



CHRIS CHRISTIE  
Governor

KIM QUADAGNO  
Lt. Governor

## New Jersey Office of the Attorney General

Division of Consumer Affairs  
New Jersey Board of Nursing  
124 Halsey Street, 6<sup>th</sup> Floor, Newark, NJ 07102  
[www.njconsumeraffairs.gov/medical/nursing.htm](http://www.njconsumeraffairs.gov/medical/nursing.htm)



JOHN J. HOFFMAN  
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Director

**Mailing Address:**  
P.O. Box 45010  
Newark, NJ 07101  
(973) 504-6430

July 15, 2015

### VIA REGULAR AND CERTIFIED MAIL

Lilliam Avila, C.H.H.A.  
167 Webster Avenue, Apt 1  
Jersey City, NJ 07307

RE: **I/M/O Lilliam Avila, C.H.H.A.**  
Final Order of Discipline

Dear Ms. Lilliam Avila:

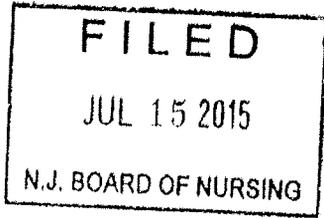
Enclosed please find a copy of the Final Order of Discipline ("FOD") filed with the New Jersey State Board of Nursing ("Board") in the above referenced matter. Please read this Order carefully, as you may be subject to additional discipline if you do not comply with the terms of the Order. You can obtain information about the status of your certification by calling the Board office at (973) 504-6430.

Sincerely yours,

Joanne Leone, Acting Executive Director,  
State Board of Nursing

Encl.

cc: Susan Carboni, DAG  
Shirley Dickstein, DAG



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

IN THE MATTER OF THE SUSPENSION OR  
REVOCAION OF THE CERTIFICATE OF

ADMINISTRATIVE ACTION

FINAL ORDER OF DISCIPLINE

Lilliam Avila, C.H.H.A.  
Certificate No.: 26NH08014200

TO PRACTICE AS A CERTIFITED  
HOMEMAKER HOME HEALTH AIDE  
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 on which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Lilliam Avila, ("Respondent") is the holder of Homemaker Health Aid Certificate 26NH08014200 in the State of New Jersey.

2. On October 15, 2013, the Board received a Flagging Notice stating that Respondent had been arrested on October 15, 2013, by the Jersey City Police Department for Aggravated Assault (N.J.S.A. 2C:12-1B).

3. Upon receipt of the flagging notice, the Board sent a letter of inquiry via regular and certified mail on October 18, 2013, requesting certain information and submission of documents including a narrative regarding the arrest, to Respondent's address of record in Jersey City, New Jersey. The regular mail was not returned to the Board and the certified mailing was returned as "unclaimed". Respondent did not respond.

#### CONCLUSIONS OF LAW

Respondent has failed to respond to the Board's request for information constituting a failure to cooperate with a Board investigation, in contravention of N.J.A.C. 13:45C-1.2, and 1.3, in violation of N.J.S.A. 45:1-21(e), subjecting Respondent to disciplinary action pursuant to N.J.S.A. 45:1-21(h).

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on February 28, 2014, provisionally suspending respondent's certification to practice as a homemaker-home health aide, and imposing a \$200 civil penalty. A copy of the Order was served upon 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 30<sup>th</sup> 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, and furnished the Board with a sufficient response to the Board's original inquiry. The Board determined that suspension for a failure to cooperate with the Board's investigation was not warranted. However, the Board further determined that respondent's ORIGINAL failure to respond to the Board's request for information in a timely manner resulted in the Board's being required to issue an order so as to obtain requested information, and led to a delay in the Board's investigation. Therefore, the Board found that imposition of the \$200 penalty for the initial failure to cooperate was warranted.

5 ACCORDINGLY, IT IS on this 15<sup>th</sup> day of July, 2015,

ORDERED that:

1. A civil penalty in the total amount of \$200.00 is hereby imposed upon Respondent for failing to cooperate with a Board. Payment should be made via certified check or money order payable to the State of New Jersey, delivered to Leslie Burgos-Bonilla, State Board of Nursing, P.O. Box

45010, Newark, New Jersey, 07101. Payment shall be made no later than 15 days after notice is served of the filing of this order. 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

*Patricia Murphy Ph.D. APN*

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

Patricia Murphy, PhD, APN  
President

