PHILIP D. MURPHY Governor SHEILA Y. OLIVER Lt. Governor PO BOX 358 TRENTON, N.J. 08625-0358 www.nj.gov/health

JUDITH M. PERSICHILLI, RN, BSN, MA Commissioner

January 12, 2022

**VIA CERTIFIED MAIL RRR** 

Carrie E. Robinson

Re: Notice of Revocation of Nurse Aide Certification

Carrie E. Robinson vs. New Jersey Department of Health OAL Docket No. HLT 10102-2020N

Agency Reference No. OPC 20-13213

Dear Ms. Robinson:

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 misappropriated the property of a vulnerable elderly person.

On or about June 25, 2020, you abused, neglected, and mistreated a long-term care resident at Atrium Post-Acute Care of Park Ridge, in Park Ridge, New Jersey. Specifically, you aggressively and roughly grabbed a resident's wrists, bent them backwards and you intentionally forcefully shook them, causing the resident to scream out in pain and resulting in injury to the resident's elbow with soreness and a large purple bruise. Your abuse also resulted in the resident's left forearm becoming extremely swollen. Your abuse and mistreatment of the resident caused the resident pain and being frightened by your actions.

The Department summarily suspended your nurse aide certification by letter dated August 25, 2020. On October 1, 2021, Judge Ernest M. Bongiovanni, ALJ, issued an Initial Decision upholding the Department's Summary Suspension. The Department issued a Right to Hearing letter on November 22, 2021. You failed to request a hearing in the allotted 30 days from the date of the Right to Hearing notice. The Department has not received any evidence that you did not receive the referenced notices.

Therefore, in accordance with 42 <u>C.F.R.</u> 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 surrender your nurse aide certificate and wallet card to:

Office of Program Compliance-Reporting 25 South Stockton Street, 2<sup>nd</sup> 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 <u>N.J.A.C.</u> 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 when a finding of Abuse remains next to your name on the Registry.

In accordance with 42 <u>C.F.R.</u> 483.156 and <u>N.J.A.C.</u> 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 in this letter.

Sincerely,

Marquis D. Jones, Jr. Regulatory Officer
Office of Program Compliance Division of
Certificate of Need and Licensing
New Jersey Department of Health

MDJ:mdj Date: January 12, 2022 CERTIFIED MAIL: Return Receipt Requested US FIRST CLASS MAIL