

FILED
MAY 05 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

PAUL GIBSON, R.N.
License # NO 12135400

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 on 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 November 8, 2013, a letter of inquiry was sent to respondent's address of record with the Board, asking respondent to supply information concerning an arrest for weapons possession and related charges on September 10, 2013, as well as asking about his nursing practice and for documentation of continuing required education completed within the past three years.

3. The letter of inquiry was sent by certified and regular mail. The certified mailing was returned, unclaimed. The regular mailing was not returned. No response has been received to date.

4. On respondent's 2013 renewal application, respondent indicated that he would timely complete required continuing education by May 31, 2013.

CONCLUSIONS OF LAW

1. Respondent's failure to respond to the Board's 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).

2. Respondent's failure to provide documentation of required continuing education for the 2011-2013 renewal period is interpreted as indicating that respondent failed to timely complete required continuing education in 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).

3. Respondent's indication on his 2013 renewal application that he would complete required continuing education for the 2011-2013 renewal period by May 31, 2013 constitutes misrepresentation in violation of N.J.S.A. 45:1-21(b).

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on February 28, 2014, provisionally suspending respondent's nursing license, and imposing a reprimand and a total of \$750.00 in civil penalties. A copy of the Order was served upon respondent by certified and regular mail at his 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.

The record reflects that both the certified and regular mailings of the Provisional Order were returned, with indications that the material was not deliverable as addressed, although the orders were sent to respondent's address of record with the Board. The Board considered this matter, and determined that constructive service had been effected, as they had been sent to respondent's address of record. Both N.J.A.C. 13:37-5.7, and N.J.A.C. 13:45C-1.2, -1.3 require licensees to provide notification to the Board of any change of address. The Board further determined that additional proceedings were not necessary, and that the Provisional Order should be made final.

ACCORDINGLY, IT IS on this 5th day of May, 2014,

ORDERED that:

1. Respondent's New Jersey nursing license is hereby suspended until he has fully responded to the Board's request for information, and until he has demonstrated that he has successfully completed thirty (30) contact hours of nursing continuing education in satisfaction of the requirements of N.J.A.C. 13:37-5.3 for the 2011-2013 renewal period..

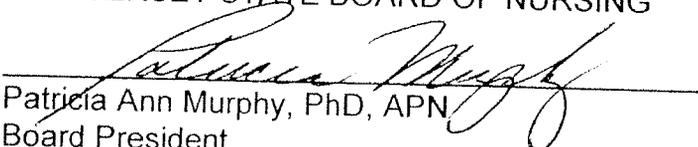
2. A public reprimand is hereby imposed upon respondent for the violation of N.J.S.A. 45:1-21(b).

3. A \$500.00 civil penalty is hereby imposed for respondent's failure to cooperate with a Board investigation in violation of N.J.A.C. 13:45C-1.2, -1.3, and a

\$250.00 civil penalty is hereby imposed for respondent's failure to timely completed continuing education requirements for the 2011-2013 renewal period, for a total penalty amount of \$750.00. Payment shall be in the form of a certified check or money order, made payable to the State of New Jersey, and sent to the attention of George Hebert, Executive Director, Board of Nursing, P.O. Box 45010, 124 Halsey Street, 6th Floor, Newark, NJ 07101, within twenty-one (21) days of the filing of this Final Order of Discipline.

NEW JERSEY STATE BOARD OF NURSING

By:


Patricia Ann Murphy, PhD, APN
Board President