

CHRISTOPHER S. PORRINO
ATTORNEY GENERAL OF NEW JERSEY
Division of Law
124 Halsey Street, 5th Floor
P.O. Box 45029
Newark, New Jersey 07101
Attorney for the Board of Nursing

By: Barbara J.K. Lopez
Deputy Attorney General
(973) 648-3696

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
	:	
SHANNON C. BRICE, LPN	:	ORDER OF SUSPENSION
License #26NP06026500	:	OF LICENSE
	:	
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 indicating the following:

1. Shannon C. Brice ("Respondent") is a Licensed Practical Nurse ("LPN") in the State of New Jersey and has been a licensee at all relevant times. (Exhibit A).

2. Respondent entered into a Private Letter Agreement ("PLA") with the Board on February 4, 2016. The PLA required,

in part, that Respondent enroll in and comply with the Board's designated intervention program, the Recovery and Monitoring Program ("RAMP"), to undergo evaluation, monitoring, and treatment, including random screens. The agreement included the requirement to refrain from the use of potentially addictive substances, including alcohol. It was to remain private and confidential unless and until the Board received reliable information that Respondent had violated any term, was to have the force and effect of a Board Order within the intendment of N.J.A.C. 13:45C-1.4. (Exhibit B).

3. Respondent failed to refrain from the use of potentially addictive substances as evidenced by positive drug screens in February 2016 (hair test positive for oxycodone), March 11, 2016 (urine test positive for opiates), March 14, 2016 (urine retested positive for alcohol/EtG (Ethyl Glucuronide), alcohol/EtS (Ethyl Sulfate), fentanyl, norfentanyl, dihydrocodeine, hydrocodone, and hydromorphone), and March 15, 2016 blood test positive for alcohol/PEth (Phosphatidylethanol). (Exhibit C).

4. Respondent failed to follow the recommendations of RAMP for inpatient treatment. (Exhibit C).

5. Respondent failed to follow the recommendations of

RAMP to place her license on inactive status. (Exhibit C).

6. Respondent failed to successfully complete RAMP and was discharged from RAMP as noncompliant on March 24, 2016. (Exhibit C).

7. RAMP cannot assure the Board or the public that Respondent is safe to practice. (Exhibit C).

8. On September 19, 2016, a communication was sent to Respondent at her address of record by overnight and regular mail, and also via electronic mail, advising Respondent that the Board had received information indicating that she was not in compliance with the PLA, and with her agreement with RAMP. Respondent was further advised to provide the Board with proof of any inaccuracy in that information within two weeks. The communication was sent to Respondent's address on file with the Board (in Freehold, New Jersey). (Exhibit D).

9. Respondent replied to the communication. She admitted that she failed to refrain from the use of alcohol, a potentially addictive substance, as evidenced by her March 15, 2016 positive blood test. She further admitted that she failed to follow the recommendations of RAMP and the evaluator to undergo inpatient treatment, but maintained that she did so because she does not believe that she has any substance abuse or

mental health issue. (Pertinent portion attached as Exhibit E).

10. The PLA signed by Respondent provided for automatic suspension of Respondent's nursing license upon receipt of reliable information indicating that Respondent had violated any term of the private letter agreement. The agreement states that Respondent may, upon notice to the Board, request a hearing to contest the automatic suspension; however, at any such hearing, the sole issue shall be whether any of the information received regarding Respondent's violation of the agreement was materially false. The Board also reserved the right to bring further disciplinary action. (Exhibit B).

11. Respondent violated the PLA by: failing to refrain from the use of potentially addictive substances as evidenced by positive drug screens in February 2016 (hair test Positive for oxycodone), March 11, 2016 (urine test Positive for opiates), March 14, 2016 (urine retested positive for alcohol/EtG (Ethyl Glucuronide), alcohol/EtS (Ethyl Sulfate), fentanyl, norfentanyl, dihydrocodeine, hydrocodone, and hydromorphone), and March 15, 2016 blood test Positive for alcohol/PEth (Phosphatidylethanol); failing to follow the recommendations of RAMP to enter inpatient treatment and to place her license on

inactive status; failing to successfully complete RAMP and being discharged from RAMP as noncompliant on March 24, 2016. Each violation of the PLA constitutes a violation of N.J.A.C. 13:45C-1.4, subjecting Respondent to sanctions pursuant to N.J.S.A. 45:1-21(e), and automatic suspension of her license as provided in the PLA.

ACCORDINGLY, IT IS on this 9th day of November, 2016,
HEREBY ORDERED that:

1. Respondent's license to practice nursing in the State of New Jersey is hereby suspended for her violation of the terms of the private letter agreement as set forth above, which is a violation of a Board Order within the intendment of N.J.A.C. 13:45C-1.4 and N.J.S.A. 45:1-21(e).

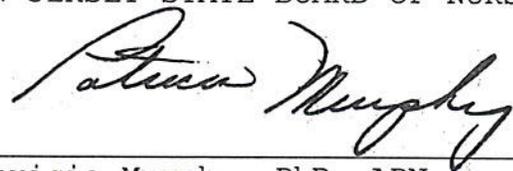
2. Respondent may, under the terms of the private letter agreement, request a hearing, upon fifteen days notice, on the sole issue of whether information received that Respondent has failed to comply with the terms of the private letter agreement was materially false.

3. In the event that Respondent seeks reinstatement of her New Jersey nursing license at any future time, the Board will not entertain an application for reinstatement from Respondent unless and until Respondent completes a comprehensive evaluation

under the auspices of RAMP, demonstrates that she is fit and competent to practice nursing, that she is in full compliance with any agreement with RAMP, that RAMP supports her return to practice, demonstrates that she is up to date with her continuing education, and in full compliance with the terms and conditions of the private letter agreement. If Respondent elects to participate with a professional monitoring and intervention program other than RAMP in an effort to reinstate her license, the Board shall require an evaluation with a Board-approved evaluator prior to any reinstatement and a showing that the program is of similar scope and rigor to that of RAMP.

NEW JERSEY STATE BOARD OF NURSING

By:



Patricia Murphy, PhD, APN
Board President