

Provisional
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N.J. BOARD OF NURSING

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FINAL
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N.J. BOARD OF NURSING

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

IN THE MATTER OF THE LICENSE OF : Administrative Action
: :
: PROVISIONAL ORDER
: OF DISCIPLINE
LAQUELLA L. JOHNSON, LPN :
License # 26NP05943500 : FINAL ORDER
: OF DISCIPLINE
: (Finalized by default
TO PRACTICE NURSING IN THE : on February 20, 2015)
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

2. On or about June 21, 2013, Respondent completed and submitted an online biennial renewal for the period of June 01, 2013 to May 31, 2015. (Exhibit B).

3. Respondent was asked on the biennial renewal application whether Respondent would have "completed the required continuing education credits by May 31, 2013," referring to the biennial renewal period of June 01, 2011 to May 31, 2013. Respondent answered "Yes" and certified that answer by submitting the online application. (Exhibit B).

4. Upon receipt of information indicating that Respondent was arrested on September 29, 2013 by the Neptune City Police Department for violation of N.J.S.A. 2C:20-11B (Shoplifting), the Board sent a letter of inquiry requesting certain information and documents regarding the criminal matter, Respondent's nursing practice, and continuing education to Respondent's address of record in Belmar, New Jersey, via regular and certified mail on or about October 11, 2013. The regular mailing was not returned. The certified mailing was marked unclaimed and returned. (Exhibit C).

5. Respondent partially responded to the Board's request for information. On October 16, 2013, Respondent was found guilty of a downgraded local ordinance violation and assessed five hundred and thirty-nine dollars (\$539) in fines, costs, and

fees. Respondent maintained that she was caught stealing thirty dollars worth of merchandise from Dollar General, cooperated with the store's security and the arresting officers, and was making installments payments on her assessment. (Exhibit D).

6. Upon receipt of Respondent's partial reply to the Board, a letter was sent alerting Respondent that she had not provided proof of continuing education, and asking Respondent to submit all documentation of completed continuing education since June 01, 2011 to Respondent's address of record in Belmar, New Jersey, via regular and certified mail on or about February 18, 2014. The regular mailing and certified mailing were both returned and listed as not deliverable as addressed/unable to forward. (Exhibit E).

7. To date, Respondent has not replied to the Board's request for proof of continuing education.

CONCLUSIONS OF LAW

By stealing, or shoplifting, thirty dollars worth of merchandise from Dollar General, and being found guilty of a local ordinance violation regarding same, Respondent has been convicted of, or engaged in acts constituting, a crime or offense relating adversely to the practice of nursing pursuant to N.J.S.A. 45:1-21(f). Stealing and shoplifting are adverse to the practice of nursing because nurses care for vulnerable

populations and are expected to be trustworthy. Stealing and shoplifting erodes the public's trust in nurses.

Pursuant to N.J.A.C. 13:37-5.3(b), nurses are required to complete a minimum of thirty (30) hours of continuing education during the preceding biennial period in order to renew their licenses. Pursuant to N.J.A.C. 13:37-5.3(f), nurses are required to maintain documentation of completion of continuing education for a period of four years after completion, and shall submit such documentation to the Board upon request.

By virtue of having failed to respond to the letter of inquiry, Respondent is deemed to have failed to demonstrate, to the satisfaction of the Board, that Respondent completed the continuing education credits required for renewal during the biennial period of June 1, 2011 to May 31, 2013. The Board therefore finds Respondent in violation of N.J.A.C. 13:37-5.3(b) and 13:37-5.3(f), which in turn subjects Respondent to sanctions pursuant to N.J.S.A. 45:1-21(e) and (h).

Respondent's use of dishonesty and misrepresentation during the license renewal process in falsifying her continuing education information constitutes a violation of N.J.S.A. 45:1-21(b), subjecting Respondent to sanctions.

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

ACCORDINGLY, IT IS on this 2nd day of December, 2014,
ORDERED that upon the filing of a FINAL ORDER OF DISCIPLINE in
this matter:

1. Respondent's license to practice nursing is suspended until such time as Respondent provides proof of completion of thirty hours of continuing education for each biennial renewal period from June 01, 2011 to the time of reinstatement. Continuing education hours taken currently and applied to cure the deficiency from the previous biennial period shall not be used to satisfy the requirements of the current biennial period.

2. A reprimand is imposed on Respondent pursuant to N.J.S.A. 45:1-21(f) and (b).

3. Respondent is assessed a civil penalty in the amount of five hundred dollars (\$500). Said penalty is an aggregate penalty, which includes a penalty in the amount of two hundred and fifty dollars (\$250) for engaging in acts constituting a crime or offense adverse to the practice of nursing (stealing/shoplifting) and a penalty in the amount of two hundred and fifty dollars (\$250) for failing to timely complete required continuing education. 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 a 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.

4. Respondent shall refrain from practicing as a nurse and shall not represent herself as a Licensed Practical Nurse until such time as her license is reinstated. Any practice in this State prior to reinstatement shall constitute grounds for a charge of unlicensed practice.

5. The within order shall be subject to finalization by the Board at 5:00 p.m. on the 30th day following entry hereof unless Respondent requests a modification or dismissal of the above stated Findings of Fact or Conclusions of Law by:

a) Submitting a written request for modification or dismissal to George Hebert, Executive Director, State Board of Nursing, 124 Halsey Street, Sixth Floor, P.O. Box 45010, Newark, New Jersey 07101.

b) Setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed.

c) Submitting any and all documents or other written evidence supporting Respondent's request for consideration and reasons therefor or offered in mitigation of penalty.

6. Any submissions will be reviewed by the Board and the Board will thereafter determine whether further proceedings are necessary: If no material discrepancies are raised through a supplemental submission during the thirty-day period, or if the Board is not persuaded that the submitted materials merit further consideration, a Final Order of Discipline will be entered, and

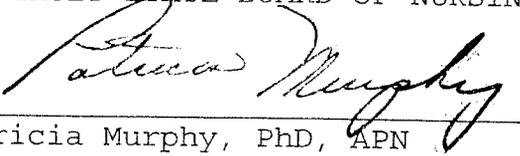
7. In the event that Respondent's submissions establish a need for further proceedings, including, but not limited to an evidentiary hearing, Respondent shall be notified with regard thereto. In the event that an evidentiary hearing is ordered, the preliminary findings of fact and conclusions of law contained herein may serve as notice of the factual and legal allegations in such proceeding. Further, in the event a hearing is held and upon review of the record, the Board shall not be limited to the findings, conclusions and sanctions stated herein.

8. In the event that the Board receives no written submission from Respondent within 30 days following filing of this Provisional Order of Discipline, without further Board

review, the Provisional Order of Discipline shall automatically become the Final Order of Discipline. The box for Final Order of Discipline shall be checked, the Final Order of Discipline shall be filed, and copies shall be mailed to Respondent. Thereafter, Respondent's failure to comply with any sanction or penalty imposed by this Order shall be considered a violation of a Board Order in contravention of N.J.S.A. 45:1-21 (e) and (h) and N.J.A.C. 13:45C-1.4 and may subject Respondent to additional sanction and/or penalty.

NEW JERSEY STATE BOARD OF NURSING

By: _____


Patricia Murphy, PhD, APN
President