



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

SHEREEF M. ELNAHAL, MD, MBA  
Commissioner

May 8, 2018

Adria Gutierrez

RE: **Summary Suspension**

Name of Aide: Adria Gutierrez

Certification # NA 8597550

Enclosed is an Order of Summary Suspension, issued under authority of N.J.A.C. 8:39-43.5(b). Specifically, you stole a credit card from a resident at Royal Gate Healthcare and made fraudulent purchases with the stolen card. This occurred while you were employed as a Certified Nurse Aid at Royal Suites Healthcare in Galloway, New Jersey. Additionally, on March 9, 2018 you were charged by the Galloway Township Police Department with Credit Card Theft by Knowingly and Purposely Obtaining a Credit Card Belonging to the Victim, Without Their Consent, With the Intent on Using the Credit Card, N.J.S.A. 2C:21-6C(1) and four counts of Fraudulent Use of a Credit Card, N.J.S.A. 2C:21-6H by the Hamilton Township Police Department.

As of your receipt of this Order, your nurse aide certification is no longer valid. However, you have thirty (30) days from the date you receive this notice to appeal this summary suspension to the Commissioner of the Department of Health, as set forth in the enclosed Order. Please review the Order carefully, as 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 all rights to emergency relief.

Should you have any questions regarding this Order, please Lisa King in the Office of Program Compliance at (609) 984-8128.

Sincerely,

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

GR/jn  
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*Commissioner*

**IN THE MATTER OF:**

<p><b>Adria Gutierrez</b>  <b>Certified Nurse Aide</b>  <b>Certification No. NA 8597550</b></p>	<p>) )</p>	<p><b>ORDER OF SUMMARY</b>  <b>SUSPENSION OF NURSE AIDE</b></p>
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**TO: Adria Gutierrez**

**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, Adria Gutierrez, Certification No. NA 8597550, are a certified nurse aide within the State of New Jersey, which certification entitles you to obtain and/or maintain employment at nursing homes and other long term care health care facilities, 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 stole a credit card from a resident at Royal Gate Healthcare and made fraudulent purchases with the stolen card. This occurred while you were employed as a Certified Nurse Aid at Royal Suites Healthcare in Galloway, New Jersey. Additionally, on March 9, 2018 you were charged by the Galloway Township Police Department with Credit Card Theft by Knowingly and Purposely Obtaining a Credit Card Belonging to the Victim, Without Their Consent, With the Intent on Using the Credit Card, N.J.S.A. 2C:21-6C(1) and four counts of Fraudulent Use of a Credit Card, N.J.S.A. 2C:21-6H by the Hamilton Township Police Department; and 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 such time as 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 opportunity to seek emergency relief. If you have any questions concerning this matter, please contact me at (609)-984-8128.

DATED: May 9, 2018



Gene Rosenblum, Director  
Office of Program Compliance  
Division of Certificate of  
Need & Licensing