

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

LUCINDA SHAW, R.N.
License # NR 08281800

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 nurse in the State of New Jersey, whose nursing license has been inactive since 2007.
2. On or about November 20, 2013, the Board sent an inquiry by certified and regular mail to respondent at her address of record asking for information concerning a medical malpractice payment report indicating that \$556,024.57 had been paid out in connection with an obstetrical patient who gave birth prematurely in 2006. She was asked to respond within ten (10) days.
3. The regular mailing of the letter of inquiry was returned, marked "not deliverable as addressed/unable to forward." The certified mailing tracking site indicated

that respondent had moved, leaving no forwarding address. No response has been received.

CONCLUSIONS OF LAW

1. Respondent's failure to provide the Board with a valid address of record 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).

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 \$500.00 civil penalty. 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.

The record reflects that both the certified and regular mailings of the Provisional Order were sent to respondent's address of record, and were returned marked "not deliverable as addressed" and "unable to forward." The Board considered this matter, and concluded that constructive service had been effected, as the mailings had been sent to respondent's address of record with the Board, and her nursing license was currently in inactive status. Licensees cannot evade process by failing to provide the

Board with a valid current address. The Board further found that as no discrepancies had been raised with respect to the findings and conclusions of the Provisional Order, additional proceedings were not necessary, and the Provisional Order should be made final.

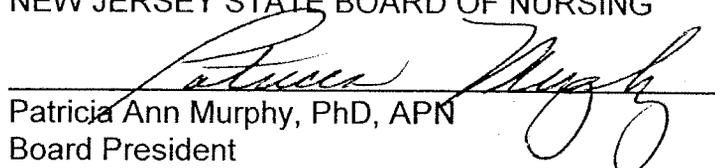
ACCORDINGLY, IT IS on this 5th day of May, ²⁰¹⁴~~2013~~, *AC*

ORDERED that:

1. Respondent's New Jersey nursing license is hereby until she has fully responded to the Board's inquiry. .
2. A \$500.00 civil penalty is hereby imposed for respondent's violation of N.J.A.C. 13:45C-1.2, -1.3.

NEW JERSEY STATE BOARD OF NURSING

By:


Patricia Ann Murphy, PhD, APN
Board President