



STATE OF NEW JERSEY
DEPARTMENT OF HUMAN SERVICES
DIVISION OF DEVELOPMENTAL DISABILITIES

PO BOX 726
TRENTON, NJ 08625-0726

Visit us on the web at :
www.state.nj.us/humanservices/ddd

Jennifer Velez
Commissioner

Dawn Apgar
Deputy Commissioner

Elizabeth M. Shea
Assistant Commissioner

TEL. (609) 631-2200

CHRIS CHRISTIE
GOVERNOR

KIM GUADAGNO
LT. GOVERNOR

December 10, 2014

Ms. Gwendolyn Anderson
128 Pageant Lane
Willingboro, NJ 08046

Re: Violation of N.J.S.A. 30:6D-5.1 (Danielle's Law)
UIR#: 13-294701
Date of Incident: May 22, 2013
CCR Provider: Gwendolyn Anderson

Dear Ms. Anderson:

On October 10, 2014, you were sent the enclosed letter by certified and regular U.S. mail to notify you that you had violated N.J.S.A. 30:6D-5.3(a) and N.J.A.C. 10:42A-2.1(a) and that the violation carried with it a fine of \$5,000.00.

The letter advised you of your right to appeal this violation within thirty (30) days of receipt of the notice, which the U.S. Post Office delivered on October 14, 2014. The deadline for you to appeal this matter has passed. Therefore, the determination that the service recipient was in a life-threatening situation on May 22, 2013, and that you failed to call 911, in violation of N.J.S.A. 30:6D-5.3(a) and N.J.A.C. 10:42A-2.1(a), is now a final agency decision.

Payment of the \$5,000.00 fine is due immediately. Please make your check payable to: Treasurer, State of New Jersey. Send the payment to:

Keith Joslin, Appeal Coordinator
DDD
P.O. Box 726
Trenton, NJ 08625


Gwendolyn Anderson
Danielle's Law Final Agency Decision
December 10, 2014
Page 2

If you dispute this final agency decision, you have forty-five (45) days from the date you receive this letter within which to file a notice of appeal with the Superior Court of New Jersey, Appellate Division at the address below:

Superior Court of New Jersey
Appellate Division Clerk's Office
Post Office Box #006
Trenton, NJ 08625
(609) 292-4822

If you have any questions regarding this letter, please contact Mr. Joslin at (609) 631-6518.

Sincerely,



Elizabeth M. Shea
Assistant Commissioner

EMS:KAJ:s
enclosure



CHRIS CHRISTIE
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TEL. (609) 631-2200

October 10, 2014

Via Certified and Regular U.S. Mail

Ms. Gwendolyn Anderson
128 Pageant Lane
Willingboro, NJ 08046

Re: Violation of N.J.S.A. 30:6D-5.1 (Danielle's Law)
UIR#: 13-294701
Date of Incident: May 22, 2013
CCR Provider: Gwendolyn Anderson

Dear Ms. Anderson:

On May 22, 2013, you were involved in an incident with an individual receiving services from the Division of Developmental Disabilities (DDD). At the time, you did not follow the requirements of State law N.J.S.A. 30:6D-5.1 et seq., otherwise known as Danielle's Law. Specifically, you violated N.J.S.A. 30:6D-5.3(a) and N.J.A.C. 10:42A-2.1(a) by failing to call 911 immediately in a life-threatening situation. The facts I have relied on to determine this follow:

According to the Danielle's Law regulation, N.J.A.C. 10:42A-2.2 (a) 6, a life threatening emergency that requires a call to 911 includes, "injured in the head, neck or back". On May 22, 2013 you were aware that an individual had an unwitnessed fall, which resulted in facial injuries, however, you failed to call 911 in a timely manner.

I have considered all of the documentation provided to me and I find that the service recipient did experience a life-threatening emergency and you did not call 911 immediately. Therefore, I find that you violated N.J.S.A. 30:6D-5.3(a) and N.J.A.C. 10:42A-2.1(a). This violation carries with it a fine of \$5,000.00.

Gwendolyn Anderson
Danielle's Law Violation
Page 2

To pay the fine, please send a check in the amount of \$5,000.00 made payable to "Treasurer State of New Jersey" to:

Division of Developmental Disabilities
Attn: Keith Joslin, Appeal Coordinator
P.O. Box 726
Trenton, NJ 08625

If you dispute this finding, you have 30 days to request an appeal. A request for an appeal must be made in writing to the Assistant Commissioner at the address listed above. Your appeal must contain the following information:

1. Your name, address, and telephone number as well as the name of any authorized representative, such as an attorney;
2. A brief statement as to what the basis of your appeal is;
3. A list of potential witnesses you plan to call; and
4. A statement as to whether you agree to have DDD hold your appeal, pending a possible settlement prior to referring this matter to the Office of Administrative Law (OAL).

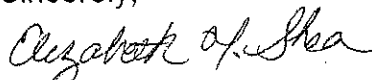
This information is also available at www.state.nj.us/humanservices/ddd/DCs under Division Circular #20A, *Life-Threatening Emergencies*.

If you file a request for an appeal and the matter is either not settled or you chose not to attempt settlement, your appeal will be filed with the OAL. The Division shall notify you of the filing with OAL by letter.

If you do not file a request for an appeal within 30 days, I will make my finding *final*. By law, I must then refer this matter to the Attorney General for collection of the fine, if you have not already paid it, and report the finding to any professional Boards to which you belong.

If you have any questions regarding how to appeal this violation, please contact Keith Joslin, Appeal Coordinator, directly at (609) 631-6518.

Sincerely,



Elizabeth Shea
Assistant Commissioner

ES:gs

c: Keith Joslin, Appeal Coordinator