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PROVISIONAL
 ORDER OF DISCIPLINE
FILED
 JUL 01 2015
 N.J. BOARD OF NURSING

FINAL
 ORDER OF DISCIPLINE
FILED
 EC 18 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
NELWIN ERIBAL, R.N.	:	
License # 26NR 13607700	:	<input checked="" type="checkbox"/> FINAL ORDER
	:	OF DISCIPLINE
	:	(Finalized by default
TO PRACTICE NURSING IN THE	:	on <u>November 18, 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 February 26, 2015, respondent was asked on behalf of the Board to, among other things, provide documentation, in the form of certificates of completion, of all continuing education credits earned during the renewal period of June 1, 2012 through May 31, 2014. (Exhibit A)

3. Respondent provided documentation of completion of a one-hour course in organ and tissue donation, and a printout showing certain courses which appeared to be in-service courses that do not qualify as continuing education pursuant to N.J.A.C. 13:37-5.3. Certificates of completion which might have indicated any accreditation of the provider were not furnished. (Exhibit B)

4. Subsequently, respondent provided documentation of completion, on March 31, 2015, of thirty (30) contact hours of qualifying nursing continuing education credits. (Exhibit C)

5. On her 2014 renewal application, respondent indicated that she would have completed all required nursing continuing education for the 2012-2014 licensing cycle by May 31, 2014. (Exhibit D)

CONCLUSIONS OF LAW

1. Respondent's failure to document timely completion of required nursing continuing education for the 2012-2014 licensing cycle constitutes 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 her 2014 renewal application that she would have completed all required nursing continuing education for the 2012-2014 licensing cycle by May 31, 2014 constitutes misrepresentation in violation of N.J.S.A. 45:1-21(b).

ACCORDINGLY, IT IS on this st 1 day of July, 2015,
ORDERED that upon the filing of a FINAL ORDER OF DISCIPLINE in
this matter:

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

2. A civil penalty in the amount of \$250 is hereby imposed for the violation of N.J.A.C. 13:37-5.3. Payment shall be in the form of a certified check or money order, made payable to the State of New Jersey, and shall be sent 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 (21) days of the filing of a Final Order of Discipline in this matter.

3. 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.

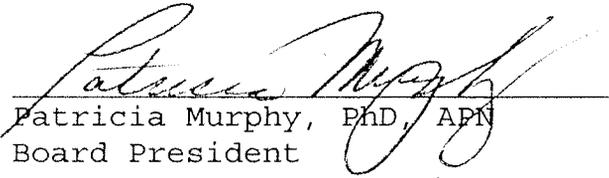
4. Any submissions will be reviewed by the Board and the Board will thereafter determine whether further proceedings are necessary. If no material discrepancies are raised through a supplemental submission during the thirty-day period, or if the Board is not persuaded that the submitted materials merit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

5. 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.

6. 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

By:


Patricia Murphy, PhD, APN
Board President