



State of New Jersey
DEPARTMENT OF HEALTH

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TRENTON, N.J. 08625-0358

www.nj.gov/health

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

JUDITH M. PERSICHILLI, RN, BSN, MA
Commissioner

Daniel Godwin

RE: Notice of Revocation of
Nurse Aide Certification
NA 8607815
OPC No: 20-12867

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 C.F.R. 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 the results of an investigation in which there was sufficient information that you abused and neglected a vulnerable resident. This occurred on or about December 14, 2019, while you were employed as a certified nurse aide at North Cape Center, North Cape May, New Jersey.

Specifically, it is alleged that you were storing alcoholic beverages in the resident's top drawer and you told the resident that if she mentioned it to anyone, you would "kill her". Also, you were noted by two staff members to have the smell of alcohol on your breath while on duty as a C.N.A. at the same facility; you were suspended on December 14, 2019, as a result, and for refusing to allow the facility to screen you for alcohol. Your actions were willful and constitute abuse and neglect in accordance with the federal definitions under 42 C.F.R. 483.5.

On April 1, 2020, you were sent a Notice of Right to Hearing letter via certified mail and first-class mail, to the address of record for your nurse aide certification. This notice advised you of the Department's intent to place a finding of abuse next to your name on the New Jersey Nurse Aide Registry (Registry), and to revoke your certification. At that time, you were notified that you had 30 days to request a hearing to contest the charges against you.

On April 23, 2020, you submitted a Request for Hearing that was subsequently sent to the Office of Administrative Law (OAL) where the matter was assigned to an administrative law judge with docket number HLT 05063-2020S. On August 20, 2020 a telephone status conference was held with Administrative Law Judge (ALJ) Elaine Frick for which you failed to appear. A second telephone status conference was held with ALJ Elaine Frick on October 13, 2020 for which you also failed to appear. On

November 4, 2020 the Department received notice that the case was being returned to the Department for Failure to Appear. You were advised in that notice to contact the Department within 13 days.

This office received no such request within the prescribed time. If you moved, it is your responsibility to notify the Nurse Aide Registry and the Criminal Background Investigation Unit of your new address.

Therefore, in accordance with 42 C.F.R. 483.156(c)(1)(iv), please be advised that a finding of abuse will be placed next to your name on the Registry on January 27, 2021 and will remain on the Registry permanently. Please also be advised that your certification is revoked.

Please surrender your nurse aide certificate and wallet card to:

Office of Program Compliance-Reporting
120 South Stockton Street, 3rd Floor
PO Box 358
Trenton, NJ 08625-0358

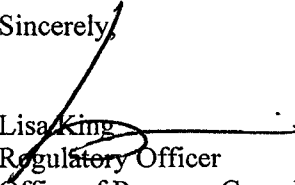
The certificate and the wallet card are no longer valid, and the status of your nurse aide certification is now revoked.

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 certified nurse aide is no longer registered in good standing if a finding of abuse, neglect or misappropriation by the certified nurse aide is included on the registry. Therefore, as long as a finding of abuse 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 nurse aide wallet card to the address listed above.

Sincerely,


Lisa King
Regulatory Officer
Office of Program Compliance
Division of Certificate of Need and Licensing
New Jersey Department of Health

LK/cb
DATE: January 27, 2021
UPS and US FIRST CLASS MAIL