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PROVISIONAL  
ORDER OF DISCIPLINE  
**FILED**  
DEC 23 2015  
N.J. BOARD OF NURSING

**FILED**  
FEB 02 2016  
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  
: :  
:  PROVISIONAL ORDER  
: OF DISCIPLINE  
: :  
MARGARET A. DEALY, L.P.N. :  
License # 26NP 05428200 :  FINAL ORDER  
: OF DISCIPLINE  
: (Finalized by default  
TO PRACTICE NURSING IN THE : on *February 02, 2016*)  
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 licensed practical nurse in the State of New Jersey, and has been a licensee at all times relevant hereto.

2. On or about October 20, 2014, a letter issued on behalf of the Board to respondent at her address of record, asking respondent to furnish documentation, in the form of certificates of completion, of all nursing continuing education completed since June 1, 2010. (Exhibit A)

3. Respondent provided documentation of a total of 62.50 contact hours of qualifying nursing continuing education, most of which was completed in 2014, but with ten contact hours completed in 2015. Of the continuing education completed in 2014, 22.5 contact hours were completed in April of 2014, with thirty (30) hours completed in October of 2014. (Exhibit B)

4. On respondent's 2012 renewal application, she indicated she indicated that all of her obligatory continuing education for the 2010-2012 licensing cycle would be completed by May 31, 2012. She indicated on her 2014 renewal application, that all required continuing education for the 2012-2014 licensing cycle would be completed by May 31, 2014. (Exhibit C)

5. Respondent provided no contact hours of continuing education completed during the 2010-2012 licensing cycle. Moreover, only 22.5 of the requisite 30 contact hours of continuing education were completed by May 31, 2014.

CONCLUSIONS OF LAW

1. Pursuant to N.J.A.C. 13:37-5.3, all licensees are required to complete thirty (30) contact hours of qualifying continuing education by May 31 of the year in which renewal of license takes place. Although respondent sent in documentation of completion of 62.5 contact hours of continuing education completed in April and October of 2014, and April of 2015, she did not demonstrate timely completion of any continuing education to be attributed to the 2010-2012 licensing cycle, and only belatedly satisfied her continuing education obligation in full for the 2012-2014 licensing cycle. This constitutes a violation of N.J.A.C. 13:37-5.3.

2. Respondent's indication on her 2014 renewal application that she would complete all required continuing education by May 31, 2014 for the 2012-2014 licensing cycle constitutes misrepresentation in violation of N.J.S.A. 45:1-21(b).

ACCORDINGLY, IT IS on this 23<sup>rd</sup> day of December, 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 \$250 civil penalty 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 forwarded to the attention of Leslie Burgos-Bonilla, Board of Nursing, P.O. Box 45010, 124 Halsey Street, Sixth Floor, Newark, NJ 07101 within fifteen days of the filing of this order.

3. 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 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.

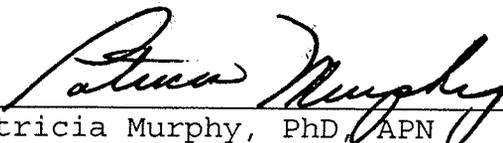
c) Submitting any and all documents or other written evidence supporting Respondent's request for consideration and reasons therefor or offered in mitigation of penalty.

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