

FILED
NOV 23 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
:
:
: **FINAL ORDER**
: **OF DISCIPLINE**
GLORIA CASTELLANOS, R.N. :
License # 26NO8743700 :
:
:
TO PRACTICE NURSING IN THE :
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. Gloria Castellanos ("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 May 7, 2014, Respondent completed and submitted an online biennial renewal application which asked whether Respondent would have "completed the required continuing education credits by May 31, 2014," referring to the biennial

renewal period of June 1, 2012 - May 31, 2014. Respondent was also asked whether she had completed the required one hour course on Organ and Tissue Donation. Respondent answered "yes" to both questions and certified the answers by submitting the online application.

3. On or about March 31, 2014, the Board sent a letter of inquiry to Respondent's mailing address in Bound Brook, New Jersey, via regular and certified mail, requesting certain documents, including proof of having completed the required continuing education.

4. Respondent provided a partial response to the letter of inquiry, however; failed to provide proof of having completed the required continuing education credits. After a follow-up phone call, Respondent subsequently provided documentation of completing the following continuing education:

0 hours within the June 1, 2012 - May 31, 2014 period;

53 hours within the June 1, 2014 - May 31, 2016 period.

Respondent failed to provide any documentation of completing the required one hour course on Organ and Tissue Donation.

CONCLUSIONS OF LAW

Pursuant to N.J.A.C. 13:37-5.3(b), nurses are required to complete a minimum of thirty (30) hours of continuing education during the preceding biennial period in order to renew their

licenses. Pursuant to N.J.A.C. 13:37-5.3(f), nurses are required to maintain documentation of completion of continuing education for a period of four years after completion, and shall submit such documentation to the Board upon request.

Respondent failed to demonstrate, to the satisfaction of the Board, that Respondent completed the continuing education credits required for renewal during the biennial period of June 1, 2012 - May 31, 2014. The Board therefore finds Respondent in violation of N.J.A.C. 13:37-5.3(b) and 13:37-5.3(f), which in turn subjects Respondent to sanctions pursuant to N.J.S.A. 45:1-21(e) and (h). Respondent may apply 30 of the hours completed in June 2015 to cure the deficiency of the previous biennial period and avoid suspension of her license.

Respondent's use of dishonesty and misrepresentation during the license renewal process in falsifying her continuing education information constitutes a violation of N.J.S.A. 45:1-21(b), subjecting Respondent to sanctions.

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on June 23, 2015, provisionally imposing a reprimand and a \$250 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 30th 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. She has provided documentation of completion of seven additional contact hours of continuing education, for a total of sixty (60) contact hours of qualifying nursing continuing education, including a course in organ and tissue donation. Ms. Castellanos submitted payment of the \$250 penalty imposed by the Provisional Order, but maintains that she timely completed continuing education requirements. She argued that she procrastinated in paying for the continuing education because of financial difficulties, and therefore did not obtain documentation in timely fashion. The Board considered these submissions, and determined that the date on the documentation submitted must be determinative in this matter, or regulatory requirements would be unenforceable. Therefore the Board determined to finalize the Provisional Order with the reprimand and the \$250 civil penalty.

ACCORDINGLY, IT IS on this 23rd day of November, 2015,

ORDERED:

1. A reprimand is imposed on Respondent for misrepresentation with respect to the continuing education information on her license renewal application.

2. Respondent is assessed a civil penalty in the amount of two hundred and fifty dollars (\$250). Said penalty in the amount of two hundred and fifty dollars (\$250) is for failing to timely complete required continuing education. As respondent has already submitted this payment, no further action is required with respect to this provision.

NEW JERSEY STATE BOARD OF NURSING

By: Patricia Murphy PhD APN
Patricia Murphy, PhD, APN
Board President