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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 SUSPENSION :  
OR REVOCATION OF THE LICENSE OF :  
 : Administrative Action  
Karen D. Jacukiewicz, R.N. :  
License No. 26NR11463300 : FINAL ORDER  
 : OF DISCIPLINE  
TO PRACTICE NURSING :  
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 preliminary findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Karen D. Jacukiewicz ("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 May 05, 2012, Respondent completed and submitted an online biennial renewal for the period of June 01, 2012 to May 31, 2014.

3. Respondent was asked on the biennial renewal application whether Respondent would have "completed the required continuing education credits by May 31, 2012," referring to the biennial renewal period of June 01, 2010 to May 31, 2012. Respondent answered "Yes" and certified that answer by submitting the online application.

4. Upon receipt of information that Respondent was terminated for accessing and disclosing a patient's medical information without consent, the Board sent a letter of inquiry requesting certain information and submission of documents regarding the event, Respondent's current nursing practice, and continuing education to Respondent's address of record in Lakewood, New Jersey, via regular and certified mail on or about November 28, 2012. The regular mailing was not returned; the certified mail receipt was signed upon delivery on December 01, 2012.

5. After receiving no response to the letter of inquiry, the Board sent another letter, informing Respondent of the contents of the November 28, 2012 letter and requesting a response to Respondent's address of record in Lakewood, New Jersey, via regular and certified mail on or about January 16,

2013. The regular mailing was not returned; the certified mail receipt was signed upon delivery on January 18, 2013.

6. Upon receipt of information indicating that Respondent was arrested on March 26, 2013 by the Weehawken Township Police Department for violation of N.J.S.A. 2C:5-1 (Criminal Attempt Simple Assault) and N.J.S.A. 2C:5-1 (Criminal Attempt Possess Weapon Unlawful Purpose), the Board sent another letter of inquiry, again requesting certain information and documents regarding the criminal matter, Respondent's nursing practice, and continuing education to Respondent's address of record in Lakewood, New Jersey, via regular and certified mail on or about April 04, 2013. The regular mailing was not returned; the certified mail receipt was signed upon delivery on April 06, 2013.

7. On or about May 12, 2014, Respondent completed and submitted an online biennial renewal for the period of June 01, 2014 to May 31, 2016.

8. Respondent was asked on the biennial renewal application whether Respondent would have "completed the required continuing education credits by May 31, 2014," referring to the biennial renewal period of June 01, 2012 to May 31, 2014. Respondent

answered "Yes" and certified that answer by submitting the online application.

9. To date, Respondent has not responded to any of the Board's requests for information.

#### CONCLUSIONS OF LAW

Respondent's repeated failure to respond to the Board's requests for information constitutes a failure to cooperate with Board investigations, 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. 13:37-5.3(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 letters 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 periods of June 01, 2010 to May 31, 2012 and June 01, 2012 to May 31, 2014. 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 repeated 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.

#### DISCUSSION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline ("POD") was entered on November 14, 2014 imposing a reprimand and seeking suspension until Respondent (1) fully cooperates with the Board's investigation by providing the Board with the information requested in the Board's letters of inquiry, (2) demonstrates completion of her continuing education requirements and (3) pays a civil penalty in the amount of seven-hundred and fifty dollars (\$750). The POD 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 has responded to the POD seeking a modification of the POD. Her response acknowledged that she did not respond to the letters of inquiry in a timely manner, which justifies maintaining the civil penalties for the expenses associated with filing the POD. Although she has now responded to the Board's inquiry, Respondent has still failed to address the circumstances of her termination from Kimball Medical Center. Instead, Respondent has addressed her termination from a different place of employment: Green Acres Manor. Further, Respondent denied the alleged inappropriate use of social media.

In regards to continuing education, Respondent's certificates of completion demonstrate that Respondent failed to timely complete the continuing education requirements for the 6/10/10- 5/31/12 biennial period.

The Board was persuaded that the submitted materials merited modification of the suspension but maintained the reprimand and the \$750 in civil penalties.

ACCORDINGLY, IT IS on this 10<sup>th</sup> day of April, 2015,  
ORDERED that:

1. A reprimand is imposed on Respondent for falsifying the continuing education information on her license renewal applications.

2. Respondent is assessed a civil penalty in the amount of seven hundred and fifty dollars (\$750). Said penalty is an aggregate penalty, which includes a penalty in the amount of five hundred dollars (\$500) for failure to cooperate with a Board investigation 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 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

By: \_\_\_\_\_

  
Patricia Murphy, PhD, APN  
Board President