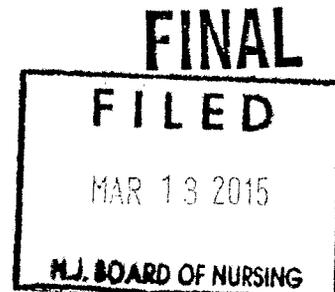
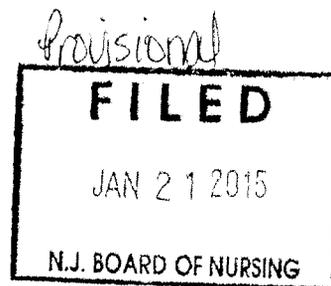


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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF NURSING

IN THE MATTER OF THE LICENSE OF	:	Administrative Action
	:	
	:	<input checked="" type="checkbox"/> PROVISIONAL ORDER
	:	OF DISCIPLINE
SHANTAE N. BYRD, LPN	:	
License # 26NP07090800	:	<input checked="" type="checkbox"/> FINAL ORDER
	:	OF DISCIPLINE
	:	(Finalized by default
TO PRACTICE NURSING IN THE	:	on <u>March 13, 2015</u>)
STATE OF NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Nursing ("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. Shantae N. Byrd ("Respondent") is a Licensed Practical Nurse in the State of New Jersey and has been a licensee at all times relevant hereto. (Exhibit A).

2. On May 8, 2014, the Board received a flagging notice indicating that Respondent was arrested on May 8, 2014 by the Newark Police Department for violation of N.J.S.A. 2C:12-1B(7) (Aggravated Assault With Bodily Injury). 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 Irvington, New Jersey, via regular and certified mail on or about May 24, 2014. The regular mailing was returned as "Not Deliverable As Addressed Unable to Forward." The certified mail was returned as "Undeliverable As Addressed; Moved, Left No Address." (Exhibit B).

3. To date, Respondent has not responded to the Board's request for information.

CONCLUSIONS OF LAW

Respondent's failure to respond to the Board's request for information constitutes a failure to cooperate with a Board investigation, in contravention of N.J.A.C. 13:45C-1.2 and 1.3, which the Board deems professional misconduct pursuant to N.J.S.A. 45:1-21(e) and also subjects Respondent to disciplinary action pursuant to N.J.S.A. 45:1-21(h).

Pursuant to N.J.A.C. 13:37-5.7, nurses are required to notify the Board in writing of any change in address within 30

days of the change. Service to the street address registered with the Board shall constitute effective notice pursuant to N.J.A.C. 13:45-3.2.

ACCORDINGLY, IT IS on this 21 day of January, 2015,
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 cooperates fully with the Board's investigation by providing the Board with the information requested in the Board's letter of inquiry.

2. Respondent is assessed a civil penalty in the amount of five hundred dollars (\$500), for failure to cooperate with a Board investigation. Payment shall be made by money order, bank cashier check or certified check, made payable to the 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 payment. Payment shall be due no later than fifteen (15) days after the 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.

3. 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.

4. 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.

5. 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.

6. 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.

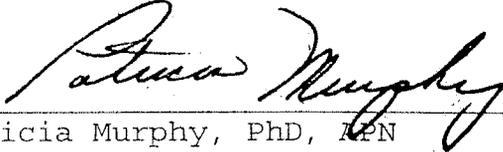
7. In the event that the Board receives no written submission from Respondent within 30 days following the filing of this Provisional Order of Discipline, without further Board review, the Provisional Order of Discipline shall automatically become the Final Order of Discipline. The box for Final Order 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.

8. The Board reserves the right to initiate disciplinary proceedings based upon any information that Respondent ultimately provides in response to the letter of inquiry or upon any new information the Board receives.

NEW JERSEY STATE BOARD OF NURSING

By:



Patricia Murphy, PhD, RN
President