



when, driving from New Jersey to Florida, she was found asleep at a rest stop in her locked car with her three children, ages 12, 6 and 6 months. Respondent was difficult to awaken, was transported to a hospital, and diagnosed with an accidental overdose of Benadryl. Respondent was convicted of disorderly conduct.

2. The Board received a complaint from respondent's estranged husband, alleging that respondent had not entered into the agreement in good faith. Although respondent claimed that she was unable to undergo evaluation under the auspices of RAMP because of health problems, and would be refraining from the practice of nursing, she actually intended to leave the state, practice nursing in Florida, and thus avoid undergoing evaluation. The complainant provided a copy of joint income tax returns, demonstrating that respondent had been employed as a nurse subsequent to the signing of the private letter agreement.

3. On or about December 18, 2015, a letter of inquiry was sent to respondent on behalf of the Board, requesting information as to respondent's history with regard to impairment and employment. The letter also requested documentation of completion of required continuing education for the 2011-2013 licensing cycle. The letter was sent by certified mail to respondent's address of record with the Board, and to an address in Florida provided by her estranged husband.

4. The certified mailing of the letter sent to her address of record was returned, marked "Not Deliverable as Addressed; Unable to Forward." The certified mailing to the Florida address was delivered on January 15, 2016. The regular mailings of the letter were not returned.

5. On her 2013 renewal application, respondent indicated that she would have completed all required continuing education for the 2011-2013 licensing cycle by May 31, 2013.

#### SUBSEQUENT PROCEDURAL HISTORY

Based on the preliminary findings and conclusions, as noted above and below, a Provisional Order of Discipline seeking a suspension until she cooperated with the Board's investigation and underwent a RAMP evaluation, a reprimand and a seven hundred fifty dollar (\$750) aggregate civil penalty for Respondent's continuing education violations and failure to respond to the Board's request for information was entered on February 9, 2016. A copy was served on Respondent via regular and certified mail to her last known address of record and to the subsequent Florida address obtained by the Board. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30<sup>th</sup> business 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.

Ms. Thomas responded to the POD. She cooperated with the Board's investigation by answering all the questions contained in the Demand for Written Statement Under Oath. She resides in Florida. On June 19, 2014, her New Jersey license was placed in inactive status. She never provided the Board with her new address in Florida. She also never changed her name. Ms. Thomas has an LPN license in Florida and the last day she worked as a nurse in Florida was March 17, 2015. She is currently unemployed. According to the Florida license verification system, Stephanie Elizabeth Seelinger's (as Stephanie E. Thomas is also known) LPN license is clear/active and her address of record indicates that she is "not practicing in Florida, United States."

Furthermore, a call to a continuing education provider verified that Ms. Thomas completed sufficient continuing education during the renewal periods at issue. As such, the discipline imposed in the POD relating to continuing education is no longer warranted.

Because Respondent complied, albeit belatedly, with the Board's request for information and provided evidence that she completed continuing education credits sufficient to meet the Board's requirements, suspension of her license, a reprimand and

imposition of the \$250 fine are no longer warranted. However, Ms. Thomas is unwilling to undergo a RAMP evaluation, although she indicates that she would be willing to undergo a psychological evaluation to prove that she is competent and does not have a drug or alcohol issue. Further, the \$500 civil penalty for failure to respond to the Board's Demand for Written Statement Under Oath should be maintained as Respondent did not reply to the Board's request for information until after the Provisional Order of Discipline was filed and never updated her address with the Board, necessitating the expenditure of resources by the Board.

CONCLUSIONS OF LAW

1. Respondent's failure to respond to the Board's inquiry constitutes a failure to cooperate with a Board investigation in violation of N.J.A.C. 13:45C-1.2, -1.3, subjecting respondent to sanctions pursuant to N.J.S.A. 45:1-21(e) and (h).

2. Respondent's apparent attempt to avoid evaluation by RAMP following her agreement to do so via a letter agreement based on an overdose of Benadryl under N.J.S.A. 45:1-22(f), provides sufficient basis for ordering Respondent to submit to monitoring or evaluation to evaluate whether her continued practice may jeopardize the safety and welfare of the public as a condition for continued licensure.

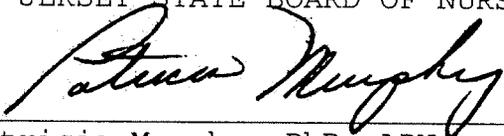
ACCORDINGLY, IT IS on this 19<sup>th</sup> day of September, 2016,

ORDERED that:

1. Respondent's New Jersey nursing license is hereby suspended until she has undergone evaluation and monitoring under the auspices of RAMP, and RAMP supports her reinstatement.

2. A civil penalty in the amount of \$500 is hereby imposed for the violation of N.J.A.C. 13:45C-1.2, -1.3. 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, Board Staff, 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