

FILED

AUG 26 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

LILLIAN T. ELLIS, L.P.N.
License # 26NP06028900

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. Lillian T. Ellis (Respondent) is a licensed practical nurse in the State of New Jersey, and has been a licensee at all times relevant hereto.
2. On or about July 25, 2013, a letter of inquiry was sent to Respondent's address of record with the Board, asking Respondent to supply certificates of completion for all continuing education completed in the last three years.
3. Respondent documented completion of 30 contact hours of continuing education, all completed on November 25, 2013.
4. Respondent indicated on her renewal application submitted on May 29, 2012 that she would have timely completed all required continuing education required for the June 1, 2010 – May 31, 2012 biennial period by May 31, 2012.

CONCLUSIONS OF LAW

Respondent's failure to timely complete required continuing education for the June 1, 2010 – May 31, 2012 biennial 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(h) (violation of a regulation administered by the Board).

Respondent's indication on her 2012 renewal application that she would have timely completed all required continuing education for the June 1, 2010 – May 31, 2012 biennial period by May 31, 2012 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 April 7, 2014 seeking a two hundred and fifty dollar (\$250) civil penalty and a reprimand. Copies were served upon Respondent via regular and certified mail. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the thirtieth day following entry unless Respondent requested a modification or dismissal of the stated findings of fact and conclusions of law by 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.

Respondent timely replied to the Provisional Order of Discipline. Respondent maintained that in 2012, she worked for a facility that offered monthly classes and she thought that her continuing education was "accounted for" by taking those classes. Respondent maintains that she was confused, but has learned that she needs to complete thirty hours of continuing education (as opposed to in-service training classes)

within each biennial period and that she needs to maintain documentation of completion for four years so that she can show proof when needed.

The Board reviewed Respondent's submissions and determined that further proceedings were not necessary and that no material discrepancies had been raised. The Board was not persuaded that the submitted materials merited further consideration, as Respondent did not dispute the findings of fact or conclusions of law.

ACCORDINGLY, IT IS on this 26th day of Aug., 2014,

ORDERED that:

1. A public reprimand is hereby imposed upon Respondent for the violation of N.J.S.A. 45:1-21(b).
2. A two hundred and fifty dollar (\$250) civil penalty is hereby imposed upon Respondent for the violation of N.J.A.C. 13:37-5.3, failure to timely complete required continuing education. Payment shall be made by certified check or money order payable to "State of New Jersey," delivered or mailed to George Hebert, Executive Director, State Board of Nursing, P.O. Box 45010, Newark, New Jersey 07101. Payment shall be made no later than 15 days after the date of 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.
3. Respondent may not utilize the continuing education completed on November 25, 2013 in satisfaction of her June 1, 2012 – May 31, 2014 continuing education obligation, as it has already been attributed to her June 1, 2010 – May 31, 2012 continuing education obligation. Besides the 30 hours of continuing education

completed in November 2013, Respondent shall be prepared to demonstrate completion of an additional 30 hours to satisfy the June 1, 2012 – May 31, 2014 period and an additional 30 hours to satisfy the June 1, 2014 – May 31, 2016 period.

NEW JERSEY STATE BOARD OF NURSING

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