



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

IN THE MATTER OF THE SUSPENSION	:	
OR REVOCATION OF THE LICENSE OF	:	ADMINISTRATIVE ACTION
	:	
Alicia E. Melton, C.H.H.A.	:	FINAL ORDER OF
Certificate No. 26NH12703800	:	DISCIPLINE
	:	
	:	
	:	
HOMEMAKER-HOME HEALTH AIDE	:	
IN THE STATE OF NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Nursing (the "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. Alicia E. Melton ("Respondent") is a certified homemaker-home health aide in the State of New Jersey and has been a licensee at all times relevant hereto.

2. Upon receipt of a flagging notice indicating that Respondent was arrested on November 18, 2013 by the Camden County Police for violation of N.J.S.A. 2C:29-2A, Resisting Arrest, and a second flagging notice indicating that Respondent

was arrested on November 19, 2013 by the Camden County Jail for violation of N.J.S.A. 2C:29-1A, Obstruction Administration Of Law, and violation of N.J.S.A. 2C:29-2A(2), Resisting Arrest, the Board sent a letter of inquiry, requesting certain information and submission of documents, to Respondent's address of record in Woodbury, New Jersey, via regular and certified mail on or about November 22, 2013. A response was due within twenty (20) days. The certified mailing was returned as "unclaimed" according to USPS tracking. The regular mailing was not returned.

3. Respondent sent the Board a narrative of her version of the events leading to the arrests, stating that the charges were fabricated by the officers, whom she claimed stopped her car for no reason as she was driving away from her mother's home. The Board received a facsimile from Respondent on April 8, 2014 that a court date was set for April 25, 2014, and a facsimile from Respondent on April 28, 2014 that the court date was changed to May 5, 2014. To date, Respondent has not fully responded to the Board's request for information contained in its letter of inquiry, such as providing a copy of the municipal court complaint and disposition, a copy of the police report, the status of the case, a copy of any indictment and the name and address of Respondent's current nursing employer.

CONCLUSIONS OF LAW

Respondent's failure to fully respond to the Board's request for information constitutes a failure to cooperate with a Board investigation, in contravention of N.J.A.C. 13:45C-1.2 and 1.3, which the Board deems professional misconduct pursuant to N.J.S.A. 45:1-21(e), subjecting Respondent to disciplinary action pursuant to N.J.S.A. 45:1-21(h).

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on June 8, 2015, provisionally suspending respondent's certification to practice as a certified homemaker-home health aide and imposing a \$200 civil penalty. A copy of the Order was served upon the 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, providing the Board with the documentation and information originally requested by the Board which had not already been provided. Therefore, the Board finds that suspension of respondent's certification is no longer applicable. However, because of the deficiencies in what had been provided in response to the Board's original inquiry, resulting in the filing of an order so as to obtain material that should have been provided with Ms. Melton's initial response, the Board found that imposition of the civil penalty for failure to cooperate with the Board's investigation was warranted.

ACCORDINGLY, IT IS on this 9th day of December, 2015,

ORDERED that:

1. Respondent is assessed a civil penalty in the amount of two hundred dollars (\$200). 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 George Hebert, Executive Director, State Board of Nursing, 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 fifteen (15) days after the date of filing of this order. 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.

2. The Board reserves the right to initiate disciplinary proceedings based upon any information that Respondent has provided in response to the letter of inquiry or upon any new information the Board receives.

NEW JERSEY STATE BOARD OF NURSING

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