

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 :
:
DEBRA MAXWELL, R.N. :
License # NR 17039100 :
:
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 on which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. 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 January 8, 2013, respondent applied to the Board for licensure by endorsement. On her application, she indicated she was unaware of any investigation pending against her professional license in any other state.
3. On or about November 7, 2013, a consent order and stipulation was entered placing respondent on probation for a period of one year. The order made findings of negligence (section 16221(a) of the Public Health Code) and incompetence

(section 16221(b)(i) of the Public Health Code) based upon conduct that occurred on January 4, 2012. On that date, while employed in the intensive care unit of McLaren Greater Lansing, respondent's failed to notify the physician of a patient who had undergone open heart surgery of the patient's decrease in blood pressure and low urine output. Respondent then restarted the patient on Levophed, which had been discontinued by the physician 18 hours previous, at twice the maximum dose without physician authorization. Respondent also failed to document or monitor the patient's mean arterial pressure and failed to document pulmonary artery readings in the critical care record. Respondent was subsequently terminated because of this conduct.

3. Respondent failed to immediately, or ever, notify the Board of the November 7, 2013 order placing respondent on probation in Michigan.

4. Respondent knew or should have known that her conduct, which led to the filing of an administrative complaint on June 13, 2013, was under investigation at the time that respondent submitted her application for licensure by endorsement to the New Jersey Board.

5. On or about May 19, 2014, a letter issued to respondent by certified and regular mail, directed to two addresses respondent had provided to the Board, one of which was her address of record. The letter asked for an explanation as to why respondent answered "no" on her application as to the existence of any pending investigation; why respondent failed to notify the Board of the issuance of the 2013 order placing her on probation. The certified mailing to one of the addresses, the street address, was signed for. The certified mailing to respondent's post office box was

returned, unclaimed. The regular mailings were not returned. No response has been received to date.

CONCLUSIONS OF LAW

1. Respondent's indicating "no" on her application in response to the question as to whether there was any pending investigation of her professional conduct, when she knew or should have known that an investigation was underway at the time, constitutes misrepresentation in violation of N.J.S.A. 45:1-21(b).

2. Respondent's failure to immediately notify the Board as to the issuance of the November 7, 2013 Michigan order constitutes a violation of N.J.A.C. 13:37-5.9, subjecting respondent to sanctions pursuant to N.J.S.A. 45:1-21(h).

3. Respondent's conduct as found in the 2013 Michigan consent order constitutes repeated acts of negligence within the intendment of N.J.S.A. 45:1-21(d).

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on September 4, 2014, provisionally imposing a reprimand and a \$500.00 civil penalty. 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.

The record reflects that the certified mailing of the order was returned, marked "return to sender," "unable to forward." The regular mailing was not returned. No response has been received to date. The Board determined that service had been effected, as the mailings had been sent to respondent's address of record with the Board. The Board further determined that as no discrepancies had been raised with respect to the findings and conclusions of the Provisional Order, additional proceedings were not necessary, and the Provisional Order should be made final.

ACCORDINGLY, IT IS on this 17th day of December, 2014,

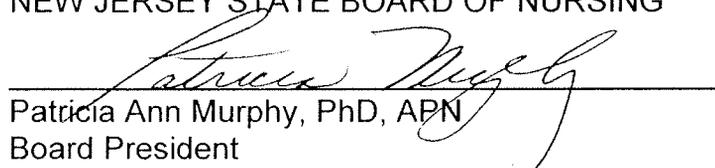
ORDERED that:

1. A public reprimand is hereby imposed upon respondent for the violation of N.J.S.A. 45:1-21(d).

2. A civil penalty in the amount of \$500 is hereby imposed for the violation of N.J.S.A. 45:1-21(b) and N.J.A.C. 13:37-5.9.

NEW JERSEY STATE BOARD OF NURSING

By:


Patricia Ann Murphy, PhD, APN
Board President