



State of New Jersey
DEPARTMENT OF HEALTH
PO BOX 358
TRENTON, N.J. 08625-0358
www.nj.gov/health

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

JUDITH M. PERSICILLI, RN, BSN, MA
Commissioner

**THIS LETTER EXPLAINS YOUR RIGHTS
READ THIS LETTER CAREFULLY**

TO: Patricia Major-Hill



**RE: NURSE AIDE REGISTRY
NOTICE OF REVOCATION OF NURSE
AIDE CERTIFICATION
Certification No.: NA 26047
OPC No.: 18-11701**

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. In addition, pursuant to N.J.A.C. 8:39-43.5(a), "[a] certificate issued to a nurse aide in accordance with this subchapter shall be revoked in the following cases:

1. Finding of abuse, neglect or misappropriation of property of a resident of a long-term care facility or assisted living residence, or of a patient, resident, or client of any other facility or agency licensed by the [New Jersey Department of Health]" (Department).

The Certification Program of the Department was notified of the results of an investigation in which there was sufficient information that you abused a vulnerable resident. This occurred on an overnight shift on June 6 to 7, 2018, while you were employed as a certified nurse aide at Preakness Health Care Center, located in Wayne, New Jersey. Specifically, it is alleged that sometime before 7:00 a.m. on June 7, 2018, while purportedly providing care to A.S., a ninety-five-year-old resident, you forcibly grabbed and handled A.S., causing severe bruising and swelling to her right hand and right-upper

arm. A.S. was taken to the emergency room later that morning to be treated for contusions to her hand and arm.

On December 5, 2018, the Department sent you a Notice of Right to Hearing. 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.

Subsequently, you requested a hearing on or about December 17, 2018, to contest the charges listed on the Notice of Right to Hearing, and the Department transmitted this matter to the Office of Administrative Law, where it was filed on January 11, 2019, as a contested case. A hearing was scheduled for May 16, 2019, July 18, 2019 and September 5, 2019. On January 24, 2020 A.L.J. Susana E. Guerrero, A.L.J., issued an Initial Decision wherein she ordered that the Department's finding of abuse was affirmed and that your certification be revoked, and your name placed on the New Jersey Nurse Aide Registry. On March 10, 2020, the Commissioner of the Department of Health issued a Final Agency Decision adopting the A.J.L.'s finding.

Therefore, in accordance with 42 C.F.R. 483.156(c)(1)(iv), please be advised that a finding of abuse has been placed next to your name on the Registry 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:dj

DATE: March 11, 2020

Regular and Certified Mail, Return Receipt Requested