

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
	:	
	:	
SHARON E. VERNON, RN	:	FINAL ORDER
License # 26NR11824700	:	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. Sharon E. Vernon ("Respondent") is a Registered Professional Nurse in the State of New Jersey and has been a licensee at all times relevant hereto.

2. In a case brought by the Insurance Fraud Prosecutor, Respondent was indicted on December 4, 2013, for one count of Alteration of Record Relating to Care of Medical Patient.

3. Respondent was admitted to Pre-Trial Intervention, which included an additional condition that Respondent's nursing license

would be suspended for 90 days separate and apart from any action taken by the New Jersey Board of Nursing.

4. Respondent provided testimony at a first deposition denying that her handwriting appeared on an October 10, 2007 incident report involving a particular patient. At a second deposition, she identified her handwriting on multiple patient records and provided a handwriting sample. At a third deposition, she recanted her testimony and admitted that while working as the Director of Nursing for a nursing and rehabilitation center, she rewrote the incident report which contained different information than had been initially reported by another nurse. Respondent maintained that she rewrote the report after a surveyor appeared at the facility unannounced and she believed the initial report would have resulted in a deficiency for the facility if it was presented to the surveyor.

5. During deposition testimony, Respondent admitted that she filled in blank spaces on Medication Administration Records (MAR) and Treatment Administration Records (TAR) but later maintained that she would notice mistakes such as missing signatures or dates in the MAR and TAR and would have the nurse who administered the medication or treatment correct them.

6. On or about April 23, 2012, Respondent completed and submitted an online biennial renewal application. Respondent was

asked whether she would have "completed the required continuing education credits by May 31, 2012," referring to the biennial renewal period of June 1, 2010 - May 31, 2012. Respondent answered "yes" and certified that answer by submitting the online application.

7. On or about June 23, 2014, Respondent completed and submitted an online biennial renewal application. Respondent was asked whether she would have "completed the required continuing education credits by May 31, 2014," referring to the biennial renewal period of June 1, 2012 - May 31, 2014. Respondent answered "yes" and certified that answer by submitting the online application. Respondent was also asked whether she would have "completed the 1 hour continuing education course on Organ and Tissue Donation by May 31, 2014." Respondent answered "no" and certified that answer by submitting the online application.

8. Respondent did not provide evidence of having completed any hours of continuing education within the June 1, 2010 - May 31, 2012 biennial period. Respondent provided certificates which indicated that she completed 34 hours of continuing education within the June 1, 2012 - May 31, 2014 biennial period, but admitted she did not complete the one hour course on Organ and Tissue Donation.

### SUBSEQUENT PROCEDURAL HISTORY

Based on the Findings of Fact above and the Conclusions of Law below, a Provisional Order of Discipline ("POD") seeking a 90-day suspension; imposition of a reprimand; a two thousand seven hundred and fifty dollar (\$2,750) civil penalty; and a requirement that Respondent take an ethics course, was entered on November 18, 2015. The civil penalty was to be an aggregate penalty, which was to include a penalty in the amount of two thousand five hundred dollars (\$2,500) for the conduct involving alteration and falsification of reports and records, and two hundred and fifty dollars (\$250) for failing to timely complete required continuing education. Copies were forwarded to Respondent in Somerset, New Jersey at her last known address on file with the Board. The POD was subject to finalization by the Board at 5:00 p.m. on the 30<sup>th</sup> 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 replied to the POD via multiple written submissions and provided proof of acceptance into the Somerset County Pretrial

Intervention Program ("PTI"), and completion of certain continuing education hours and an ethics course. Notably, the PTI Order, which stipulated that Respondent's nursing license was to be suspended for 90 days, also stated that Respondent would be subject to any additional discipline the Board imposed. In her submissions, Respondent noted that subsequent to entering into PTI, and pursuant to the PTI Order, Respondent took a 90-day hiatus from her job as the Director of Nursing for a nursing and rehabilitation center and from the practice of nursing in the State of New Jersey. Respondent requested that the 90-day suspension sought in the POD be considered retroactively served by the 90-day hiatus Respondent took from her job and from her practice as a nurse in this State. Respondent maintained that because she is the sole supporter of her family, including extended family members, any further time away from her job would constitute an undue hardship. Respondent also indicated via submission of continuing education certificates that she completed a two-hour course in nursing ethics.

The Attorney General replied to Respondent's submission, recommending that the POD be finalized as drafted except that Respondent should be given credit for proof of completion of the following continuing education:

0 hours within June 1, 2010 - May 31, 2012;  
34 hours within June 1, 2012 - May 31, 2014;  
31 hours within June 1, 2014 - May 31, 2016, including the one hour course on organ and tissue donation.

Specifically, the Attorney General noted that Respondent could apply 30 hours completed during the June 1, 2014 - May 31, 2016 biennial period to cure the deficiency of the June 1, 2010 - May 31, 2012, biennial period. The excess 4 hours from the 2012 - 2014 period plus the excess 1 hour from the current period total 5 hours, which can be applied toward the requirement for the current period. The Attorney General noted that Respondent must therefore complete an additional 25 hours of continuing education prior to May 31, 2016, to satisfy the requirements of the current biennial period.

Respondent's and the Attorney General's submissions were reviewed by the Board, and the Board has determined that further proceedings are not necessary and that no material factual discrepancies have been raised.

#### CONCLUSIONS OF LAW

The Board finds that by rewriting and recreating the incident report, and in consideration of Respondent's involvement with filling in blank spaces on, or altering, the MAR and TAR, Respondent has engaged in: acts constituting a crime or offense relating adversely to the practice of nursing thereby subjecting her to discipline within the intendment of N.J.S.A. 45:1-21(f); the use or employment of fraud, deception, and misrepresentation

subjecting her to discipline pursuant to N.J.S.A. 45:1-21(b); and professional misconduct thereby subjecting her to discipline pursuant to N.J.S.A. 45:1-21(e).

Regarding continuing education, 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. Since Respondent has cured the continuing education deficiency by application of subsequently-taken continuing education credits to a prior biennial renewal period, suspension and imposition of a fine on that basis are no longer warranted. Additionally, the Board deems Respondent to have completed an ethics course by way of her completion of two hours of continuing education entitled Nursing Ethics on or about January 25, 2016. Finally, the Board deems Respondent to have served a 90-day suspension provided in the Provisional Order of Discipline by way of the 90-day hiatus Respondent took from her job and from the practice of nursing in this State.

ACCORDINGLY, IT IS on this 1<sup>st</sup> day of August, 2016,  
ORDERED that:

1. A reprimand is imposed on Respondent for her violations of N.J.S.A. 45:1-21(b), (e), and (f).

2. Respondent's license to practice nursing in the State of New Jersey is hereby suspended for ninety (90) days. Respondent

shall receive credit on the suspension, which is deemed served via Respondent's 90-day hiatus from her job and from the practice of nursing in this State between on or about April 17, 2014 and August 11, 2014.

3. Respondent must provide the Board within fifteen (15) days of the date of this Order with proof of completion of twenty-five (25) hours of continuing education credits completed between June 1, 2014 - May 31, 2016 to satisfy the continuing education requirements of the current biennial period. Continuing education hours taken currently and applied to cure the deficiency from a previous biennial period shall not be used to satisfy the requirements of the current biennial period.

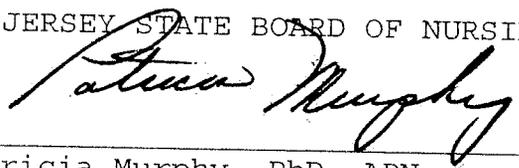
4. Respondent shall complete a course in ethics. Such requirement is to be applied retroactively and is hereby deemed served by Respondent's completion of a two-hour course entitled Nursing Ethics completed by Respondent on or about January 25, 2016. These credit hours shall not count towards, and shall be in addition to, the continuing education requirements addressed in paragraph 3, directly above.

5. Respondent is assessed a civil penalty in the amount of two thousand five hundred dollars (\$2,500) for the aforementioned conduct involving the report and records. 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 Leslie Burgos, State Board of Nursing, 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 this Order. 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  
Board President