



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

SHEREEF M. ELNAHAL, MD, MBA
Acting Commissioner

IN THE MATTER OF:

Lydia E. Nickes
Certified Nurse Aide
Certification No. 8301222

) **ORDER OF SUMMARY**
) **SUSPENSION OF NURSE AIDE**

TO: Lydia E. Nickes

TAKE NOTICE that, in accordance with the authority set forth in N.J.S.A. 26:1A-1 et seq., N.J.S.A. 26:2H-1 et seq., and the provisions set forth at N.J.A.C. 8:39-43.5(b), the New Jersey Department of Health (hereinafter, "the Department") hereby

FINDS that you, Lydia E. Nickes, Certification No. NA 8301222, are a certified nurse aide within the State of New Jersey, which certification entitles you to obtain and/or maintain employment at nursing homes, other long term care health care facilities in New Jersey, where your duties include the provision of direct, hand-to-hand care to elderly, often vulnerable, residents of said nursing homes and other long term care health care facilities; and the Department further

FINDS that credible evidence exists that you committed forgery. You wrote your name on a blank Bank of America check for \$8,215.00, signed the name of the account owner, and deposited the check in an account in your name, then you withdrew \$7,600 from the account. You were arrested on August 11, 2017 and charged with N.J.S. 2C:21-1A (3), Forgery by Uttering, N.J.S. 2C:20-4A, Theft by Deception and N.J.S. 2C:20-3A, Theft by Unlawful Taking-Moveable Property. You were indicted on January 8, 2018, and based on this credible evidence the Department further

FINDS that you pose an immediate threat to the health, safety and welfare of the public, including residents of long term care facilities, assisted living facilities and other licensed health care facilities or agencies, including home health agencies that provide in-home care, and that you shall be immediately suspended from eligibility for employment as a nurse aide, pursuant to N.J.A.C. 8:39-43.5(b).

NOW, THEREFORE, it is hereby administratively

ORDERED that your certification to work as a certified nurse aide in a long-term care facility, assisted living facility and other licensed health care facility or agency, is hereby **SUMMARILY SUSPENDED**, and your certification shall remain suspended until the Department has completed its investigation into this matter; and it is further administratively

ORDERED that, in the interim, the Department will continue to investigate this matter. You will be notified when the Department has completed its investigation, at which time you will be advised of what action(s), if any, will be taken with respect to your nurse aide certification.

TAKE NOTICE THAT in accordance with the provisions set forth in N.J.A.C. 8:39-43.5(b), you have thirty (30) days from the date of receipt of this notice to request an expedited hearing to appeal this summary suspension to the Commissioner of the Department of Health. Any such hearing shall be conducted at the New Jersey Office of Administrative Law, and shall be conducted pursuant to the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., and N.J.S.A. 52:14F-1 et seq., and the Uniform Administrative Procedure Rules, N.J.A.C. 1:1-1 et seq. A request for an expedited hearing shall be made in writing and sent to:

Attention: OAL Expedited Hearing Requests
Office of Legal & Regulatory Compliance - Room 805
New Jersey State Department of Health
P.O. Box 360
Trenton, New Jersey 08625-0360

Failure to submit a written request for emergency relief within 30 days from the date of receipt of this Order shall be interpreted as an acceptance of this Department's decision to summarily suspend your nurse aide certification pending completion of the investigation, thereby forfeiting your right to seek emergency relief. If you have any questions concerning this matter, please contact Lisa King, at (609)-984-8128.

DATED: January 25, 2018


Gene Rosenblum, Director
Program Compliance and Health Care Financing
Division of Certificate of Need & Licensing