



**State of New Jersey**  
**DEPARTMENT OF HEALTH**

PO BOX 358  
TRENTON, N.J. 08625-0358

[www.nj.gov/health](http://www.nj.gov/health)

PHILIP D. MURPHY  
*Governor*

SHEILA Y. OLIVER  
*Lt. Governor*

JUDITH M. PERSICILLI, RN, BSN, MA  
*Commissioner*

Brian Hall

RE: Notice of Revocation of Nurse Aide Certification  
Nurse Aide No.: 8720944  
OPC No: 18-11421

Mr. Hall:

The Centers for Medicare and Medicaid Services (CMS) of the U.S. Department of Health and Human Services, under authority of federal law, imposes a requirement on state governments to ensure that nurse aides have the education and clinical skills necessary to care for residents of long term care facilities. See 42 C.F.R. Part 483. These regulations also require that each State maintain a nurse aide Registry, which, pursuant to 42 CFR 483.156(c)(1)(iv), must contain all substantiated findings by the State of resident mistreatment, abuse, neglect, or misappropriation of resident property by a certified nurse aide.

The Certification Program of the New Jersey State Department of Health ("Department") was notified of information that you abused a resident of a long-term care facility, which occurred on or about June 5, 2018, while you were employed as a certified nurse aide at Neptune Gardens, in Neptune, New Jersey. Specifically, it is alleged that on June 5, 2018, you were observed and overheard yelling and cursing at a vulnerable long-term care resident.

On October 10, 2018, the Department sent you a Notice of Right to Hearing and on November 7, 2018, the Department received your request for a hearing. On November 13, 2018, the matter was transmitted to the Office of Administrative Law.

The matter was scheduled for a telephonic case conference on March 26, 2020 before Judge Carl V. Buck III, and you failed to participate. Thereafter, the matter was rescheduled for a telephonic case conference on June 25, 2020 before Judge Buck and you again failed to participate. Subsequently, on August 12, 2020, the file was returned to the Department and marked "Failure to Appear." A Notice of Failure to Appear was sent to you and indicated the Department must receive an explanation within 13 days of the Notice. Neither the Office of Legal and Regulatory Compliance, nor The Department of Health received an explanation.

Therefore, in accordance with 42 CFR 483.156(c)(1)(iv), please be advised that a finding of abuse of a resident will be placed next to your name on the Registry on September 2, 2020 and will remain on the Registry permanently.

**Please surrender your nurse aide certificate and wallet card to:**

Office of Program Compliance-Reporting  
120 South Stockton Street  
PO Box 358  
Trenton, NJ 08625-0358

**Please advised that your nurse aide certification, the certificate and the wallet card are no longer valid, and the status of your nurse aide certification is now revoked.**

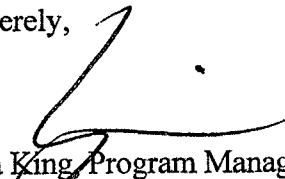
Please be advised that pursuant to N.J.A.C. 8:39-43.1(a)(1), only individuals who maintain a currently valid nurse aide certificate and are registered in good standing on the Registry are considered by the Department to be competent to work as a nurse aide in a licensed long term care facility. A nurse aide is no longer registered in good standing if a finding of abuse, neglect or misappropriation is included on the Registry.

Therefore, if a finding of abuse of a resident remains next to your name on the Registry, you are prohibited from employment as a certified nurse aide in a licensed long-term care facility.

In accordance with 42 C.F.R. 483.156 and N.J.A.C. 8:39-43.7, you are entitled to submit a written statement contesting the findings noted above. This statement will be maintained on the Registry. If you wish to submit such a written statement, you must do so within 20 days of the date of this letter. Your letter should reference "Notice of Revocation of Nurse Aide Certificate: Contested Findings."

Please forward this statement to the Office of Program Compliance-Reporting along with your nurse aide certification and your wallet card to the address listed above.

Sincerely,



Lisa King, Program Manager  
Office of Program Compliance  
Division of Certificate of Need and Licensing

LK/jc/dj  
DATE: September 2, 2020  
Certified Mail and US FIRST CLASS MAIL