



State of New Jersey
DEPARTMENT OF HEALTH
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CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

www.nj.gov/health

CATHLEEN D. BENNETT
Commissioner

: Notice of Revocation of
: Nurse Aide Certificate

August 21, 2017

Elaine Niemczura
[Redacted]
[Redacted]

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. Pursuant to 42 C.F.R. 483.156 and N.J.A.C. 8:39-43.7, the State of New Jersey maintains a nurse aide registry which contains all substantiated findings by the State of resident abuse, resident 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 sufficient information was obtained to substantiate charges of abuse of a resident committed by you on or about April 27, 2017, while you were employed as a certified nurse aide at Victoria Manor, North Cape May, N.J.

On June 30, 2017, you were sent a Notice of Right to Hearing prior to having a finding of abuse being placed next to your name on the New Jersey Nurse Aide Registry (Registry). The Notice was sent to your address of record on the Registry, via UPS next day. The letter sent via UPS was delivered on July 3, 2017. The Notice advised you that you had 30 days to request a hearing to contest the charge against you. This office received no such request within the prescribed time. If you moved, it is your responsibility to notify the Registry and the Criminal Background Investigation Unit of your new address.

On August 18, 2017, the Office of Program Compliance received a letter from you indicating that you are waiving your rights to a hearing, along with your nurse aide certificate, your nurse aide wallet card and your written statement contesting the findings noted above.

Therefore, in accordance with 42 CFR 483.156(c)(1)(iv)(D), please be advised that a finding of Abuse was placed next to your name on the Registry on August 18, 2017, and will remain on the Registry permanently, unless the finding was made in error.

Elaine Niemczura
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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 finding of abuse was placed next to your name on the Registry which removes a certified nurse aide from the status of good standing and therefore, as long as a finding of abuse is next to your name on the Registry, you are prohibited from employment as a certified nurse aide in a licensed long term care facility.

Sincerely,



Lisa King, ~~Regulatory~~ Officer
Program Compliance and Health Care Financing

LK/jn
DATE : August 21, 2017
U.P.S. Tracking # 1Z F08 89A 01 9272 7665