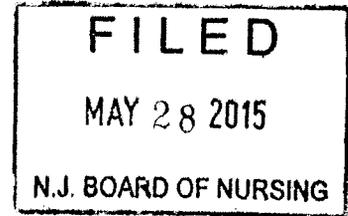


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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF NURSING

IN THE MATTER OF THE
LICENSE OF

Administrative Action

MICHAEL STALLONE, R.N.
LICENSE #NO 11517900

CONSENT ORDER
AND ORDER OF REINSTATEMENT
OF LICENSE

TO PRACTICE AS A
REGISTERED PROFESSIONAL NURSE
IN THE STATE OF NEW JERSEY

This matter was opened to the New Jersey State Board of Nursing ("Board") upon receipt of respondent's petition for reinstatement of his nursing license. Mr. Stallone's nursing

license had been suspended pursuant to a Final Order of Discipline entered on February 10, 2015. The basis for the suspension was respondent's failure to respond to a Board inquiry concerning allegations that, in July of 2013, while employed at Atlantic Care Regional Medical Center, a patient in his care was left in restraints after the physician order for restraints had expired, and that he documented assessments of the patient which were not performed. A reprimand was also imposed by the February 10, 2015 order, for misrepresentation on his 2013 renewal application with regard to the continuing education he had completed, as well as a total of \$750 in civil penalties for his failure to respond to the Board inquiry (\$500) and failure to timely complete continuing education in violation of N.J.A.C. 13:37-5.3 (\$250).

Mr. Stallone has fully responded to the Board inquiry. He has demonstrated completion of thirty (30) contact hours of nursing continuing education to be attributed to the 2011-2013 licensing cycle, and he has furnished payment of the \$750 civil penalty imposed by the Final Order of Discipline entered on February 10, 2015. Accordingly, respondent has satisfied the requirements for reinstatement imposed by the Final Order of Discipline.

Respondent maintains that he had directed his mental health associate to remove the patient from restraints once she was

asleep and no longer posed any danger, as he maintained was common practice. He further maintains that his associate assured him the restraints had been removed. Respondent also states that he did not enter the patient's room to make his assessment because the patient engaged in volatile behavior posing danger to herself and others if awakened at night, and therefore the patient was monitored 24 hours a day by camera and intermittently observed through the room's window. Moreover, respondent stated that the patient's mother was at bedside for virtually the patient's entire stay. Respondent maintains that his assessment records were accurate, and do not indicate that he entered the patient's room.

The Board finds that respondent's assessments in this context, as they do not indicate that respondent did not enter the patient's room, were misleading within the intendment of N.J.S.A. 45:1-21(b).

The Board finding that reinstatement of respondent's license to practice nursing is appropriate at this time, and that the within Order is sufficiently protective of the public health, safety and welfare, in lieu of further proceedings, and for other good cause shown;

IT IS, ON THIS 28th DAY OF May, 2015

HEREBY ORDERED AND AGREED THAT:

1. A reprimand is hereby imposed upon respondent for the violation of N.J.S.A. 45:1-21(b).
2. Respondent shall, within three months of the filing of this order, provide the Board with documentation of a nursing ethics course, pre-approved by the Board, which shall not be eligible for utilization as required continuing education pursuant to N.J.A.C. 13:37-5.3.
3. Respondent's petition for reinstatement of his license to practice nursing in New Jersey is granted upon review and approval of any required documents and payment of any required fees, if not already submitted.

NEW JERSEY STATE BOARD OF NURSING

By:

Patricia Murphy PLD APN

Patricia Ann Murphy, PhD, APN, C

I have read and understand
the within Consent Order and
agree to be bound by its terms.



Michael Stallone, R.N.