

FILED

JUL 19 2017

N.J. BOARD OF NURSING

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

IN THE MATTER OF THE SUSPENSION
OR REVOCATION OF THE LICENSE OF

Wilber Hernandez, RN
License # 26NR14834300

TO PRACTICE NURSING IN
THE STATE OF NEW JERSEY

Administrative Action

**INTERIM CONSENT ORDER
OF VOLUNTARY SURRENDER
TO BE DEEMED A
TEMPORARY SUSPENSION**

This matter was opened to the New Jersey State Board of Nursing ("Board") upon receipt of information which revealed that Wilber Hernandez, ("Respondent"), a Registered Nurse ("RN") in the State of New Jersey, was arrested on or about July 13, 2017, by members of the Middlesex County Police Department and charged with one count of Sexual Assault-Force/Coercion No Personal Injury, in violation of N.J.S.A. 2C:14-2C(1); two counts of Criminal Sexual Contact, in violation of N.J.S.A. 2C:14-3B; and one count of Lewdness-Observed By Others, in violation of

N.J.S.A. 2C:14-4A. It is alleged that Respondent, a nurse at Robert Wood Johnson University Hospital, was involved in two incidents with female patients. The first alleged assault occurred on October 13, 2016 and concerned a 49-year-old female patient. The second alleged assault occurred on June 29, 2017, in the emergency room where Respondent works, and concerned a 74-year-old female patient.

The allegations, if proven, would demonstrate that Respondent engaged in acts constituting a crime or offense involving moral turpitude and relating adversely to the practice of nursing pursuant to N.J.S.A. 45:1-21(f), and that Respondent lacks good moral character, an underlying foundation for licensure pursuant to N.J.S.A. 45:11-26, both of which would provide bases for disciplinary action against Respondent's license. Additionally, if proven, the allegations would demonstrate that Respondent engaged in professional misconduct, subjecting him to discipline pursuant to N.J.S.A. 45:1-21(e).

It appearing that Respondent agrees to voluntarily enter into an interim agreement temporarily suspending his license without making admissions and without prejudice to his ability to defend any action brought based on the above allegations, and the Board finding the within disposition adequately protective of the

public health, safety and welfare; and other good cause having been shown;

IT IS, THEREFORE, ON THIS 19th DAY OF July, 2017,
ORDERED AND AGREED THAT:

1. The license to practice as a Registered Nurse in the State of New Jersey, issued to Respondent, Wilber Hernandez, is hereby voluntarily surrendered, to be deemed a temporary suspension of license, effective immediately, pending disposition of the criminal charges detailed above and until further Order of the Board.

2. Respondent shall, contemporaneously with the signing of this Order, forward his nursing license, both wallet and wall versions, to Joshua M. Bengal, DAG, P.O. Box 45029, Newark, New Jersey 07101, on behalf of the Board of Nursing.

3. Respondent shall immediately cease and desist from holding himself out as a nurse in the State of New Jersey and shall refrain from the practice of nursing in the State of New Jersey pending further Order of the Board.

4. Nothing contained herein shall be deemed an admission of liability on the part of Respondent.

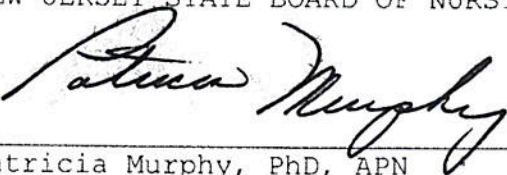
5. The entry of the within Order is without prejudice to the further investigation and/or prosecution of any violations by

Respondent of any statutes or regulations governing nursing practice in the State of New Jersey or any other violations of law, by the Board, the Attorney General, or any other regulatory or law enforcement agency, including, but not limited to, any pending matters under investigation.

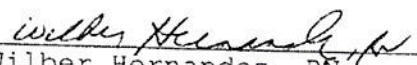
6. Nothing herein shall preclude the Board from initiating further disciplinary action based upon Respondent's conduct, whether or not relating to the allegations above and/or upon disposition of the criminal charges. Additionally, the Board reserves the right to impose discipline, limitations, and/or restrictions at the time of any petition for reinstatement of Respondent's license.

NEW JERSEY STATE BOARD OF NURSING

By:


Patricia Murphy, PhD, APN
Board President

I have read this Consent Order and understand that it has serious legal consequences. I have been given an opportunity to review this Consent Order with counsel and have decided to enter into this Consent Order without such counsel. I agree to the entry of this Consent Order and agree to be bound by its terms.



Wilber Hernandez, RN
License # 26NR14834300