



State of New Jersey  
DEPARTMENT OF HEALTH  
PO BOX 358  
TRENTON, N.J. 08625-0358

PHILIP D. MURPHY  
Governor

TAHESHA L. WAY  
Lt. Governor

[www.nj.gov/health](http://www.nj.gov/health)

KAITLAN BASTON, MD, MSc, DFASAM  
Commissioner

February 10, 2025

**VIA REGULAR AND CERTIFIED MAIL RRR**

Leagina Smith  
[REDACTED]

**Re: Notice of Revocation for Nurse  
Aide Certification**

Leagina Smith vs. New Jersey  
Department of Health  
Certification No: NA200036407  
Agency Reference No. OPC 24-14851

Dear Ms. Smith:

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 committed acts of abuse and mistreatment when you provided care to a vulnerable elderly resident entrusted in your care.

The incident occurred on July 18, 2024, while you were employed as a certified nurse aide at Complete Care at Shorrock Gardens, in Brick, New Jersey. An investigation by the facility established credible evidence that you abused and mistreated a resident when you were witnessed physically abusing a resident by placing your two hands around a resident's neck and choking her, which resulted in bruising around the resident's neck. After this was reported to the Brick Township Police Department, on July 18, 2024, you

were charged with Aggravated Assault 2C:12-1B(7) and Elder Abuse 2C:24-8A. Your actions, which were witnessed, are willful and constitute abuse in accordance with the federal definitions at 42 C.F.R. 483.5.

The Department summarily suspended your nurse aide certification on August 22, 2024. However, despite being summarily suspended and advised that your certification was no longer valid, you continued to pick up approximately 25 shifts as a CNA through ConnectRN, an online staffing platform for medical professionals, including nurse aides, to pick up available shifts. Although you requested a hearing on the suspension of your nurse aide certification and that matter is currently pending before the New Jersey Office of Administrative Law (OAL), you failed to request a hearing within the allotted 30 days to contest the Right to Hearing Notice that was sent to you on October 22, 2024 by regular and certified mail and email. The Right to Hearing Notice notified you that:

Accordingly, the Department intends to revoke your nurse aide certification and enter a finding of abuse next to your name on the New Jersey Nurse Aide Registry ("Registry"), thereby prohibiting you from doing work that must be performed by a certified nurse aide. If a finding of abuse is entered next to your name on the Registry, you will be prohibited from doing work that must be performed by a certified nurse aide.

On December 19, 2024, during an OAL status call, you were advised by the Administrative Law Judge that you must request a hearing on the Right to Hearing Notice to contest the revocation of your CNA certification. You were again emailed the Right to Hearing Notice on December 20, 2024. The Department has not received any evidence that you did not receive the notice. Therefore, we are proceeding with the revocation.

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 and will remain on the Registry permanently.

**Please also be advised that your certification is 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 certified 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's name is included on the Registry. **Therefore, you are prohibited from employment as a certified nurse aide and you must immediately cease acting as a certified nurse aide.**

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." You may forward this statement to the Office of Program Compliance-Reporting at the address below.

**You must surrender your nurse aide certificate and wallet card to:**

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

**The certificate and the wallet card are no longer valid.**

Sincerely,

A handwritten signature in blue ink, appearing to read "Gene Rosenblum", is written over the printed name.

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

LK:JC  
Date: February 10, 2024  
CERTIFIED MAIL:  
Return Receipt Requested  
US FIRST CLASS MAIL