

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
	:	
	:	
	:	FINAL ORDER
	:	WITHDRAWING
MARY B. CAPOZZOLI, R.N.	:	PROVISIONAL
License # 26NO07003600	:	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. Mary B. Capozzoli ("Respondent") is a Registered Professional Nurse in the State of New Jersey and has been a licensee at all times relevant hereto.

2. On or about April 18, 2013, Respondent completed and submitted an online biennial renewal application which asked whether Respondent would have "completed the required continuing education credits by May 31, 2013" referring to the biennial renewal period of June 1, 2011 - May 31, 2013. Respondent

answered "yes" and certified that answer by submitting the online application.

3. By letter dated November 20, 2014, the Board asked Respondent to provide proof of having completed continuing education for the biennial renewal period from June 1, 2011 - May 31, 2013.

4. Respondent provided assorted documents in an effort to demonstrate that she was current with her required certifications. However, most of what she submitted did not constitute adequate documentation of completion of continuing education. Respondent provided proof of completion of the following continuing education:

13 hours within the 6/1/07 - 5/31/09 biennial period;

0 hours within the 6/1/09 - 5/31/11 biennial period;

22.42 hours within the 6/1/11 - 5/31/13 biennial period; and

1.5 hours within the 6/1/13 - 5/31/15 biennial period.

5. On or about April 20, 2015, Respondent completed and submitted an online biennial renewal application which asked whether Respondent would have "completed the required continuing education credits by May 31, 2015" referring to the biennial renewal period of June 1, 2013 - May 31, 2015. Respondent was also asked whether she completed the required course on Organ and Tissue Donation. Respondent answered "yes" to both

questions and certified the answers by submitting the online application.

CONCLUSIONS OF LAW

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.

Respondent 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, 2011 - May 31, 2013. 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

Based on the foregoing findings and conclusions, a Provisional Order of Discipline seeking a suspension, reprimand, and a two hundred and fifty dollar (\$250) civil penalty was entered on September 8, 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 or conclusions of law by setting forth in writing any and all reasons why said findings or 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 replied to the Provisional Order of discipline and provided acceptable documentation of timely completion of all required continuing education within the pertinent biennial periods.

The Board reviewed Respondent's submissions and determined that further proceedings were not necessary. Respondent demonstrated, to the satisfaction of the Board, that she had completed sufficient continuing education, including the one hour course on Organ and Tissue Donation.

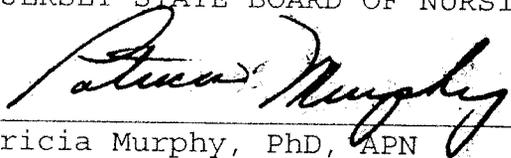
ACCORDINGLY, IT IS on this 19th day of April, 2016,

ORDERED that:

1. The Provisional Order of Discipline filed on September 8, 2015 is hereby withdrawn in its entirety

NEW JERSEY STATE BOARD OF NURSING

By:



Patricia Murphy, PhD, APN
Board President