



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 CERTIFICATE OF

Pamela Carson, C.H.H.A.
Certificate No.: 26NH13729400

ADMINISTRATIVE ACTION

FINAL ORDER OF
DISCIPLINE

TO PRACTICE AS A CERTIFIED
HOMEMAKER-HOME HEALTH AIDE
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. Pamela Carson ("Respondent") is the holder of Homemaker-Home Health Aide Certificate 26NH13729400 in the State of New Jersey at all times relevant hereto.

2. On or about October 4, 2013, the board received a letter from Senior In Place, LLC, (SIP) in Springfield, New Jersey, notifying the board that Respondent had sent her mother, who is not a SIP employee or a certified homemaker-home health aide in the State of New Jersey, to care for a client on September 29, 2013 at Brandywine Assisted Living (Brandywine).

On September 30, 2013, SIP was contacted by Brandywine requesting Respondent's protocol paperwork and Respondent's picture. Brandywine then informed SIP that the person caring for the client was not the person in the picture. SIP staff went to Brandywine and police were contacted. The person posing as Respondent was confronted and she informed SIP that she was Respondent's mother and that she was caring for the client because Respondent's son was in critical condition at the hospital.

3. Additionally, on or about October 15, 2013, the Board received another letter from SIP stating that Respondent had gone to SIP's office to pick-up her paycheck and Respondent appeared to be "very aggressive and visibly angry". Police were called because SIP staff was uncomfortable with Respondent's demeanor. Prior to appearing at SIP's office, SIP had requested that Respondent obtain a letter from the hospital regarding Respondent's son's emergency and admittance to the hospital but Respondent did not provide a letter. After receiving the paycheck, Respondent authored a sworn statement, admitting to sending her mother to care for the client on September 29, 2013.

CONCLUSIONS OF LAW

Respondent's actions, heretofore described, constitute dishonesty and the aiding and abetting unlicensed practice.

Therefore, Respondent is in violation of N.J.S.A. 45:1-21(b), for dishonesty, fraud, and misrepresentation; and N.J.S.A. 45:1-21(n), for permitting an unlicensed person to perform an act for which a license or certificate is required by the Board. These facts establish basis for disciplinary action pursuant to N.J.S.A. 45:1-21(h).

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on May 16, 2014, provisionally suspending respondent's certification to practice as a homemaker-home health aide for one year, with the suspension to be stayed and served as a period of probation; and imposing a \$250.00 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 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

additional time to respond because of surgery which had been scheduled. The additional time was granted. Respondent subsequently wrote to the Board, admitting that she had made a "big mistake" by having her mother fill in for her as a homemaker home health aide, and assuring the Board that it would not happen again. The Board considered respondent's submission, but determined that it was uncontested that by permitting a person who was not a certified homemaker-home health aide to fill in for her she had engaged in aiding and abetting unlicensed practice and engaged in dishonesty, and that the discipline indicated in the Provisional Order was warranted by respondent's conduct.

ACCORDINGLY, IT IS on this 22nd day of December 2014,

ORDERED that:

1. Respondent's certificate to practice as a homemaker-home health aide shall be and hereby is suspended for one (1) year, with the suspension to be stayed and served as a period of probation for Respondent's actions.

2. A civil penalty in the amount of \$250.00 is hereby imposed upon Respondent for dishonesty and for aiding and abetting unlicensed practice. 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 Final Order of Discipline. 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.

NEW JERSEY STATE BOARD OF NURSING

Patricia Murphy Ph.D. APN

By: _____

Patricia Murphy, PhD, APN
President