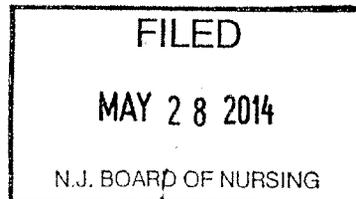


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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF NURSING

IN THE MATTER OF THE SUSPENSION	:	Administrative Action
OR RECOVATION OF THE LICENSEE OF	:	
	:	ORDER OF SUSPENSION
CAROLINE KIRK, R.N.	:	OF LICENSE
LICENSE # NR 09118800	:	
<i>NO 09118800</i>	:	
TO PRACTICE AS A REGISTERED	:	
NURSE (R.N.) IN THE	:	
STATE OF NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Nursing ("Board") upon receipt of information indicating the following:

1. Respondent, Caroline G. Kirk, is the holder of License No. 26NO09118800 and is a registered professional nurse in the State of New Jersey.

2. Respondent entered into a private letter agreement with the Board which she signed on or about March 13, 2013, 2013. (Exhibit A) The agreement required respondent to enroll in the Recovery and Monitoring Program of New Jersey (RAMP),

undergo evaluation and monitoring, agree to follow recommendations by RAMP for further treatment, and to refrain from the use of any and all potentially addictive substances. (Exhibit A, ¶¶2, 6, and 10) The agreement was to have the force and effect of a Board Order within the intendment of N.J.A.C. 13:45C-1.4. In the event that the Board received reliable information that respondent had acted in violation of the RAMP contract and/or the agreement, the agreement was no longer to remain confidential.

3. In a communication dated January 21, 2014, Case Manager Donna Gillane of RAMP advised the Board that respondent was noncompliant with RAMP monitoring requirements, in that she tested positive for alcohol on a screening on December 16, 2013, refused to enter treatment as recommended by RAMP, failed to call in daily to the lab, as required by the program, since December 20, 2013, and failed to undergo a scheduled screening on January 6, 2014. (Exhibit B)

4. On or about May 12, 2014, a letter issued by overnight and regular mail to respondent at her address of record, advising respondent that the Board had received credible information indicating that she was not in compliance with the private letter agreement, and advising her to forward within five days any proof that she was currently in compliance with

RAMP. (Exhibit C) UPS Tracking indicated the letter had been delivered on May 13, 2014 at 9:51 A.M. (Exhibit C)

5. No response has been received to date.

7. A certification from RAMP's director dated May 22, 2014 indicated that Ms. Kirk had tested positive for alcohol in the course of a screening that was part of her RAMP participation on December 16, 2013. She was asked to enter treatment, but declined. She ceased calling in daily as required by RAMP, and failed to report for a scheduled screening on January 6, 2014. Ms. Kirk indicated that she no longer wished to participate in RAMP, and was discharged from the program.

(Exhibit D) This conduct constitutes a violation of the private letter agreement signed by respondent.

8. The private letter agreement signed by respondent , which by its terms has the force and effect of a Board order within the intendment of N.J.A.C. 13:45C-1.4, provided for automatic suspension of respondent's nursing license upon receipt of reliable information indicating that respondent has violated any term of the private letter agreement. (Exhibit A, ¶13)

Accordingly,

IT IS on this 28th day of May , 2014

HEREBY ORDERED THAT:

1. Respondent's license to practice nursing in the State of New Jersey shall be and hereby is suspended for her violation of the private letter agreement, which is deemed a violation of a Board order within the intendment of N.J.A.C. 13:45C-1.4 and N.J.S.A. 45:1-21(e) .

2. Respondent may, under the terms of the private letter agreement, upon notice, request a hearing on the sole issue of whether respondent has failed to comply with the terms of the private letter agreement.

3. In the event that respondent seeks reinstatement of her New Jersey nursing license at any future time, the Board shall not entertain any application for reinstatement without respondent's demonstrating that she is in full compliance with the terms and conditions of the private letter agreement and with any agreement with RAMP, and is fit and competent to practice nursing.

NEW JERSEY STATE BOARD OF NURSING

By: *Patricia Murphy PLD APN*
Patricia Ann Murphy, PhD, APN, C
Board President