



3. The certified mailing of the letter of inquiry was returned as unclaimed. The regular mailing was not returned. No response was received.

4. Respondent indicated on her 2014 renewal application that she would have completed nursing continuing education requirements for the June 1, 2012 – May 31, 2014 licensing cycle by May 31, 2014.

### **CONCLUSIONS OF LAW**

Respondent's failure to respond to a Board inquiry constitutes a failure to cooperate within the intendment of N.J.A.C. 13:45C-1.2 and 1.3, subjecting Respondent to sanctions pursuant to N.J.S.A. 45:1-21(e).

Respondent's failure to document compliance with continuing education requirements for the June 1, 2012 – May 31, 2014 licensing cycle is deemed to constitute 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 N.J.S.A. 45:1-21(h).

Respondent's indication on her 2014 renewal application that she would have timely completed required continuing education by May 31, 2014 is deemed to constitute misrepresentation in violation of N.J.S.A. 45:1-21(b).

### **DISCUSSION**

Based on the foregoing findings and conclusions, a Provisional Order of Discipline seeking a suspension, reprimand, and seven hundred and fifty dollar (\$750) civil penalty was entered on February 12, 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 replied to the Provisional Order of Discipline by providing all the information requested in the Board's original letter of inquiry. Regarding continuing education, Respondent provided certificates of completion for the following:

0 hours within the June 1, 2012 – May 31, 2014 biennial period; and  
31.5 hours within the June 1, 2014 – May 31, 2016 biennial period.

The Board reviewed Respondent's submissions and determined that further proceedings were not necessary and that no material discrepancies had been raised. The Board was not persuaded that the submitted materials merited further consideration, as Respondent did not dispute the findings of fact or conclusions of law. Inasmuch as Respondent provided the information originally requested and cured the deficiency of continuing education from the previous biennial period, the Board determined that suspension was no longer warranted. However, the Board determined that Respondent's failure to respond to the original inquiry, thereby necessitating the filing of the Provisional Order of Discipline, and review of Respondent's subsequent reply months later, warrants imposition of a five hundred dollar (\$500) civil penalty. Additionally, Respondent's failure to timely complete required continuing education warrants imposition of a two hundred and fifty dollar (\$250) civil penalty, as well as a reprimand for Respondent's corresponding false answer on her renewal application whereby she certified that she had completed the required continuing education when she had not done so.

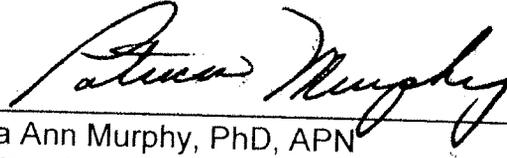
ACCORDINGLY, IT IS on this 15<sup>th</sup> day of September, 2015,  
ORDERED that:

1. A public reprimand is hereby imposed upon Respondent for the violation of N.J.S.A. 45:1-21(b).
2. A five hundred dollar (\$500) civil penalty is hereby imposed for the violation of N.J.A.C. 13:45C-1.2 and 1.3, as well as a two hundred and fifty dollar (\$250) civil penalty for the violation of N.J.A.C. 13:37-5.3 for a total penalty amount of seven hundred and fifty dollars (\$750). Payment shall be made by certified check, bank cashier check, or money order payable to "State of New Jersey," or by wire transfer, direct deposit, or credit card payment delivered or mailed to State Board of Nursing, Attention: Leslie Burgos, P.O. Box 45010, Newark, New Jersey 07101. Any other form of payment will be rejected and will be returned to the party making the payment. Payment shall be made no later than twenty-one (21) days after the date of filing of this Final Order of Discipline. 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.
3. Continuing education completed after May 31, 2014 and applied to cure the deficiency of a previous biennial period shall not also be used to satisfy the requirements of the current biennial period. Respondent shall complete an additional 30 hours of continuing education prior to May 31, 2016 to satisfy the requirements of the current biennial period.

4. The Board reserves the right to initiate further disciplinary proceedings based upon the information provided by Respondent or upon any new information obtained.

NEW JERSEY STATE BOARD OF NURSING

By:



Patricia Ann Murphy, PhD, APN  
Board President