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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
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: :
: :
Devinee N. Wood, LPN :
License # 26NP06171100 : 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. Devinee N. Wood ("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 April 15, 2011, Respondent completed and submitted an online biennial renewal application. Respondent was asked on the biennial renewal application whether Respondent would have "completed the required continuing education credits by May 31, 2011," referring to the biennial renewal period of June 1, 2009 to May 31, 2011. Respondent answered "Yes" and certified that answer by submitting the online application.

3. Upon receipt of information indicating that Respondent was arrested on January 21, 2013 by the Stafford Township Police Department for violation of N.J.S.A. 2C:20-3 (Theft), the Board sent a letter of inquiry requesting certain information and documents regarding the criminal matter, Respondent's nursing practice, and continuing education to Respondent's address of record in Manahawkin, New Jersey, via regular and certified mail on or about January 31, 2013. The regular mailing was not returned. The certified mailing was returned unclaimed.

4. To date, Respondent has not responded to the Board's request for information.

CONCLUSIONS OF LAW

Respondent's failure to 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) and also subjects Respondent to disciplinary action pursuant to N.J.S.A. 45:1-21(h).

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.

By virtue of having failed to respond to the letter of inquiry, Respondent is deemed to have 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, 2009 to May 31, 2011. 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'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.

DISCUSSION

A Provisional Order of Discipline (POD) was filed on June 4, 2015 based upon continuing education violations and Ms. Woods's failure to cooperate with a Board investigation about her arrest for theft. The POD sought a reprimand, \$750 civil penalty, and suspension of Ms. Wood's license until she provides a complete response to the Board's letter of inquiry about the arrest and is up to date with her continuing education.

Ms. Wood responded to the POD. She does not address her failure to respond to the Board's original letter of inquiry which was mailed to her. Regarding the criminal matter, she maintains that the charge was downgraded to disturbing the peace, but states that she is unable to provide any of the information or documentation that the Board requested.

Regarding continuing education, Ms. Wood has provided documentation of completion of the following continuing education:

0 hours within the 6/1/11 - 5/31/13 biennial period;
30 hours within the 6/1/13 - 5/31/15 biennial period; and
0 hours within the 6/1/15 - 5/31/17 biennial period.

Respondent has not satisfied the continuing education requirements for the 6/1/11 through 5/31/13 biennial period and falsely answered "yes" that she did on her biennial renewal.

ACCORDINGLY, IT IS on this 23RD day of March, 2016,

ORDERED that:

1. Respondent's license to practice nursing is suspended until such time as Respondent cooperates fully with the Board's investigation by providing the Board with the information requested in the Board's letter of inquiry and proof of completion of thirty hours of continuing education for each biennial renewal period from June 1, 2011 to the time of reinstatement. Continuing education hours taken currently and applied to cure the deficiency from the previous biennial period shall not be used to satisfy the requirements of the current biennial period.

2. A reprimand is imposed on Respondent for falsifying the continuing education information on her license renewal application.

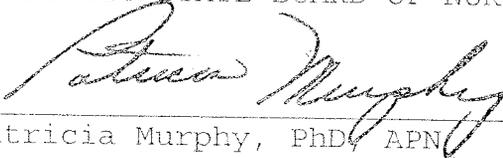
3. Respondent is assessed a civil penalty in the amount of seven hundred and fifty dollars (\$750). Said penalty is an aggregate penalty, which includes a penalty in the amount of five hundred dollars (\$500) for failure to cooperate with a Board investigation and a penalty in the amount of two hundred and fifty dollars (\$250) for failing to timely complete required 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 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 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.

4. The Board reserves the right to initiate disciplinary proceedings based upon any information that Respondent ultimately provides 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
Board President