

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

CHARLES DIFFENDALE, R.N.
License # NO 10891500

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 preliminary 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 22, 2013, a letter of inquiry was sent to respondent's address of record with the Board, asking respondent to supply information concerning an arrest on November 16, 2103 for two counts of contempt, and to supply documentation of continuing education completed in the past three years.
3. The certified mailing of the letter was returned, unclaimed. The regular mailing was not returned. No response has been received to date.

4. On his 2013 renewal application, respondent indicated that he would have completed all required continuing education for the 2011-2013 renewal period by May 31, 2013.

CONCLUSIONS OF LAW

1. Respondent's failure to respond to the inquiry on behalf of the Board 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 supply documentation of required continuing education for the 2011-2013 renewal period is interpreted as a failure to 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 renewal application that he would have completed required continuing education for the 2011-2013 renewal period by May 31, 2013 constitutes misrepresentation within the intendment 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 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 the certified mailing of the Provisional Order was signed for. The regular mailing was not returned. No response has been received to date. The Board considered this matter, and found that service had been effected, as the mailings had been sent to respondent's address of record with the Board. 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 6th day of June, 2014,

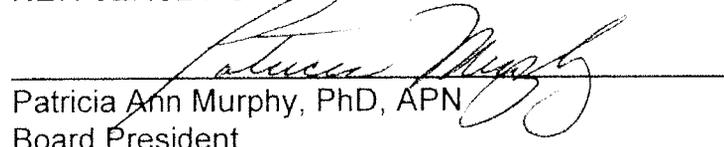
ORDERED that:

1. Respondent's New Jersey nursing license is hereby suspended until he has fully responded to the Board's requests for information, and until he has demonstrated completion of thirty (30) contact hours of continuing education in satisfaction of the 2011-2013 renewal requirements.
2. A public reprimand is hereby imposed upon respondent for the violation of N.J.S.A. 45:1-21(b).
3. A civil penalty in the amount of \$500.00 is hereby imposed for the violation of N.J.A.C. 13:45C-1.2, -1.3, as well as a civil penalty in the amount of \$250.00 for failure to timely complete required continuing education in violation of N.J.A.C. 13:37-5.3, 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 forwarded to the attention of George Hebert, R.N., Executive Director, Board of Nursing, P.O. Box

45010, 124 Halsey Street, Newark, NJ 07101, and shall be forwarded within twenty-one (21) days of the filing of this order.

NEW JERSEY STATE BOARD OF NURSING

By:



Patricia Ann Murphy, PhD, APN
Board President