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

IN THE MATTER OF THE SUSPENSION	:	Administrative Action
OR REVOCATION OF THE LICENSE OF	:	
	:	ORDER OF SUSPENSION
KIMBERLY KEHR, R.N.	:	OF LICENSE
LICENSE # NR 16296300	:	
<i>NP 06653700</i>	:	
TO PRACTICE AS A REGISTERED	:	
NURSE (R.N.) IN THE	:	
STATE OF NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Nursing ("Board") upon receipt of information indicating the following:

1. Respondent, Kimberly Kehr, is the holder of License No. NR16296300 and is a registered professional nurse in the State of New Jersey.

2. Respondent entered into a private letter agreement with the Board which she signed on or about February 14, 2015. (Exhibit A) The agreement required respondent to enroll in the Recovery and Monitoring Program of New Jersey (RAMP), undergo evaluation and monitoring, agree to follow recommendations by RAMP for further treatment, and to refrain from the use of any and all potentially addictive substances. (Exhibit A, ¶¶2, 6, and 10) The agreement was to have the force and effect of a Board Order within the intendment of N.J.A.C. 13:45C-1.4. In the event that the Board received reliable information that respondent had acted in violation of the RAMP contract and/or the agreement, the agreement was no longer to remain confidential.

3. In a communication dated June 5, 2015, Jillian Scott, RAMP case manager, advised the Board that respondent was noncompliant with RAMP monitoring requirements, in that she tested positive for morphine on a urine drug screen on April 1, 2015 and on April 9, 2015. In May of 2015, respondent also ceased participating in RAMP by failing to check in on a number of dates and failing to attend peer group meetings. She also did not respond to a number of RAMP attempts to contact her. As a result of failing to check in, Ms. Kehr also failed to appear for urine screens scheduled on May 6, 2015 and May 11, 2015. (Exhibit B)

4. On or about July 31, 2015, a letter issued by overnight and regular mail to respondent at her address of record, advising respondent that the Board had received credible information indicating that she was not in compliance with the private letter agreement, and advising her to forward within five days any proof that she was currently in compliance with RAMP. (Exhibit C)

5. The overnight mailing was delivered on July 3, 2015. (Exhibit C) No response has been received to date.

6. A certification from RAMP's director dated August 27, 2015 affirms the history indicated in the communication of June 5, 2015, and indicates that Ms. Kehr ceased participation in RAMP, by failing to make required check-ins, thereby missing scheduled drug screenings, and failed to respond to RAMP's attempts to contact her. Ms. Kehr was discharged from RAMP for noncompliance effective May 20, 2015, and has not contacted RAMP since her discharge. (Exhibit D)

7. The private letter agreement signed by respondent, which by its terms has the force and effect of a Board order within the intendment of N.J.A.C. 13:45C-1.4, provided for automatic suspension of respondent's nursing license upon receipt of reliable information indicating that respondent has violated any term of the private letter agreement. (Exhibit A,

¶13)

8. Respondent's cessation of participation in RAMP constitutes a violation of the terms of the private letter agreement, and consequently a violation of N.J.A.C. 13:45C-1.4, subjecting respondent to sanctions pursuant to N.J.S.A. 45:1-21(e).

Accordingly,

IT IS on this 8th day of September, 2015

HEREBY ORDERED THAT:

1. Respondent's license to practice nursing in the State of New Jersey shall be and hereby is suspended for her violation of the private letter agreement, which is deemed a violation of a Board order within the intendment of N.J.A.C. 13:45C-1.4 and N.J.S.A. 45:1-21(e).

2. Respondent may, under the terms of the private letter agreement, upon notice, request a hearing on the sole issue of whether respondent has failed to comply with the terms of the private letter agreement.

3. In the event that respondent seeks reinstatement of her New Jersey nursing license at any future time, the Board shall not entertain any application for reinstatement without respondent's demonstrating that she in full compliance with the terms and conditions of the private letter agreement and with

any agreement with RAMP, and is fit and competent to practice nursing.

NEW JERSEY STATE BOARD OF NURSING

Patricia Murphy PhD APN

By:

Patricia Ann Murphy, PhD, APN, C
Board President