

FILED  
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N.J. BOARD OF NURSING

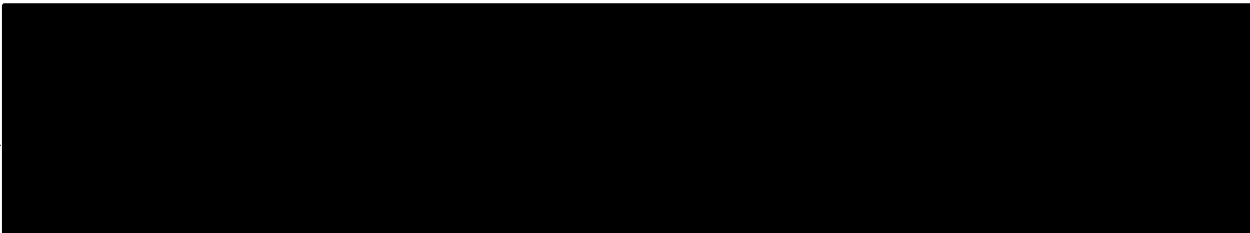
STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
STATE BOARD OF NURSING

IN THE MATTER OF THE LICENSE OF :  
LORI M. BAYER, RN : Administrative Action  
License No. 26NO11486700 :  
TO PRACTICE NURSING : **FINAL ORDER**  
IN THE STATE OF NEW JERSEY : **OF DISCIPLINE**

This matter was opened to the New Jersey State Board of Nursing (the "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. Lori M. Bayer ("Respondent") is licensed as a registered professional nurse (RN) in the State of New Jersey and has been a licensee at all relevant times. Respondent is also known as Lori M. Weisblatt.



. On December 16, 2009, the Board sent Respondent a letter of inquiry via regular and certified mail requesting certain information and submission of documents pertaining to the [redacted] case. Respondent signed the receipt for

delivery of the certified mail. Respondent's attorney advised that on January 14, 2010, Respondent pled guilty to a downgraded municipal offense and paid a fine of five hundred dollars (\$500) and costs of thirty-three dollars (\$33). Respondent's attorney further advised in December 2010 that "[Respondent] did acknowledge that she had shoplifted some incidental merchandise from Bloomingdale's department store."

3. On or about May 3, 2010, Respondent completed her biennial license renewal online for the period of June 1, 2010 - May 31, 2012. The online renewal contains a question which asks "Will you have completed the required continuing education credits by May 31, 2010?" Respondent answered "no" and certified that answer to be true by submitting the online application. Respondent's attorney stated that respondent "is now completing and updating her educational credits which hopefully will be done by June 2011". To date, Respondent has failed to provide the Board with proof of completing the continuing education requirements for the June 1, 2008 - May 31, 2010 biennial period.

#### CONCLUSIONS OF LAW

Respondent's acknowledgement that she shoplifted and corresponding plea of guilty to a downgraded municipal offense subjects Respondent to discipline pursuant to N.J.S.A. 45:1-21(f) for being convicted of, or engaging in acts constituting,

any crime or offense relating adversely to the practice of nursing. Additionally, Respondent's failure to complete 30 hours of continuing education during the 6/1/08 - 5/31/10 biennial period constitutes a violation of N.J.A.C. 13:37-5.3, which the Board deems professional misconduct within the intendment of N.J.S.A. 45:1-21(e) and also constitutes a violation or failure to comply with a regulation administered by the Board within in the intendment of N.J.S.A. 45:1-21(h).

Based on the foregoing findings and conclusion, a Provisional Order of Discipline was entered on April 18, 2012, provisionally suspending respondent's nursing license, and provisionally imposing a public reprimand and a civil penalty in the amount of \$500.00. A copy of the Order was sent to respondent's attorney by certified and regular mail. 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 therefor.

Respondent's attorney replied to the Provisional Order,

furnishing documentation of the thirty continuing education credits in satisfaction of respondent's continuing education obligation for the 2010 renewal. These credits, although completed subsequent to May 31, 2010, cannot subsequently be applied towards satisfaction of respondent's 2012 renewal requirements, which should have been completed by May 31, 2012. Accordingly, the Board determined that suspension pursuant to the terms of the April 18, 2012 Provisional Order is no longer appropriate. The Board further determined that, inasmuch as no discrepancies had been raised with respect to the findings of fact and conclusions of law, the reprimand and monetary penalty of \$250.00 based upon the conduct underlying respondent's conviction, and the \$250.00 civil penalty for failure to timely comply with the continuing education requirements of N.J.A.C. 13:37-5.3 should be imposed.

ACCORDINGLY, IT IS on this 18<sup>th</sup> day of June, 2012,

ORDERED that:

1. Respondent is hereby reprimanded for violating N.J.S.A. 45:1-21(f).
3. A civil penalty in the amount of five hundred dollars (\$500) is hereby imposed upon Respondent for violation of N.J.S.A. 45:1-21(f), (e) and (h). Inasmuch as payment of the civil penalty in the amount of \$500.00 has already been forwarded by respondent's attorney, no further action is

required by respondent in this matter.

NEW JERSEY STATE BOARD OF NURSING

By: Patricia Murphy PhD, APN  
Patricia Murphy, PhD, APN  
Board President