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JAN 25 2017

By David E. Brown
Virginia Board of Nursing

COMMONWEALTH of VIRGINIA
BD OF NURSING

David E. Brown, D.C.
Director

Department of Health Professions

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Henrico, Virginia 23233-1463

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January 25, 2017

DUPLICATE COPY
VIA FIRST CLASS MAIL

DATE 1/25/17

Gregory V. Carollo, R.N.
5 May Court
Piscataway, NJ 08854

RE: License Number: 0001-242886
Case Number: 178143

Dear Mr. Carollo:

Pursuant to Virginia Code § 54.1-2409, you are hereby given notice that your right to renew your license to practice professional nursing in the Commonwealth of Virginia has been mandatorily suspended by the enclosed Order entered January 24, 2017. You are hereby advised that you may not practice professional nursing or hold yourself out as a licensed professional nurse unless and until the Board of Nursing has notified you in writing that your license has been reinstated. Please return your license to Jay P. Douglas, Executive Director of the Virginia Board of Nursing ("Board"), at the above address, immediately upon receipt of this letter.

You may apply to the Board for reinstatement of your license, and you shall be entitled to a formal administrative hearing not later than the next regular meeting of the Board after the expiration of 60 days from the Board's receipt of your reinstatement application. The reinstatement of your license shall require the affirmative vote of three-fourths of the members of the Board present at the hearing. The reinstatement application can be found at www.dhp.virginia.gov/Nursing.

If you have any questions about this matter, you can contact me at (804) 367-4474 or anne.joseph@dhp.virginia.gov.

Sincerely,

Anne Joseph, Deputy Director
Administrative Proceedings Division

cc: Jay P. Douglas, Executive Director, Board of Nursing
Enclosures

BEFORE THE VIRGINIA DEPARTMENT OF HEALTH PROFESSIONS

IN RE: GREGORY V. CAROLLO, R.N.
License Number: 0001-242886
Case Number: 178143

ORDER OF MANDATORY SUSPENSION


In accordance with Virginia Code § 54.1-2409, I, David E. Brown, D.C., Director of the Virginia Department of Health Professions, received and acted upon evidence that the New Jersey Board of Nursing suspended the license of Gregory V. Carollo, R.N., to practice professional nursing in the State of New Jersey. A certified copy of the Final Order of Discipline is attached hereto as Commonwealth's Exhibit 1.

WHEREUPON, by the authority vested in the Director of the Department of Health Professions pursuant to Virginia Code § 54.1-2409, it is hereby ORDERED that the right of Gregory V. Carollo, R.N., to renew his license to practice professional nursing in the Commonwealth of Virginia is hereby SUSPENDED.

Upon entry of this Order, the license of Gregory V. Carollo, R.N., will be recorded as suspended. Should Gregory V. Carollo, R.N., seek reinstatement of his license pursuant to Virginia Code § 54.1-2409, he shall be responsible for any fees that may be required for the reinstatement of the license prior to issuance of the license to resume practice.

This Order shall be applicable to Mr. Carollo's multistate licensure privilege, if any, to practice professional nursing in the Commonwealth of Virginia.

Pursuant to Virginia Code § 2.2-4023 and § 54.1-2400.2, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record and shall be made available for public inspection or copying on request.



David E. Brown, D.C., Director
Virginia Department of Health Professions

ENTERED:

1/24/19

CERTIFICATION OF DUPLICATE RECORDS

I, David E. Brown, D.C., Director of the Department of Health Professions, hereby certify that the attached Final Order of Discipline finalized on October 5, 2016, regarding Gregory V. Carollo, R.N., is a true copy of the records received from the New Jersey Board of Nursing.



David E. Brown, D.C.

Date: 1/24/17

FINDINGS OF FACT

1. Gregory V. Carollo ("Respondent") is a Registered Professional Nurse in the State of New Jersey and has been a licensee at all times relevant hereto. (Exhibit A).

2. On or about April 30, 2014, Respondent completed and submitted an online biennial renewal application. Respondent was asked on the biennial renewal application whether Respondent would have "completed the required continuing education credits by May 31, 2014," referring to the biennial renewal period of June 1, 2012 to May 31, 2014. Respondent was also asked whether he had completed the required education on organ and tissue donation. Respondent answered "Yes" to both questions and certified the answers by submitting the online application. (Exhibit B).

3. Upon receipt of information indicating that Respondent had not completed required continuing education, but had misrepresented on his renewal application that he completed them, the Board sent a Demand for Written Statement Under Oath to Respondent's address of record via regular and certified mail requesting proof of continuing education, as well as information about his current nursing practice. Both the certified and regular mailings were returned as "Return To Sender, Not Deliverable As Addressed, Unable To Forward." (Exhibit C).

4. Respondent failed to notify the Board of a change of address.

5. To date, Respondent has not replied to the Board's Demand For Written Statement Under Oath.

CONCLUSIONS OF LAW

Respondent's failure to respond to the Board's Demand For Written Statement Under Oath constitutes a failure to cooperate with a Board investigation, in contravention of N.J.A.C. 13:45C-1.2 and 1.3, which the Board deems professional misconduct pursuant to N.J.S.A. 45:1-21(e) and also subjects Respondent to disciplinary action pursuant to N.J.S.A. 45:1-21(h).

Service by mail to the address provided by the nurse to the Board constitutes effective notice pursuant to N.J.S.A. 13:45-3.2 and 13:37-5.7. Nurses are required to notify the Board of any change of address within 30 days of a change. N.J.A.C. 13:37-5.7.

Pursuant to N.J.A.C. 13:37-5.3(b), nurses are required to complete a minimum of thirty (30) hours of continuing education during the preceding biennial period in order to renew their licenses. Pursuant to N.J.A.C. 13:37-5.3(f), nurses are required to maintain documentation of completion of continuing education for a period of four years after completion, and shall submit such documentation to the Board upon request.

Respondent failed to demonstrate, to the satisfaction of the Board, that Respondent completed the continuing education credits required for renewal during the biennial period of June 1, 2010 to May 31, 2014. The Board therefore finds Respondent in violation of N.J.A.C. 13:37-5.3(b) and 13:37-5.3(f), which in turn subjects Respondent to sanctions pursuant to N.J.S.A. 45:1-21(e) and (h).

Respondent's use of misrepresentation during the license renewal process regarding his continuing education information constitutes a violation of N.J.S.A. 45:1-21(b), subjecting Respondent to sanctions.

ACCORDINGLY, IT IS on this 31st day of May, 2016, ORDERED that upon the filing of a FINAL ORDER OF DISCIPLINE in this matter:

1. Respondent's license to practice nursing is suspended until further Board Order and Respondent provides all certified answers to the Board's Demand for Written Statement Under Oath and demonstrates that he is up-to-date with his continuing education from June 1, 2012 to the time of reinstatement (30 hours for June 1 2012 - May 31, 2014; 30 hours for June 1 2014 - May 31, 2016; and as many as 30 hours for June 1, 2016 - May 31, 2018) including the required education on organ and tissue donation. Continuing education applied to cure the deficiency

of a previous biennial renewal period shall not also be used to satisfy the requirements of the current biennial period.

2. Respondent is assessed a civil penalty in the amount of seven hundred and fifty dollars (\$750). Said penalty is an aggregate penalty, which includes a penalty in the amount of five hundred dollars (\$500) for failure to cooperate with a Board investigation and a penalty in the amount of two hundred and fifty dollars (\$250) for failing to timely complete required continuing education. Payment shall be made by certified check, bank cashier check, or money order payable to "State of New Jersey," or by wire transfer, direct deposit, or credit card payment delivered or mailed to State Board of Nursing, Attention: Leslie Burgos, 124 Halsey Street, Sixth Floor, P.O. Box 45010, Newark, New Jersey 07101. Any other form of payment will be rejected and will be returned to the party making the payment. Payment shall be made no later than fifteen (15) days after the date of filing of a **Final Order of Discipline**. In the event Respondent fails to make a timely payment, a certificate of debt shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law.

3. Respondent shall refrain from practicing as a nurse and shall not represent himself as a Registered Professional Nurse until such time as his license is reinstated. Any

practice in this State prior to reinstatement shall constitute grounds for a charge of unlicensed practice.

4. The within order shall be subject to finalization by the Board at 5:00 p.m. on the 30th day following entry hereof unless Respondent requests a modification or dismissal of the above stated Findings of Fact or Conclusions of Law by:

a) Submitting a written request for modification or dismissal to State Board of Nursing, Attention: Leslie Burgos, 124 Halsey Street, Sixth Floor, P.O. Box 45010, Newark, New Jersey 07101.

b) Setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed.

c) Submitting any and all documents or other written evidence supporting Respondent's request for consideration and reasons therefor or offered in mitigation of penalty.

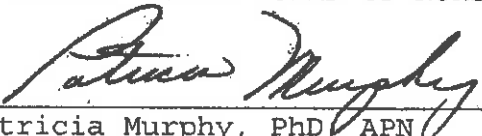
5. Any submissions will be reviewed by the Board and the Board will thereafter determine whether further proceedings are necessary. If no material discrepancies are raised through a supplemental submission during the thirty-day period, or if the Board is not persuaded that the submitted materials merit further consideration, a Final Order of Discipline will be entered.

6. In the event that Respondent's submissions establish a need for further proceedings, including, but not limited to an evidentiary hearing, Respondent shall be notified with regard thereto. In the event that an evidentiary hearing is ordered, the preliminary findings of fact and conclusions of law contained herein may serve as notice of the factual and legal allegations in such proceeding. Further, in the event a hearing is held and upon review of the record, the Board shall not be limited to the findings, conclusions and sanctions stated herein.

7. In the event that the Board receives no written submission from Respondent within 30 days following filing of this Provisional Order of Discipline, without further Board review, the Provisional Order of Discipline shall automatically become the Final Order of Discipline. The box for Final Order of Discipline shall be checked, the Final Order of Discipline shall be filed, and copies shall be mailed to Respondent. Thereafter, Respondent's failure to comply with any sanction or penalty imposed by this Order shall be considered a violation of a Board Order in contravention of N.J.S.A. 45:1-21 (e) and (h) and N.J.A.C. 13:45C-1.4 and may subject Respondent to additional sanction and/or penalty.

8. The Board reserves the right to initiate disciplinary proceedings based upon any information that Respondent ultimately provides in response to the Demand For Written Statement Under Oath or upon any new information the Board receives.

NEW JERSEY STATE BOARD OF NURSING

By: 
Patricia Murphy, PhD APN
Board President