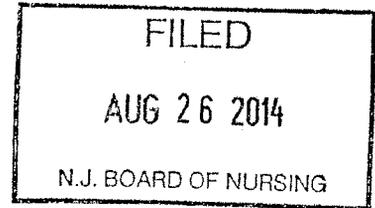


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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF NURSING

IN THE MATTER OF THE SUSPENSION	:	Administrative Action
OR REVOCATION OF THE LICENSEE OF	:	
	:	ORDER OF SUSPENSION
MICHAEL MARTIN, R.N.	:	OF LICENSE
LICENSE # NR 11524100	:	
	:	
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, Michael Martin, is the holder of License No. 26NR11524100 and is a registered nurse in the State of New Jersey.

2. Respondent entered into a private letter agreement with the Board which he signed on or about May 30, 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 June 9, 2014, Case Manager Jillian Scott of RAMP advised the Board that respondent was noncompliant with his RAMP monitoring agreement, in that he failed to convey to RAMP a letter authorizing inactivation of his nursing license and refused to sign a release so that his treating psychotherapist could release reports to RAMP. (Exhibit B)

4. On or about July 29, 2014, a letter issued by overnight and regular mail to respondent at his address of record, advising respondent that the Board had received credible information indicating that he was not in compliance with the private letter agreement, and advising him to forward within five days any proof that he was currently in compliance with RAMP. The letter noted that his refusal occurred in the context of an evaluation recommending that he (Mr. Martin) be monitored

for exacerbation of symptoms of psychological disorder; and which indicated that he was no longer interested in being employed as a nurse, and had expressed the belief that all people who are sick are in that condition because they have not relinquished themselves to God. (Exhibit C)

5. Respondent replied that there were numerous inaccuracies in the psychological evaluation that was referenced, and contested RAMP's recommendation that he sign a five year contract. Respondent indicated that he had made "great strides" in improving his health, knows the benefit of working with a therapist continually, and would "love" the opportunity of continuing to work as a nurse. (Exhibit D)

6. A certification from RAMP's director dated August 21, 2014 indicated that Mr. Martin has been discharged from RAMP as noncompliant because he refused to inactivate his nursing license, refused to sign a release form for a therapist he had reportedly consulted, so that the Board could access information from that therapist, and refused to seek ongoing therapy as recommended by RAMP. RAMP's director stated that two evaluations, including one performed at the behest of Mr. Martin's attorney, recommended monitoring for changes in his

mental status and behavior, by a therapist or counselor.¹

(Exhibit E)

7. 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)

8. Respondent's failure to inactivate his nursing license, his failure to sign a release so that ~~RAMP~~ could obtain information from a therapist, and failure to seek ongoing therapy as recommended by RAMP constitutes a violation of the private letter agreement.

Accordingly,

IT IS on this 25th day of August , 2014

HEREBY ORDERED THAT:

1. Respondent's license to practice nursing in the State of New Jersey shall be and hereby is suspended for his violation of the terms 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) .

¹ The evaluations are not included in this order because of privacy concerns.

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 his New Jersey nursing license at any future time, the Board shall not entertain any application for reinstatement without respondent's demonstrating that he 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

Patricia Murphy PhD APN

By:

Patricia Ann Murphy, PhD, APN, C
Board President