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

IN THE MATTER OF SUSPENSION OR :
REVOCATION OF THE LICENSE OF : Administrative Action
:
MARK HARRIS ROSENBERG, APN, RN : CONSENT ORDER
APN License # 26NC09350500 :
RN License # 26NR09350500 :
:
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 a written petition from Marc Harris Rosenberg, APN, RN, ("Respondent") to terminate the active portion of a suspension imposed by a Final Consent Order filed on May 24, 2011 and to commence the stayed portion of the suspension. The Final Consent Order -- which was partly based upon Respondent's admission that he engaged in a sexual relationship with a female patient -- provided that Respondent's

licenses to practice nursing were suspended for five years consisting of a three year active suspension and a two year stayed suspension to be served as a period of probation.

Respondent was also ordered to remain actively involved with the Professional Assistance Program of New Jersey (PAP-NJ) and to complete a Board-approved course in boundaries and ethics. PAP has recommended terminating the active suspension, and reinstating Respondent's license on probation. Respondent has agreed to continue with PAP monitoring, along with his regime of medical care and therapy. Respondent has also provided proof of successful completion of a boundaries and ethics course - The Professional/Problem Based Ethics (ProBE) Program of the Center for Personalized Education for Physicians. Respondent maintains that he has not practiced nursing in New Jersey or any other jurisdiction during the time of his active suspension.

The Board has determined that Respondent has completed the terms of the Consent Order pertaining to his period of active suspension and required course, and that the within Order is sufficiently protective of the public health, safety and welfare; and in lieu of further proceedings, and for other good cause shown;

IT IS on this 11th day of November, 2014

HEREBY ORDERED AND AGREED that:

1. Mark Harris Rosenberg's licenses to practice as an Advanced Practice Nurse and Registered Professional Nurse in New Jersey shall be reinstated upon Board review and approval of a completed application for reinstatement along with the requisite fees, information, and the required Criminal History Background Check, if not already submitted.

2. A two year period of probation shall commence upon Respondent's employment as a nurse in New Jersey and shall only be considered served while Respondent is employed as a nurse in New Jersey. During probation, Respondent must have all of his nursing cases reviewed by a Board-approved supervisor.

3. Respondent shall secure Board approval of any and all supervisors and shall ensure that the supervisor is provided copies of this Order, the May 24, 2011 Final Consent Order, the July 13, 2010 Interim Consent Order, and that the supervisor complies with the following:

a. The supervisor shall be a licensee of a New Jersey professional board subject to the licensee duty to cooperate regulation.

b. The supervisor shall discuss his/her duties with a designated employee of the Board.

c. The supervisor shall review all of Respondent's nursing cases on a weekly basis and shall comply with a Board-approved protocol to document his/her record review.

d. The supervisor shall provide monthly written reports to PAP-NJ, which reports the supervisor independently prepares and submits in the first instance to PAP-NJ without prior review by Respondent or anyone on his behalf (PAP-NJ shall prepare and provide quarterly reports to the Board summarizing the monthly reports received from Respondent's Board-approved supervisor).

e. The supervisor shall report monthly to PAP-NJ whether there were any boundary issues between Respondent and any patient.

f. The supervisor shall advise the Board's designated employee immediately (within 24 hours) in the event the supervisor is made aware of or personally perceives any untoward or questionable professional or personal conduct, or any boundary violations, by Respondent.

4. Respondent shall remain actively involved with PAP-NJ and must abide by their recommendations.

5. Respondent shall be responsible for any and all costs

related to the terms and conditions set forth herein, including, but not limited to, all costs or expenses associated with the supervision and PAP-NJ.

6. Respondent shall notify the Board within ten days in writing: after he obtains employment as a nurse, his employer's name, address, his job title, responsibilities, shift, hours of work; when there is any change in nursing employment; and if he is arrested, indicted, or convicted for any crime or disorderly persons offense. Any arrest, indictment, or conviction for any crime or disorderly persons offense within the probationary period shall be considered a violation of probation. All reports and notifications shall be directed to Deborah Zuccarelli, New Jersey Board of Nursing, 124 Halsey Street, 6th Floor, P.O. Box 45010, Newark, New Jersey 07101.

7. Respondent shall obey all the laws of the State of New Jersey, the United States and their political subdivisions as well as all regulations, rules or statutes pertaining to the practice of nursing in the State or jurisdiction in which he practices nursing, as well as the bylaws of any facility at which he works.

8. Respondent may petition the Board in writing when he has worked as a nurse in New Jersey for two years on probation

if he wishes to have the period of probation lifted.

9. Any deviation from the terms of this Order without the prior written consent of the Board shall constitute a failure to comply with the terms of this Order. Upon receipt of any reliable information indicating that Respondent has violated probation or any term of this Order, Respondent's license may be automatically suspended until further Order of the Board. Within fifteen days following receipt of such notice, Respondent may request a hearing to contest the entry of such an Order. At any such hearing, the sole issue shall be whether any of the information received was materially false. In addition, the Board reserves the right to bring further disciplinary action upon receipt of any new information.

NEW JERSEY STATE BOARD OF NURSING

By: _____

Patricia Murphy
Patricia Murphy, PhD, APN
Board President

I have read and understand
the within Consent Order
and agree to be bound by
its terms.

Mark Harris Rosenberg, APN, RN
Mark Harris Rosenberg, APN, RN
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