

FILED
MAR 23 2015
N.J. BOARD OF NURSING

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
	:	
	:	FINAL ORDER
	:	OF DISCIPLINE
CHEYENNE MAE GARCES, L.P.N.	:	
License # 26NP 06794100	:	
	:	
	:	
TO PRACTICE NURSING IN THE	:	
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. Respondent is a licensed practical nurse in the State of New Jersey, and has been a licensee at all times relevant hereto.

2. Respondent indicated on her 2014 renewal application that she would not complete required continuing education for the 2012-2014 licensing cycle by May 31, 2014.

3. Respondent was asked by the Board's Executive Director in letters dated July 9, 2014 and August 21, 2014 to submit documentation of completion of all continuing education courses required for the 2012-2014 licensing cycle and to provide

payment of a civil penalty in the amount of \$250, in the form of a certified check or money order, for the failure to comply with N.J.A.C. 13:37-5.3.

4. Respondent submitted payment of \$250 in satisfaction of the civil penalty, but she did not provide documentation of thirty (30) contact hours of appropriately accredited continuing education as defined pursuant to N.J.A.C. 13:37-5.3; she provided documentation of only four (4) hours of qualifying nursing continuing education.

CONCLUSIONS OF LAW

1. Respondent's failure to comply with N.J.A.C. 13:37-5.3 subjects respondent to sanctions pursuant to N.J.S.A. 45:1-21(e) and (h).

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on February 27, 2015, provisionally suspending respondent's nursing license, and imposing a \$250.00 civil penalty. A copy of the Order was served upon the 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.

Respondent replied to the Provisional Order, forwarding documentation of 36.40 contact hours of nursing continuing education, with completion dates ranging from August 5, 2014 to March 6, 2015. Accordingly, the Board finds that suspension is no longer warranted, and that the order memorializing respondent's payment of the civil penalty should issue.

ACCORDINGLY, IT IS on this 23rd day of March, 2015,
ORDERED that upon the filing of a FINAL ORDER OF DISCIPLINE in
this matter:

1. Payment of the civil penalty for the violation of N.J.A.C. 13:37-5.3 is hereby memorialized by this order. As respondent has admitted to the violation and satisfied the penalty, no further payment is required.

2. Only 6.40 contact hours of the nursing continuing education submitted dating from August 5, 2014 to March 6, 2015 may be utilized to satisfy respondent's continuing education obligation for the 2014-2016 licensing cycle.

NEW JERSEY STATE BOARD OF NURSING

By: Patricia Murphy PLD APN
Patricia Murphy, PhD, APN
Board President