

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

IN THE MATTER OF THE :  
LICENSE OF :  
:  
**VALERIA S. CONE, R.N.** :  
**License # 26NR13809900** :  
:  
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 upon which the following findings of fact and conclusions of law are made:

**FINDINGS OF FACT**

1. Valeria A. Cone ("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 October 9, 2013, the Board issued a letter of inquiry asking Respondent inter alia to supply documentation, in the form of certificates of completion, of all continuing education credits earned during the renewal period dating from June 1, 2010 through May 31, 2012.
3. Respondent was able to document completion of three contact hours of continuing education completed in October of 2010, and thirty contact hours of continuing education completed on November 23, 2013.

4. On her 2012 renewal application, Respondent indicated that she would have timely completed all continuing education requirements for the June 1, 2010 – May 31, 2012 renewal period by May 31, 2012.

5. N.J.A.C. 13:37-5.3 requires licensees to complete a minimum of 30 contact hours of continuing education by the end of each renewal cycle.

### **CONCLUSIONS OF LAW**

Respondent's failure to demonstrate timely completion of continuing education requirements for the June 1, 2010 – May 31, 2012 renewal period constitutes a violation of N.J.A.C. 13:37-5.3, subjecting Respondent to sanctions pursuant to N.J.S.A. 45:1-21(e) and (h).

Respondent's inaccurately indicating on her 2012 renewal application that she would have timely completed all required continuing education for the June 1, 2010 – May 31, 2012 licensing cycle by May 31, 2012 constitutes misrepresentation in violation of N.J.S.A. 45:1-21(b).

### **DISCUSSION**

Based on the foregoing findings and conclusions, a Provisional Order of Discipline seeking a reprimand and a two hundred and fifty dollar (\$250) civil penalty was entered on August 15, 2014. Copies were served upon Respondent via regular and certified mail. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the thirtieth day following entry unless Respondent requested a modification or dismissal of the stated findings of fact and conclusions of law by 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 of Discipline by providing documentation of completion of 22 hours of continuing education within the June 1, 2010 – May 31, 2012 biennial period. N.J.A.C. 13:37-5.3(f) requires nurses to maintain documentation of completion of continuing education for four years and to submit the documentation to the Board upon request. Although Respondent had lost data from her computer, she was able to contact the continuing education provider and obtain duplicate certificates for 22 hours. However, Respondent was unable to document completion of 8 hours within the biennial period. As Respondent completed 30 hours of continuing education in November 2013, she may apply 8 of those hours to cure the deficiency of the previous biennial period.

The Board reviewed Respondent's submissions and determined that further proceedings were not necessary and that no material discrepancies had been raised. The Board was not persuaded that the submitted materials merited further consideration. Respondent failed to demonstrate, to the satisfaction of the Board, completion of 30 hours of continuing education within the June 1, 2010 – May 31, 2012 biennial period and for that, the Board determined that the two hundred and fifty dollar civil penalty is warranted. Similarly, the Board determined that Respondent's misrepresentation her 2012 renewal application whereby she answered that she had completed the required continuing education when she did not demonstrate that she did so warranted a reprimand.

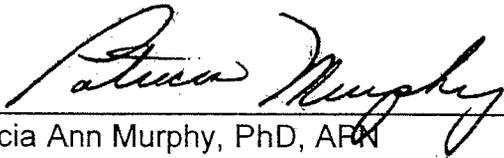
**ACCORDINGLY, IT IS** on this 22 day of January, 2015,  
**ORDERED that:**

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

2. A civil penalty in the amount of two hundred and fifty dollars (\$250) is hereby imposed for the violation of N.J.A.C. 13:37-5.3. Payment shall be made by certified check, bank cashier check, or money order payable to "State of New Jersey," or by wire transfer, direct deposit, or credit card payment delivered or mailed to George Hebert, Executive Director, State Board of Nursing, P.O. Box 45010, Newark, New Jersey 07101. Any other form of payment will be rejected and will be returned to the party making the payment. Payment shall be made no later than fifteen (15) days after the date of filing 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.

3. Continuing education hours completed after May 31, 2012 and applied to cure the deficiency of a previous biennial period shall not also be used to satisfy the requirements of the biennial period in which they were actually completed.

NEW JERSEY STATE BOARD OF NURSING

By:   
Patricia Ann Murphy, PhD, APRN  
Board President