

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 CERTIFICATION OF :	ADMINISTRATIVE ACTION
	:
Michelle Baret C.H.H.A. :	FINAL ORDER OF
Certificate No. 26NH13417000 :	DISCIPLINE
	:
	:
	:
	:
TO PRACTICE AS A CERTIFIED :	
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. Michelle Baret ("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 October 28, 2014 by the Perth Amboy Police for violation of N.J.S.A. 2C:12-1A(1), Simple Assault, the Board sent a letter of inquiry, requesting certain information and submission of documents, to Respondent's address of record in Edison, New Jersey, via regular and certified mail on or about November 7, 2014. A response was due within twenty (20) days. The

regular mailing was not returned; the certified mailing was delivered and signed for on November 21, 2014.

3. Respondent did not reply 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), subjecting Respondent to disciplinary action pursuant to N.J.S.A. 45:1-21(h).

DISCUSSION

Based on the foregoing findings and conclusions, a Provisional Order of discipline seeking a suspension and a two hundred dollar (\$200) civil penalty was entered on August 14, 2015. A copy was served on Respondent via regular and certified mail to her last known address of record. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th business 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 therefore.

Respondent provided a narrative statement explaining that the incident was a domestic violence dispute and the complaint against her was dismissed. Respondent further provided a police report, the complaint summary and the disposition.

The Board reviewed Respondent's submissions and determined that further proceedings were not necessary and that Respondent sufficiently complied with the Provisional Order. The Board determined that the Provisional Order be finalized with modification, and Respondent's certification will not be suspended.

ACCORDINGLY, IT IS on this 13th day of April, 2016,

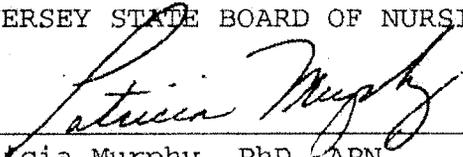
ORDERED that:

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 State Board of Nursing, Attention: Twalema Khonje, 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.

NEW JERSEY STATE BOARD OF NURSING

By: _____


Patricia Murphy, PhD, APN
President