



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

IN THE MATTER OF THE  
LICENSE OF  
  
**JERI A. BALLEW, R.N.**  
**License # 26NR05189800**  
  
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. Jeri A. Ballew ("Respondent") is a Registered Professional Nurse (RN) in the State of New Jersey, and has been a licensee at all times relevant hereto.
2. On or about September 5, 2014, Respondent was criminally charged with theft by unlawful taking of prescription blanks from the University Medical Center of Princeton in violation of N.J.S. 2C:20-2(b) and possession of twenty one (21) tablets of Vicoprofen (hydrocodone and ibuprofen combination) that were fraudulently obtained. A police report related to the arrest indicates that Ms. Ballew took prescription blanks on three occasions, in June, August, and September of 2014; that she admitted to bringing

the prescription blanks home, filled them out for 40/60 Vicoprofen pills, forged the physician's signature, and had the prescriptions filled at a pharmacy.

3. On October 9, 2014, the Board issued a letter of inquiry asking about the arrests, and also asking for documentation of continuing education completed during the last three years.

4. Respondent replied to the letter, acknowledging that she had been taking Vicoprofen for pain management for five months on a daily basis in connection with a broken leg. She acknowledged that she had obtained prescription pads from her unit at work because of her continuing "need" for the pills. Respondent indicated that she was involved with the Professional Assistance Program of New Jersey (PAP), a monitoring program for licensees of the Division of Consumer Affairs, but provided no documentation of this, nor did she provide any submission from PAP on her behalf.

5. Respondent did not send in documentation of any nursing continuing education.

6. On Respondent's 2014 renewal application, Respondent indicated that she would have completed all required continuing education for the June 1, 2012 – May 31, 2014 licensing cycle by May 31, 2014.

#### **CONCLUSIONS OF LAW**

Respondent's admission that she took prescription blanks without authorization and forged the physician's signature subjects Respondent to sanctions pursuant to N.J.S.A. 45:1-21(e) for professional misconduct.

Respondent's admitted need for daily Vicoprofen to the point that she engaged in such conduct as diversion and forgery to obtain that pain medication subjects Respondent to sanctions pursuant to N.J.S.A. 45:1-21 (b) and (l).

Respondent's failure to supply documentation of completion of required nursing continuing education 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 indication on her 2014 renewal application that she would have completed all required nursing continuing education for the June 1, 2012 – May 31, 2014 licensing cycle by May 31, 2014 constitutes misrepresentation in violation of N.J.S.A. 45:1-21(b).

Based on the foregoing findings and conclusions, a Provisional Order of Discipline seeking a suspension, participation in an intervention program, completion of required continuing education, a reprimand, and a two hundred and fifty dollar (\$250) civil penalty was entered on January 23, 2015. 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 timely responded to the Provisional Order of Discipline by providing a copy of the Municipal Court Order showing that proceedings were suspended on November 12, 2014, and Respondent was placed on supervisory treatment for six

months, assessed eight hundred and thirty-three dollars (\$833) in fines and costs, and ordered to continue counseling until discharge. Additionally, Respondent provided evidence of timely completion of at least 30 hours of continuing education, including the Organ and Tissue Donation Course, within the June 1, 2012 – May 31, 2014 biennial renewal period. Lastly, Respondent and PAP provided documentation of Respondent's return to PAP after her arrest and until, at least, the time of her response to the POD. PAP asserted that Respondent was compliant with the program and requested that her license not be suspended. In 2007, the Board had filed a Consent Order with a two year stayed suspension of Respondent's license and requiring her to participate with an intervention program. Respondent's repeated conduct subjects her to enhanced disciplinary sanctions pursuant to N.J.S.A. 45:1-25.

Additionally, pursuant to N.J.S.A. 45:1-22(e), the Board may order any person, as a condition for continued or reinstated licensure, to secure medical or other professional treatment as may be necessary to properly discharge the functions of a licensee. Pursuant to N.J.S.A. 45:1-22(f), the Board may order any person, as a condition for continued or reinstated licensure to submit to testing, monitoring, and evaluation which may be required to evaluate whether continued practice may jeopardize the safety and welfare of the public.

The Board reviewed Respondent's submissions and determined that further proceedings were not necessary, but that modification of the Provisional Order was justified. Inasmuch as Respondent provided documentation of timely completion of all required continuing education for the June 1, 2012 – May 31, 2014 biennial renewal period, the Board determined that the two hundred and fifty dollar (\$250) civil penalty

and the reprimand were not warranted. However, the Board was not convinced that Respondent's current and recent compliance with PAP was sufficient to mitigate the period of suspension, especially considering Respondent's previous Board Order regarding similar conduct and past participation with PAP.

ACCORDINGLY, IT IS on this 17<sup>th</sup> day of May, 2015,

ORDERED that:

1. Respondent's nursing license is hereby suspended for a period of two years based upon the violations of N.J.S.A. 45:1-21(e) and (l). A minimum of one year of the suspension is to be actively served, with one additional year to be stayed and served as a period of probation.

2. Respondent's license shall not be reinstated until she can demonstrate to the Board's satisfaction that she is fit and competent to resume nursing practice. Moreover, Respondent's license shall not be reinstated unless she demonstrates continued enrollment in and participation in PAP, or some other monitoring program approved by the Board. After at least one year of active suspension, Respondent may petition the Board, in writing, for the lifting of the active suspension and the commencement of the one year period of stayed suspension/probation. The Board reserves the right to impose certain conditions and limitations during the one year period of stayed suspension/probation.

NEW JERSEY STATE BOARD OF NURSING

By:



Patricia Ann Murphy, PhD, APN  
Board President