



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

IN THE MATTER OF THE SUSPENSION	:	
OR REVOCATION OF THE LICENSE OF	:	
	:	
SOPHIA M. PEREIRA, RN	:	ADMINISTRATIVE ACTION
License No. 26NO12451200	:	
	:	FINAL ORDER OF
	:	DISCIPLINE
TO PRACTICE NURSING IN THE STATE	:	
OF NEW JERSEY	:	

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. Sophia M. Pereira ("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 May 31, 2013, Respondent completed and submitted an online biennial renewal for the period of June 1, 2013 to May 31, 2015.

3. Respondent was asked on the biennial renewal application whether Respondent would have "completed the required continuing education credits by May 31, 2013," referring to the biennial renewal period of June 1, 2011 to May 31, 2013. Respondent answered "Yes" and certified that answer by submitting the online application.

4. Upon receipt of a Medical Malpractice Payment Report indicating that \$450,000.00 was paid out on behalf of Respondent for a May 24, 2004 incident, the Board sent a letter of inquiry requesting certain information and submission of documents regarding the malpractice case, Respondent's current nursing practice, and continuing education to Respondent's address of record in Orange, New Jersey, via regular and certified mail on or about November 6, 2013. The regular mailing was not returned; the certified mailing was signed for and delivered on November 9, 2013.

5. To date, Respondent has not responded to the Board's request for information.

CONCLUSIONS OF LAW

Respondent's failure to respond to the Board's request for information constitutes a failure to cooperate with a Board investigation, in contravention of N.J.A.C. 13:45C-1.2 and 1.3, which the Board deems professional misconduct pursuant to

N.J.S.A. 45:1-21(e) and also subjects Respondent to disciplinary action pursuant to N.J.S.A. 45:1-21(h).

Pursuant to N.J.A.C. 13:37-5.3(b), licensees are required to complete a minimum of thirty (30) hours of continuing education during the preceding biennial period in order to renew their licenses. Pursuant to N.J.A.C. 13:37-5.3(f), licensees are required to maintain documentation of completion of continuing education for a period of four years after completion, and shall submit such documentation to the Board upon request.

By virtue of having failed to respond to the letter of inquiry, Respondent is deemed to have failed to demonstrate, to the satisfaction of the Board, that Respondent completed the continuing education credits required for renewal during the biennial period of June 1, 2011 to May 31, 2013. The Board therefore finds Respondent in violation of N.J.A.C. 13:37-5.3(b) and 13:37-5.3(f), which in turn subjects Respondent to sanctions pursuant to N.J.S.A. 45:1-21(e) and (h).

Based upon the above finding, the Board further finds that Respondent engaged in the use of dishonesty and misrepresentation by falsely certifying that Respondent had completed all required continuing education in violation of N.J.S.A. 45:1-21(b), subjecting Respondent to sanctions.

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on July 17, 2014, provisionally suspending respondent's nursing license, and imposing a reprimand and a total of \$700.00 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.

Respondent replied to the Provisional Order, and provided a response to the Board's original inquiry, claiming she never received the Board's letter. Respondent also documented timely completion of nursing continuing education for the 2011-2013 licensing cycle. The Board therefore determined that suspension was no longer applicable, and that the reprimand for misrepresentation and the \$250 penalty for failure to timely complete continuing education ought not to be imposed, as the

findings and conclusions upon which they were based were not accurate. The Board further determined, however, that as the Board's letter of inquiry had been sent to respondent's address of record by both certified and regular mail, the initial failure to respond to the Board inquiry, requiring the filing of a Board order, constituted a failure to cooperate within the intendment of N.J.A.C. 13:45C-1.2, -1.3, and that the \$500 civil penalty for the failure to cooperate should be imposed.

ACCORDINGLY, IT IS on this 10th day of October, 2014,
ORDERED that:

1. Respondent is hereby assessed a civil penalty in the amount of five hundred dollars (\$500) for failure to cooperate with a Board investigation. Payment shall be made by certified check or money order, payable to the State of New Jersey, delivered 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 entry of this order. 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.

2. The Board reserves the right to initiate disciplinary proceedings based upon any information that Respondent has provided in response to the letter of inquiry or upon any new information the Board receives.

NEW JERSEY STATE BOARD OF NURSING

By: Patricia Murphy PhD APN
Patricia Murphy, PhD, APN
President