

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 :
:
DAWN WILLIAMS, R.N. :
License #: 26NO11913300 :
:
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 August 13, 2013, the Board sent a letter of inquiry to respondent by certified and regular mail, asking for information about an arrest that had occurred on July 21, 2013 on charges of assault. Respondent was asked to submit a copy of the municipal court complaint, documentation of the disposition of the arrest, a narrative statement explaining the facts and circumstances that led to the arrest, and for documentation of all continuing education completed in the last three years. Respondent was also asked about her current employment.
3. The certified mailing of the letter of inquiry was signed for. The regular mailing was not returned. Respondent also sent an email indicating to a Division of

Consumer Affairs employee that she would be faxing the requested information. No response has been received to date.

4. Respondent indicated on her 2012 renewal application, submitted on May 28, 2012, that she would have timely completed all the 2010-2012 continuing education requirements for renewal by May 31, 2012.

CONCLUSIONS OF LAW

Respondent's failure to respond to the Board inquiry constitutes a failure to cooperate with a Board investigation in violation of N.J.A.C. 13:45C-1.2, -1.3.

Respondent's failure to document timely completion of the required thirty contact hours of continuing education for the June 1, 2010-May 31, 2012 renewal period constitutes a violation of 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 for the 2010-2012 renewal period 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 suspending Respondent's license to practice as a registered nurse in the State of New Jersey was entered on December 10, 2013. A copy was served on Respondent. 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.

In response to the Provisional Order of Discipline, Respondent maintained that she had replied to the Board's original letter of inquiry by faxing documents to Board staff. After Respondent was advised by Board staff that the documents had not been received, she was unable to provide either a fax confirmation or another copy of the documents that she maintains she faxed. Respondent has now submitted another response which provides all the required information. As to the criminal matter, Respondent maintained that she and her fiancé were having an argument and she scratched his arm by mistake. Respondent provided documentation that the matter was dismissed by the court. As for her continuing education, Respondent admitted that she could not locate any certificates of completion for continuing education completed within the June 1, 2010 – May 31, 2012 and instead took sixty hours of continuing education in December 2013 to cure the deficiency and to satisfy the requirements of the current biennial period.

The Board reviewed Respondent's submissions and determined that further proceedings were not necessary. As Respondent provided the Board with a full response to the Board's letter of inquiry and has demonstrated that she is up-to-date with continuing education, the Board has determined that suspension is no longer warranted. As Respondent did not timely complete her continuing education requirement during the required time period and indicated on her renewal that she had, the Board finds imposition of the two hundred and fifty dollar (\$250) civil penalty and

reprimand justified. Similarly, Respondent's failure to fully respond to the Board's original inquiry, or demonstrate to the satisfaction of the Board that she had responded, necessitating the filing of a Provisional Order of Discipline, and review of Respondent's reply months later, warrants imposition of the five hundred dollar (\$500) civil penalty.

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

ORDERED that:

1. A public reprimand is hereby imposed for the violation of N.J.S.A. 45:1-21(b).
2. A total penalty amount of seven hundred and fifty dollars (\$750) is hereby imposed which includes a five hundred dollar (\$500) civil penalty for Respondent's failure to cooperate and a two hundred and fifty dollar (\$250) civil penalty for failure to timely complete continuing education. 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, within fifteen 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 Murphy PhD, APRN, FAAN

Patricia Ann Murphy, PhD, APN
Board President