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Governor

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Lt. Governor

New Jersey Office of the Attorney General

Division of Consumer Affairs
State Board of Mortuary Science of New Jersey
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April 26, 2016

By Certified and Regular Mail

Jerome Tilton
41 Cornwell Road
Wallington CT 60492

Re: **Uniform Penalty Letter in Lieu of Formal Disciplinary Complaint**
Our File #16-29, 23JP00478300

Dear Jerome Tilton:

The New Jersey State Board of Mortuary Science (the "Board") has had an opportunity to review your continuing education credits for the period of March 1, 2013 through February 28, 2015. Please be advised, that that **for the 2013 through 2015 period you were required to complete at least one, but no more than three credits in Occupational Safety and Health Administration ("OSHA") laws and regulations in each biennial licensing period. (See N.J.A.C.13:36-10.3)**. The Board has preliminarily determined that:

1. You submitted a renewal application for the current biennial period in which you indicated that you wanted your license placed on "active" status. You provided a payment of $250.00, the appropriate fee for an "active" license. Accordingly, you were issued an "active" license for the biennial period.

2. On the renewal application, you answered "YES" to question number 1, in which states: "Will you have completed the required continuing education credits by February 28, 2015". On or about July 15, 2015, you were directed by a letter sent via regular mail by the Board, to submit proof that you have completed these credits.

3. Upon review of your matter, it appears that since you completed more than the maximum of three (3) credits in Occupational Safety and Health Administration (OSHA), you failed to obtain the required 10 continuing education credits, during the appropriate time period for the renewal of your license, **in violation** of **N.J.S.A.45:7-72.1** and **N.J.A.C.**13:36-10.3 et. seq., which is grounds for disciplinary action pursuant to **N.J.S.A.45:1-21(h)**.

4. By failing to complete the required continuing education credits after submitting a renewal application in which you indicated that you will have completed the required continuing education credits by February 28, 2015, you have failed to comply with the provision outlined in **N.J.A.C.**13:36-10.3, **which is grounds for disciplinary action pursuant to N.J.S.A.45:1-21(h).**

You are hereby offered the opportunity to settle this matter and avoid the initiation of formal disciplinary proceedings by signing the enclosed certification and agreeing to **one of the following options**:

A) **Pay the penalty in the amount of $700.00** by certified check or money order, made payable to the State of New Jersey within **fifteen (15) days of receipt of this letter to maintain an active license.** The penalty must be accompanied by the enclosed certification and mailed to the State Board of Mortuary Science, P.O. Box 45009, Newark, New Jersey, 07101. **You must also** complete **seven (7) credit hours of continuing education in a Board-approved course, outside of OSHA,** within **6 months** from the date of this letter. Please be advised, that no credit shall be received for viewing exhibits at professional and/or technical meeting and conferences. You should be aware that the make up credit may not be applied towards the current or any other licensing period.

B) **Submit a written explanation** along with sufficient proof to the Board and waive your rights to a hearing. The Board will then consider your submission and render a final decision, which may include any of the terms set forth above. Any disposition by way of a settlement will be a public record, and will have the same effect as an order of the Board. Any failure to comply with the terms to which you agree will be deemed a violation.

C) Finally, if you do not wish to settle this matter, you may **request a formal public administrative hearing**. In that event, this letter will serve as notice of the charges against you and a hearing will be scheduled before the Board. At the hearing, either personally or with the assistance of an attorney, will have an opportunity to respond to the charges, submit evidence and present testimony as may be necessary in order for the Board to make a final determination concerning the charges of unlawful activity. You should be aware that in making its final decision, the Board may, if unlawful activity has been proven, assess civil penalties in an amount greater than that offered in this letter. Additionally, the Board may, if the facts are found to so warrant, enter an order requiring you to reimburse certain monies, directing you to cease and desist from engaging in unlawful acts and/or requiring you to pay costs incurred in the matter.

The enclosed certification should be completed and returned to the Board within fifteen (15) days following your receipt of this letter. In the event that the Board receives no response from you within fifteen (15) days, the Board's settlement offer will be withdrawn, and you will be deemed in default. The allegations against you will be deemed uncontested. The Board will then proceed to schedule the matter for final review and will enter an appropriate order. Once an order has been entered, your failure to pay any penalties may result in further action to suspend or revoke your practitioners license.

Should you have any questions concerning this letter of the settlement offer herein, I suggest that you contact Deputy Attorney General Meaghan Goulding, who may be reached at (973) 648-4741.

NEW JERSEY STATE
BOARD OF MORTUARY SCIENCE

By: Quin Archer
Quin Archer
Executive Director