



State of New Jersey
DEPARTMENT OF HEALTH

PO BOX 358
TRENTON, N.J. 08625-0358

www.nj.gov/health

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

June 10, 2019

SHEREEF M. ELNAHAL, MD, MBA
Commissioner

Ms. Melissa A. Yarnes

RE: **Summary Suspension**

Melissa A. Yarnes

Certification # NA 200017087

Enclosed is an Order of Summary Suspension, issued under authority of N.J.A.C. § 8:39-43.5(b). Credible evidence exists that you were arrested on May 1, 2019, and charged with violation of N.J.S.A. § 2C:20-3(a), a crime of the second degree, relating to the theft of over \$100,000.00 from Powerback Rehabilitation Facility.

As of your receipt of this Order, your nurse aide certification is no longer valid. 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. Failure to submit a timely written request for emergency relief within 30 days from the date of receipt of this Order shall be considered 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. In addition, even if you do appeal, your certification will remain suspended pending the issuance of a final agency decision, and therefore you cannot work as a certified nurse aide.

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

Sincerely,

Lisa King, M.S., J.D.
Program Manager
Office of Program Compliance
Certificate of Need & Licensing
New Jersey Department of Health

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IN THE MATTER OF:

Melissa A. Yarnes)
Certified Nurse Aide) ORDER OF
Certification No. 200017087) SUMMARY SUSPENSION OF
NURSE AIDE

TO: Melissa A. Yarnes

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, Melissa A. Yarnes, Certification No. 200017087, 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 were arrested on May 1, 2019, made a videotaped confession and were charged with violation of N.J.S.A. § 2C:20-3(a) (Theft by Unlawful Taking or Disposition) a crime of the second degree. Complaint No. S 2019 000140 charges you with unlawfully taking or exercising control over certain movable property, to wit, U.S. currency belonging to Powerback Rehabilitation Facility with the intent to deprive the owner thereof. More specifically, the Complaint alleges that on various dates between March 2015 and April 2019, as scheduling manager for Powerback Rehabilitation Facility, you scheduled former employees of the facility hours of work and then collected their paychecks and deposited them into a PNC Bank account you created totaling in excess of \$ 100,000.00; 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

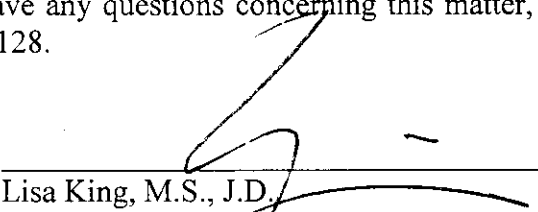
ORDERED that, in the interim, the Department will continue to investigate this matter. You will be notified when the Department has completed its investigation, at which time you will be advised of what action(s), if any, will be taken with respect to your nurse aide certification.

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 notice and 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. In addition, even if you do appeal, please be advised that your certification will remain suspended pending the final agency decision, and therefore you cannot work as a certified nurse aide. If you have any questions concerning this matter, please contact the Department of Health at (609) 984-8128.

DATED: June 10, 2019



Lisa King, M.S., J.D.
Program Manager
Office of Program Compliance
Certificate of Need & Licensing
New Jersey Department of Health