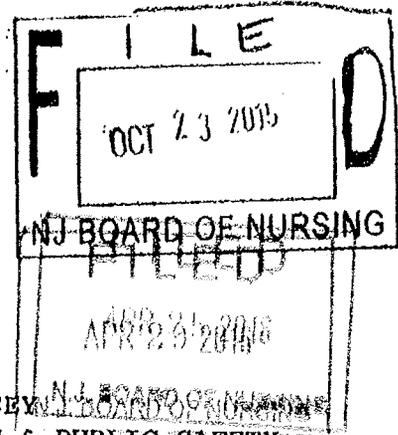


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STATE OF NEW JERSEY
 DEPARTMENT OF LAW & PUBLIC SAFETY
 DIVISION OF CONSUMER AFFAIRS
 STATE BOARD OF NURSING

IN THE MATTER OF THE SUSPENSION OR REVOCATION OF THE LICENSE OF	:	ADMINISTRATIVE ACTION
Carol Ann Derise, C.H.H.A. Certificate No. 26NH14101400	:	PROVISIONAL ORDER OF DISCIPLINE
HOMEMAKER-HOME HEALTH AIDE IN THE STATE OF NEW JERSEY	:	<input checked="" type="checkbox"/> FINAL ORDER OF DISCIPLINE (Finalized by default on <u>April 29, 2016</u> 4/29/16) FINAL

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 preliminary findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Carol Ann Derise ("Respondent") is a certified homemaker-home health aide in the State of New Jersey and has been a licensee at all times relevant hereto. (Exhibit A).

2. The Board is in receipt of information indicating that Respondent pled guilty to violation of Title 18, United States Code, Section 641, Theft of Government Property, in the United States District Court, District of New Jersey on or about February 7, 2014. Specifically, Respondent pled guilty to having knowingly embezzled, stolen, purloined and converted to her own use and the use of another, approximately \$286,989.65 in United State Railroad Retirement Board annuity benefits to which she was not entitled. Respondent was sentenced to eight months in prison and three years' supervised release upon release from prison. (Exhibit B).

CONCLUSIONS OF LAW

Respondent's conviction disqualifies Respondent from certification pursuant to N.J.S.A. 45:11-24.3(2), and demonstrates that Respondent engaged in acts constituting a crime and which relate adversely to the practice of nursing in violation of N.J.S.A. 45:1-21(f).

ACCORDINGLY, IT IS on this 23rd day of October, 2015, ORDERED that, UPON THE FILING OF A FINAL ORDER OF DISCIPLINE:

1. Upon the filing of a FINAL ORDER OF DISCIPLINE, Respondent's certificate to practice as a homemaker-home health aide will be suspended for a period of ten (10) years. Upon the filing of a FINAL ORDER OF DISCIPLINE, Respondent shall refrain

from engaging in the practice as a homemaker-home health aide and shall not represent herself as a homemaker-home health aide until such time as her certification is reinstated. Any practice in this State prior to such reinstatement shall constitute grounds for a charge of unlicensed practice. Upon the filing of a FINAL ORDER OF DISCIPLINE, Respondent shall, within 5 (five) days, mail her certificate, wall and wallet version, to practice as a homemaker-home health aide to Twalema Khonje, State Board of Nursing, P.O. Box 45010, Newark, New Jersey 07101.

2. Prior to any application for reinstatement of her certification, which shall occur no earlier than ten (10) years from the date a FINAL ORDER OF DISCIPLINE is filed, Respondent shall appear before the Board or a committee thereof to discuss her readiness to reenter practice as a homemaker-home health aide. At that time Respondent shall be prepared to propose her plans for future practice in New Jersey and demonstrate that she is fit and competent to practice and has been rehabilitated to the Board's satisfaction.

3. The within order shall be subject to finalization by the Board at 5:00 p.m. on the 30th 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 Twalema Khonje, 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.

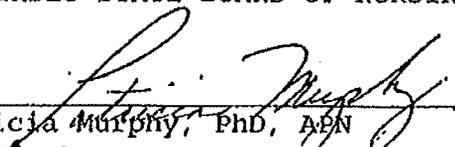
6. In the event that the Board receives no written request for modification or dismissal within 30 days following entry of this Provisional Order, without further Board review, all referenced preliminary Findings of Fact and Conclusions of Law and all provisional sanctions or penalties imposed by this Order shall automatically become the Final Decision and Order of the Board. 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.

7. The Board reserves the right to initiate disciplinary proceedings based upon any new information the Board receives.

8. In the event that Respondent's certification to practice as a homemaker-home health aide is reinstated, the Board, in its discretion, may impose any conditions or restrictions on certification it deems necessary to protect the public health, safety and welfare.

NEW JERSEY STATE BOARD OF NURSING

By:


Patricia Murphy, PhD, APRN
President