

2C:35-10(a)(4), Possession of Marijuana/Hash Under, the Board sent a letter of inquiry, requesting certain information and submission of documents, to Respondent's address of record in Hackensack, New Jersey, via regular and certified mail on or about July 25, 2013. The regular mailing was not returned; the certified mailing was returned to the Board as "unclaimed."

3. Upon receipt of a flagging notice indicating that Respondent was arrested on July 31, 2013 by the Bergen County Sheriff's Office for violation of one count of N.J.S.A. 2C:35-10(a)(4), Possession of Marijuana/Hash Under, the Board sent a letter of inquiry, requesting certain information and submission of documents, to Respondent's address of record in Hackensack, New Jersey, via regular and certified mail on or about August 13, 2013. The regular mailing was not returned; the certified mailing was returned to the Board as "unclaimed."

4. To date, Respondent has not provided a response to the Board's requests for information.

CONCLUSIONS OF LAW

Respondent's failure to fully respond to the Board's requests for information constitutes a failure to cooperate with a Board investigation, in contravention of N.J.A.C. 13:45C-1.2, -1.3, in violation of N.J.S.A. 45:1-21(e), and subjecting Respondent to disciplinary action pursuant to N.J.S.A. 45:1-21(h).

Respondent's failure to provide the Board with a valid address constitutes a violation of N.J.A.C. 13:37-5.7.

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on February 28, 2014, provisionally suspending respondent's certificate to practice as a homemaker-home health aide and imposing a civil penalty in the amount of \$200.00. 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, asking for consideration. Respondent provided what may be viewed as a narrative statement relating to both arrests, and what appears to be documentation of disposition of the July 19, 2013 arrest and payment of penalties imposed. However, respondent did not appear to have provided documentation of the disposition of July 31, 2013 arrest, or copies of the municipal court complaints or

police report, or information relating to her employment. The Board considered this matter, and determined that respondent had still not provided a complete response to the Board's original letters of inquiry. Therefore, the Board determined that the Provisional Order should be made final without modification.

ACCORDINGLY,

IT IS on this 3rd day of November, 2014,

ORDERED that:

1. Respondent's certificate to practice as a homemaker-home health aide shall be and hereby is suspended until such time as Respondent cooperates fully with the Board's investigation by providing the Board with the information requested in the Board's letters of inquiry.

2. Respondent shall remit payment of a monetary penalty pursuant to N.J.S.A. 45:1-25 in the amount of \$200.00 by certified check or money order made payable to the State of New Jersey, delivered to George Hebert, Executive Director, State Board of Nursing, P.O. Box 45010, Newark, NJ 07101. Payment shall be made no later than 15 days after notice of 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 are authorized by law.

NEW JERSEY STATE BOARD OF NURSING

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