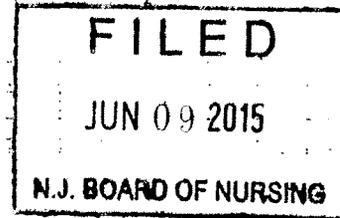


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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF NURSING

IN THE MATTER OF THE
LICENSE OF

Administrative Action

EVA LACIBAL, R.N.
LICENSE # NO 09784500

CONSENT ORDER

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 that respondent Eva Lacibal had been allowed to resign in lieu of termination from Saint Michael's Medical Center, where she had been employed as a nurse since 1989.

According to St. Michael's, on February 27, 2013, while assigned to the pre-cardiac surgical telemetry unit, Ms. Lacibal was observed with two unlabeled blood specimens. Ms. Lacibal explained that the unit was very busy at the time, and that she

was not familiar with the unit. According to Ms. Lacibal, a perfusionist had approached her, handed her two specimen tubes, and asked her to draw blood samples needed prior to a patient's heart surgery. The patient was under Ms. Lacibal's care. Ms. Lacibal obtained the samples and indicated that she assumed the perfusionist would label the specimens. Moreover, she maintained that because she spoke with the patient's physician about the blood samples, she also assumed the physician was writing up the order for drawing the specimens. Ms. Lacibal was observed by her nurse-manager, who asked her to come to the manager's office, and then purportedly berated Ms. Lacibal and told her she was going to "write up" Ms. Lacibal for taking blood samples without labels. Ms. Lacibal claimed that she (Ms. Lacibal) became very upset during this conversation, because the manager would not listen to her, and told the nurse manager that she was going home. Ms. Lacibal admits that the nurse-manager told her that if she elected to leave, she might be suspended.

The Board finds that respondent's unilateral decision to leave the facility, at approximately 9:15 A.M., close to the beginning of her shift, where she had been assigned six patients, constitutes professional misconduct within the intendment of N.J.S.A. 45:1-21(e). Respondent's personal frustration, whether or not it was warranted, does not justify this conduct.

In addition, respondent indicated on her 2012 renewal application that she would have completed all required continuing education for the 2010-2012 licensing cycle by May 31, 2012. Respondent has provided documentation of completion of thirty (30) contact hours of nursing continuing education completed in December of 2013 and January of 2014, but indicates she is unable to locate documentation of continuing education completed during the June 1, 2010-May 31, 2012 licensing cycle. Accordingly, the Board finds that respondent engaged in misrepresentation on her 2012 renewal application with respect to the status of her continuing education, and is also found to be in violation of N.J.A.C. 13:37-5.3 based upon her failure to timely complete required continuing education. Respondent maintains that she did not engage in misrepresentation in that at the time she filled out her renewal application in 2012, she had completed the required constituting education, however she is unable to provide proof of attendance at the courses.

The parties desiring to resolve this matter without further proceedings, respondent waiving any right to a hearing, and the Board finding that the within order is sufficiently protective of the public health, safety and welfare, and for other good cause shown;

IT IS, ON THIS 9th DAY OF June, 2015

HEREBY ORDERED AND AGREED THAT:

1. A reprimand is hereby imposed for respondent's violation of N.J.S.A. 45:1-21(e).

2. A second reprimand is hereby imposed for respondent's violation of N.J.S.A. 45:1-21(b).

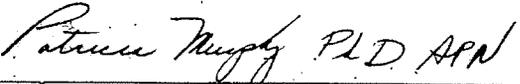
3. A \$250.00 civil penalty is hereby imposed for respondent's violation of N.J.A.C. 13:37-5.3. Payment shall be in the form of a certified check, money order or attorney trust account check, made payable to the State of New Jersey, and shall be submitted along with this signed order.

4. Respondent shall, within three months, document completion of two continuing education courses, specifically a nursing ethics course, and a course in nursing and the law, which courses are to be pre-approved by the Board, and which shall not be eligible towards satisfaction of a respondent's continuing education obligations pursuant to N.J.A.C. 13:37-5.3.

5. The continuing education courses completed in December of 2013 and in January of 2014 shall not be accepted in satisfaction of respondent's continuing education obligation for the ~~2012-2014~~ licensing cycle.

NEW JERSEY STATE BOARD OF NURSING

By:


Patricia Ann Murphy, PhD, APN, C
Board President

I have read and understand
The within Consent Order and
Agree to be bound by its terms.

Eva Lacibal

Eva Lacibal, R.N.

JP
Consent as to form and entry:

JoAnn Pietro
JoAnn Pietro, Esq.
Attorney for respondent