

4. Upon investigation the Board determined that the individual alleged to be practicing respiratory therapy at HDC without a license was Respondent. On June 3, 2015 the Board issued a Cease and Desist letter to Respondent. On June 18, 2015 the Board requested that Respondent appear for an investigative inquiry on July 7, 2015.

5. On August 4, 2015 Respondent appeared before the Board for an investigative inquiry. Respondent admitted that she worked at Hunterdon Developmental Center from January 14, 2015 to May 16, 2015 without a license. Respondent admitted that she was previously licensed as a respiratory therapist, however her license expired in 2006. She admitted that she knew that she required a license to practice respiratory care in New Jersey but stated that "she got caught up in everything and didn't realize just how important it is." Respondent testified that she had obtained a licensing packet from the Board some time in November 2014, and "started working on it."

CONCLUSIONS OF LAW

1. The above findings of fact provide grounds for the denial of reinstatement of Respondent's license to practice respiratory care in New Jersey pursuant to N.J.S.A. 45:1-21(e) and (h) in that Respondent unlawfully engaged in the practice of respiratory care without a license from January 14, 2015 to May 16, 2015 in violation of N.J.S.A. 45:1-21(e) and (h) and N.J.A.C. 13:44F-9.1(a).

ACCORDINGLY, IT IS on this 18TH DAY OF JULY, 2016

ORDERED THAT:

1. Respondent's application of reinstatement of her license to practice respiratory care in the State of New Jersey be and hereby is denied.

2. No re-application for reinstatement of Respondent's license to practice respiratory care in the State of New Jersey will be entertained sooner than one year from the date of this Order.

3. Upon re-application, Respondent shall demonstrate that she has successfully completed all the requirements for reinstatement including testing, pursuant to N.J.A.C. 13:44F-4.2 continuing education and satisfaction of the monetary penalty set forth below.

4. A civil penalty in the amount of one thousand dollars (\$1,000.00) is imposed upon Respondent for violation of N.J.S.A. 45:1-21(e) and (h). Payment shall be made by certified check, money order, wire transfer or credit card payable to "State of New Jersey", delivered or mailed to Dorcas K. O'Neal, Executive Director, State Board of Respiratory Care, 124 Halsey Street, Newark, New Jersey 07101. Payment shall be made in the equal installments of \$100.00 with the first payment due on July 27, 2016 followed by nine (9) equal monthly installments of \$100.00 due by the 27th day of each month. In the event Respondent fails to make a timely monthly 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.

5. Respondent shall cease and desist from practicing as a Respiratory Therapist in the State of New Jersey and shall not represent herself as a licensed Respiratory Therapist in the State of New Jersey until such time as Respondent's license is reinstated. Any practice in this State prior to reinstatement shall constitute grounds for a charge of unlicensed practice.

NEW JERSEY STATE BOARD OF
RESPIRATORY CARE

By: _____


Kenneth Capek
Board President