

JOHN J. HOFFMAN
 ACTING ATTORNEY GENERAL OF NEW JERSEY
 Division of Law
 124 Halsey Street, 5th Floor
 P.O. Box 45029
 Newark, New Jersey 07101
 Attorney for the State Board of Nursing

By: Susan Carboni
 Deputy Attorney General
 (973) 648-2894

PROVISIONAL
 ORDER OF DISCIPLINE
FILED
 AUG 14 2015
 N.J. BOARD OF NURSING

FINAL
 ORDER OF DISCIPLINE
FILED
 NOV 12 2015
 N.J. BOARD OF NURSING

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

IN THE MATTER OF THE LICENSE OF	:	Administrative Action
	:	
	:	<input checked="" type="checkbox"/> PROVISIONAL ORDER
	:	OF DISCIPLINE
JOHN ARCHER, R.N.	:	
License # 26NO 12485100	:	<input checked="" type="checkbox"/> FINAL ORDER
	:	OF DISCIPLINE
	:	(Finalized by default
TO PRACTICE NURSING IN THE	:	on <u>November 12, 2015</u>)
STATE OF NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Nursing ("Board") upon receipt of information which the Board has reviewed and upon which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Respondent is a registered professional nurse in the State of New Jersey, and has been a licensee at all times relevant hereto.

2. On or about June 18, 2015, a letter of inquiry issued on behalf of the Board, asking respondent to supply documentation of completion of required nursing continuing education for the June 1, 2012-May 31, 2014 licensing cycle. Respondent was asked to provide a response within ten (10) days. (Exhibit A)

3. The letter of inquiry was sent to respondent at this address of record by certified and regular mail. The certified mailing of the letter was signed for. (Exhibit A) The regular mailing was not returned. No response has been received to date.

4. Respondent indicated, on his 2014 renewal application, that he would complete required nursing continuing education for the 2012-2014 licensing cycle by May 31, 2014. (Exhibit B)

CONCLUSIONS OF LAW

1. Respondent's failure to document completion of required nursing continuing education 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 (h).

2. Respondent's indication on his 2014 renewal application that he would complete all required nursing continuing education for the 2012-2014 licensing cycle by May 31, 2014 is deemed to constitute misrepresentation in violation of N.J.S.A. 45:1-21(b).

ACCORDINGLY, IT IS on this 14th day of August, 2015,
ORDERED that upon the filing of a FINAL ORDER OF DISCIPLINE in
this matter:

1. Respondent's New Jersey nursing license is hereby suspended until he has documented completion of all required nursing continuing education to be attributed to the 2012-2014 licensing cycle.

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

3. A civil penalty in the amount of \$250 is hereby imposed for respondent's failure to timely complete nursing continuing education. Payment shall be in the form of a certified check or money order, made payable to the State of New Jersey, and forwarded to the attention of Leslie Burgos-Bonilla, Board of Nursing, P.O. Box 45010, 124 Halsey Street, 6th Floor, Newark, NJ 07101 within twenty-one days of the filing of a Final Order of Discipline in this matter.

4. Upon finalization of this order, respondent shall refrain from practicing as a nurse and shall not represent himself as a Registered Professional Nurse until such time as his license is reinstated. Any practice in this State prior to reinstatement shall constitute grounds for a charge of unlicensed practice.

5. The within order shall be subject to finalization by the Board at 5:00 p.m. on the 30th day following entry hereof unless

Respondent requests a modification or dismissal of the above stated Findings of Fact or Conclusions of Law by:

a) Submitting a written request for modification or dismissal to Leslie Burgos-Bonilla, State Board of Nursing, 124 Halsey Street, Sixth Floor, P.O. Box 45010, Newark, New Jersey 07101.

b) Setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed.

c) Submitting any and all documents or other written evidence supporting Respondent's request for consideration and reasons therefor or offered in mitigation of penalty.

6. Any submissions will be reviewed by the Board and the Board will thereafter determine whether further proceedings are necessary. If no material discrepancies are raised through a supplemental submission during the thirty-day period, or if the Board is not persuaded that the submitted materials merit further consideration, a Final Order of Discipline will be entered.

7. In the event that Respondent's submissions establish a need for further proceedings, including, but not limited to an evidentiary hearing, Respondent shall be notified with regard thereto. In the event that an evidentiary hearing is ordered, the preliminary findings of fact and conclusions of law contained herein may serve as notice of the factual and legal allegations in such proceeding. Further, in the event a hearing is held and upon

review of the record, the Board shall not be limited to the findings, conclusions and sanctions stated herein.

8. In the event that the Board receives no written submission from Respondent within 30 days following filing of this Provisional Order of Discipline, without further Board review, the Provisional Order of Discipline shall automatically become the Final Order of Discipline. The box for Final Order of Discipline shall be checked, the Final Order of Discipline shall be filed, and copies shall be mailed to Respondent. Thereafter, Respondent's failure to comply with any sanction or penalty imposed by this Order shall be considered a violation of a Board Order in contravention of N.J.S.A. 45:1-21 (e) and (h) and N.J.A.C. 13:45C-1.4 and may subject Respondent to additional sanction and/or penalty.

NEW JERSEY STATE BOARD OF NURSING

Patricia Murphy PLD APN

By: _____

Patricia Murphy, PhD, APN
Board President