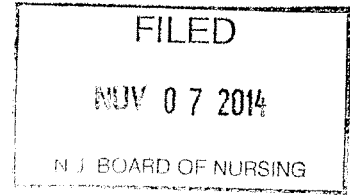


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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF NURSING

IN THE MATTER OF THE SUSPENSION	:	Administrative Action
OR RECOVATION OF THE LICENSEE OF	:	
	:	ORDER OF SUSPENSION
CYNTHIA RZUCIDLO, R.N.	:	OF LICENSE
LICENSE # NO 09094700	:	
	:	
TO PRACTICE AS A REGISTERED	:	
NURSE (R.N.) IN THE	:	
STATE OF NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Nursing ("Board") upon receipt of information indicating the following:

1. Respondent, Cynthia Rzucidlo, is the holder of License No. NO 09094700 and is a registered professional nurse in the State of New Jersey.

2. Respondent entered into a private letter agreement with the Board which she signed on or about August 4, 2014.

(Exhibit A) The agreement required respondent to enroll in the

Recovery and Monitoring Program of New Jersey (RAMP), undergo evaluation and monitoring, agree to follow recommendations by RAMP for further treatment, and to refrain from the use of any and all potentially addictive substances. (Exhibit A, ¶¶2, 6, and 10) The agreement was to have the force and effect of a Board Order within the intendment of N.J.A.C. 13:45C-1.4. In the event that the Board received reliable information that respondent had acted in violation of the RAMP contract and/or the agreement, the agreement was no longer to remain confidential.

3. In a communication dated September 16, 2014, Case Manager Jillian Scott of RAMP advised the Board that respondent was noncompliant with her RAMP contract, in that she failed to check in on a number of occasions in August and September of 2014, and failed to appear for scheduled substance abuse screenings on three occasions in August and September of 2014. She also did not attend a scheduled meeting to discuss this conduct, and did not respond to efforts by RAMP to contact her. (Exhibit B)

4. On or about October 28, 2014, a letter issued by overnight and regular mail to respondent at her address of record, advising respondent that the Board had received credible information indicating that she was not in compliance with the private letter agreement, and advising her to forward within

five days any proof that she was currently in compliance with RAMP. (Exhibit C)

5. On or about November 3, 2014, respondent replied to this notification, indicating that she did not intend to be noncompliant but believed that by "switching" to the Professional Assistance Program of New Jersey (PAP), PAP would be her liaison to RAMP. She also indicated that she had not been able to afford the hair analysis that RAMP was insisting on, and that PAP had a kinder and more comforting approach. She indicated that she believed that RAMP's approach to addiction was more confrontational than PAP's approach. (Exhibit D)

6. A certification from RAMP's director dated November 4, 2014 indicated that Ms. Rzucidlo had not telephoned to ascertain whether she was scheduled for substance abuse screening on three dates in August and on seven dates in September of 2014. She had also not provided a sample of hair for scheduled screenings on August 18, 2014 and September 4 and 10, 2014. On September 12, 2014, RAMP was advised that Ms. Rzucidlo had enrolled in PAP. RAMP's Director stated that hair drug screenings had been scheduled for Ms. Rzucidlo because Ms. Rzucidlo had provided RAMP with a prescription for Suboxone, but nevertheless she had tested negative on a scheduled screening. This led RAMP personnel to suspect that the urine sample provided by Ms. Rzucidlo may not have consisted of her own urine. RAMP's

Director pointed out that hair follicle testing indicates drug use for a 90 day period, and without having such a test performed, an opportunity is missed to ascertain drug use within the past 90 days. (Exhibit E)

7. The private letter agreement signed by respondent , which by its terms has the force and effect of a Board order within the intendment of N.J.A.C. 13:45C-1.4, provided for automatic suspension of respondent's nursing license upon receipt of reliable information indicating that respondent has violated any term of the private letter agreement. (Exhibit A, ¶13)

8. The private letter agreement included a provision which required that to obtain modification of the terms of the agreement, a detailed explanation must be submitted to the Board for the modification request, and a new agreement must be entered into. (Exhibit A, ¶12.

9. Respondent's failure to telephone in daily to ascertain whether drug screenings were scheduled, her failure to attend scheduled screenings, and her unilateral decision to enroll in PAP and avoid undergoing hair follicle testing (which is time sensitive) required by RAMP, in lieu of following the procedure for modification outlined in the private letter agreement, constitute repeated violations of the private letter

agreement. The private letter agreement provides for automatic suspension in the event of any deviation from the terms of the agreement. (Exhibit A, ¶14.

Accordingly,

IT IS on this 7th day of November, 2014

HEREBY ORDERED THAT:

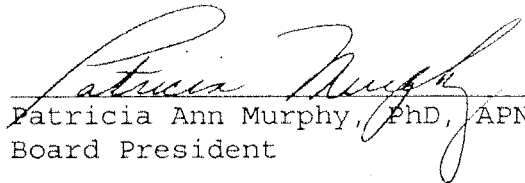
1. Respondent's license to practice nursing in the State of New Jersey shall be and hereby is suspended for her violation of the private letter agreement, which is deemed a violation of a Board order within the intendment of N.J.A.C. 13:45C-1.4 and N.J.S.A. 45:1-21(e) .

2. Respondent may, under the terms of the private letter agreement, upon notice, request a hearing on the sole issue of whether respondent has failed to comply with the terms of the private letter agreement.

3. In the event that respondent seeks reinstatement of her New Jersey nursing license at any future time, the Board shall not entertain any application for reinstatement without respondent's demonstrating that she is in full compliance with the terms and conditions of the private letter agreement and with any agreement with RAMP, and/or by demonstrating that she is fit and competent to practice nursing by submitting

monitoring results from PAP over a reasonable period of time and
undergoing evaluation by a Board-approved evaluator.

NEW JERSEY STATE BOARD OF NURSING

By: 
Patricia Ann Murphy, PhD, JAPN, C
Board President