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 N.J. BOARD OF NURSING

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 NJ BOARD OF NURSING

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
	:	
Mona M. Wilson, C.H.H.A.	:	PROVISIONAL ORDER OF
Certificate No. 26NH01325700	:	DISCIPLINE
	:	
	:	<input checked="" type="checkbox"/> FINAL ORDER OF DISCIPLINE
	:	(Finalized by default
	:	on 01/08/2016 by <i>Jammy G...</i> )
	:	
HOMEMAKER HOME HEALTH AIDE	:	
IN THE STATE OF NEW JERSEY	:	

**FINAL**

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

FINDINGS OF FACT

1. Mona M. Wilson ("Respondent") is a certified homemaker-home health aide in the State of New Jersey whose license expired on November 30, 2013. (Exhibit A).

2. The Board received a Health Care Professional Responsibility and Reporting Enhancement Act Reporting Form dated March 6, 2013, submitted by Kimberly Scangarella, R.N., the Director of Personal and Private Care Services of Respondent's employer, Meridian At Home ("Meridian"). The report informed the Board that Respondent's employment was terminated due to a gross infraction of Meridian's discipline policy which prohibits "misappropriation, unauthorized possession or misuse of property" belonging to any patient. (Exhibit B). Specifically, between January 2011 and October 2011, Respondent accepted over fifty checks from her client totaling \$5,900.00 and a personal loan from the client's son for \$872.00. The report also stated that Respondent admitted that she knew that accepting the money was against Meridian's policy. On March 7, 2013, Meridian initiated an incident report with the Lakewood Police Department for alleged theft at the client's residence.

#### CONCLUSIONS OF LAW

Respondent's admissions that she took the checks from the client and loan demonstrates that Respondent engaged in acts constituting crimes or offenses relating adversely to the practice of homemaker-home health aide care in violation of N.J.S.A. 45:1-21(f), and/or engaged in acts of professional misconduct in violation of N.J.S.A. 45:1-21(e), and dishonesty in violation of N.J.S.A. 45:1-21(b).

ACCORDINGLY, IT IS on this 9<sup>th</sup> day of June, 2015,

ORDERED that:

1. Upon the filing of a FINAL ORDER OF DISCIPLINE, Respondent's certificate to practice as a homemaker-home health aide shall be suspended and the Board will not entertain an application for reinstatement for a minimum period of five (5) years from the date of the filing of a FINAL ORDER OF DISCIPLINE.

2. Upon the filing of a FINAL ORDER OF DISCIPLINE, Respondent shall promptly, within 5 (five) days, mail her certificate, wall and wallet version, to practice as a homemaker home health aide to George Hebert, Executive Director, State Board of Nursing, P.O. Box 45010, Newark, New Jersey 07101.

3. Upon the filing of a FINAL ORDER OF DISCIPLINE, Respondent shall immediately cease and desist from holding herself out as a certified homemaker home health aide and/or practicing as a homemaker home health aide, which includes, but is not limited to, performing delegated nursing regimens or nursing tasks delegated through the authority of a duly licensed professional nurse. Any practice in this State shall constitute grounds for a charge of unlicensed practice.

4. Upon the filing of a FINAL ORDER OF DISCIPLINE Respondent is assessed a civil penalty in the amount of five hundred dollars (\$500). 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 a 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.

5. Upon any application for reinstatement, which shall be no sooner than five (5) years from the date of the filing of a FINAL ORDER OF DISCIPLINE, Respondent must demonstrate to the Board's satisfaction that she has made restitution to the client of \$5,900.00 and repayment of the loan of \$872.00 to the client's son.

6. A reprimand is imposed upon Respondent for engaging in professional and occupational misconduct.

7. The within order shall be subject to finalization by the Board at 5:00 p.m. on the 30<sup>th</sup> day following entry here of unless Respondent requests a modification or dismissal of the above stated Findings of Fact or Conclusions of by:

- a) Submitting a written request for modification or dismissal to George Hebert, Executive Director,

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 therefore or offered in mitigation of penalty.

8. 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.

9. 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.

10. In the event that the Board receives no written request for modification or dismissal within 30 days following entry of this Provisional Order, without further Board review, all referenced preliminary Findings of Fact and Conclusions of Law and all provisional sanctions or penalties imposed by this Order shall automatically become the Final Decision and Order of the Board. 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.

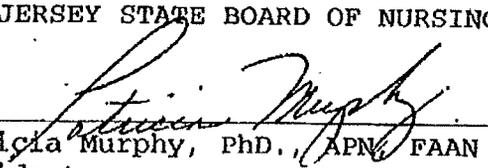
11. The Board reserves the right to initiate disciplinary proceedings based upon any information that Respondent ultimately provides upon any new information the Board receives.

12. If Respondent's certification as a homemaker-home health aide is reinstated, the Board, in its discretion, may impose any conditions or restrictions on licensure it deems necessary to protect the public health, safety and welfare.

13. Any violation of this order by Respondent shall constitute grounds for such proceedings as are permitted by law.

NEW JERSEY STATE BOARD OF NURSING

By:

  
Patricia Murphy, PhD., APN, FAAN  
President