

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
	:	
	:	
	:	
HARRISON S. KARNWEA, LPN	:	
License # 26NP006529400	:	FINAL ORDER
	:	OF DISCIPLINE
	:	
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. Harrison S. Karnwea ("Respondent") is a Licensed Practical Nurse (LPN) in the State of New Jersey, and has been a licensee at all times relevant hereto.

2. On or about April 25, 2015, a letter of inquiry issued on behalf of the Board, asking Respondent, among other things, to supply documentation of required nursing continuing education completed in the last three years, including within the June 1, 2012 - May 31, 2014 biennial period.

3. Respondent replied to the letter on or about May 14, 2015, but did not supply documentation of completion of any nursing continuing education.

4. Respondent indicated on his 2014 renewal application that he would have completed all required nursing continuing education for the June 1, 2012 - May 31, 2014 licensing cycle by May 31, 2014.

CONCLUSIONS OF LAW

Respondent's failure to document completion of required nursing continuing education to be attributed to the June 1, 2012 - May 31, 2014 licensing cycle 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).

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

DISCUSSION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline seeking a reprimand and a two hundred and fifty dollar (\$250) civil penalty was entered on August 21, 2015. Copies were served upon Respondent via regular and certified mail. The Provisional Order was subject to

finalization by the Board at 5:00 p.m. on the thirtieth day following entry unless Respondent requested a modification or dismissal of the stated findings of fact and conclusions of law by 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 of Discipline and maintained that he could not find proof of completion of continuing education within the June 1, 2012 - May 31, 2014 biennial period. Respondent believed that his wife had thrown out his papers during a domestic dispute. Respondent provided documentation of the following continuing education:

0 hours within the June 1, 2012 - May 31, 2014 biennial period;
30 hours within the June 1, 2014 - May 31, 2016 biennial period.

In cases of lost or missing certificates of completion, continuing education providers will readily provide duplicate certificates. Pursuant to N.J.A.C. 13:37-5.3, nurses are required to maintain documentation of completion of continuing education and submit such documentation to the Board upon request. Respondent failed to do so and as such, has failed to demonstrate, to the satisfaction of the Board, that he completed the required continuing education for the June 1, 2012 - May 31,

2014 biennial period. Respondent may apply 30 of the hours recently completed to cure the deficiency of the June 1, 2012 - May 31, 2014 biennial period and avoid suspension of his license. However, those same hours may not also be applied to satisfy the requirements of the current biennial period.

The Board reviewed Respondent's submissions and determined that further proceedings were not necessary. The Board was not persuaded that the submitted materials merited further consideration. Inasmuch as Respondent cured the deficiency of the previous biennial period, the Board determined that suspension was no longer warranted. As Respondent failed to demonstrate completion of 30 hours of continuing education within the June 1, 2012 - May 31, 2014 biennial period, the civil penalty is still warranted for failing to failing to complete the required continuing education within the appropriate time period. Additionally, the reprimand is still warranted for the misrepresentation on his renewal that he had timely completed all required continuing education when he is unable to provide any documentation thereof.

ACCORDINGLY, IT IS on this 22nd day of January, 2016,
ORDERED that:

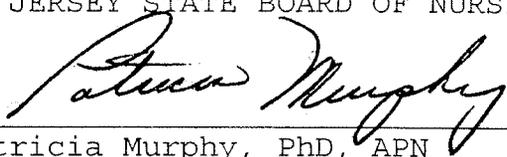
1. A reprimand is hereby imposed upon Respondent for the violation of N.J.S.A. 45:1-21(b).

2. A civil penalty in the amount of two hundred and fifty dollars (\$250) is hereby imposed for Respondent's failure to timely complete nursing continuing education. 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 State Board of Nursing, Attention: Leslie Burgos, 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 twenty-one (21) days after the date of filing of this 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.

3. Continuing education completed after May 31, 2014 and applied to cure the deficiency of a previous biennial period shall not also be used to satisfy the requirements of the current biennial period. Respondent shall complete 30 additional hours of continuing education prior to May 31, 2016 to satisfy the requirements of the current biennial period.

NEW JERSEY STATE BOARD OF NURSING

By:


Patricia Murphy, PhD, APN
Board President