, and forwarded to the attention of George Hebert, Executive Director, Board of Nursing, P.O. Box 45010, 124 Halsey Street, 6th Floor, Newark, NJ 07101. Payment shall be payable within twenty-one days of the filing of this Final Order of Discipline. 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 Ann Murphy, PhD, APN
Patricia Ann Murphy, PhD, APN
Board President