

AGENDA
BOARD OF EXAMINERS FOR NURSING
Department of Public Health
410 Capitol Avenue, Hartford, CT
December 21, 2022 - 8:30 AM

Chair Updates

Additional Agenda Items and Reordering of Agenda

Open Forum

National Council of State Boards of Nursing/ - Update

THE CONNECTICUT CENTER FOR NURSING WORKFORCE, INC – Monthly Update

SCHOOL ISSUES

- *Southern Connecticut State University – Granted Accreditation to Baccalaureate Degree in Nursing*
- *Griffin Hospital School of Allied Health Careers, Practical Nursing Program – Faculty Office Space*
- *Fairfield University Egan School of Nursing – Approval of Permanent Waiver*
- *University of Connecticut School of Nursing – Renewal of Temporary Teaching Faculty Education Waiver*

NEW BUSINESS

CONSENT ORDERS

- | | | |
|-------------------------------------|--|-------------------------------------|
| • <i>Nicholas O'Brien, APRN, RN</i> | <i>Petition Nos. 2021-603, 2021-1174</i> | <i>Staff Attorney Joelle Newton</i> |
| • <i>Diana Doe, RN</i> | <i>Petition No. 2022-240</i> | <i>Staff Attorney Joelle Newton</i> |
| • <i>Kristen Kobylanski, LPN</i> | <i>Petition No. 2021-944</i> | <i>Staff Attorney Joelle Newton</i> |
| • <i>Gregory Orfitelli, RN</i> | <i>Petition No. 2022-714</i> | <i>Staff Attorney Aden Baume</i> |
| • <i>Allison Sewell, RN</i> | <i>Petition No. 2020-53</i> | <i>Staff Attorney Aden Baume</i> |
| • <i>Jared Spears RN</i> | <i>Petition No. 2021-559</i> | <i>Staff Attorney Aden Baume</i> |

REINSTATEMENT CONSENT ORDER

- | | | |
|--|------------------------------|--------------------------------------|
| • <i>Jemma R. Wettish, unlicensed RN</i> | <i>Petition No. 2022-863</i> | <i>Staff Attorney Craig Sullivan</i> |
|--|------------------------------|--------------------------------------|

MEMORANDUM OF DECISION

- | | |
|-------------------------------------|---|
| • <i>Sarah Croteau, LPN</i> | <i>Petition No. 2021-739</i> |
| • <i>Lynn Dougan, RN</i> | <i>Petition No. 2021-1192</i> |
| • <i>Cindy Jean Featherston, RN</i> | <i>Petition No. 2020-391</i> |
| • <i>Nicole Holiday, RN APRN</i> | <i>Petition Nos. 2022-175, 2022-405</i> |
| • <i>Tammy Piccirillo, L.P.N</i> | <i>Reinstatement</i> |
| • <i>Jennifer Scanlon, RN</i> | <i>Petition No. 2021-298</i> |

MOTION FOR SUMMARY SUSPENSION

- | | | |
|----------------------------------|-------------------------------|--------------------------------------|
| • <i>Karen Crosby, RN</i> | <i>Petition No. 2022-1149</i> | <i>Staff Attorney Joelle Newton</i> |
| • <i>John E. Rodriguez, RN</i> | <i>Petition No. 2022-851</i> | <i>Staff Attorney Craig Sullivan</i> |
| • <i>Nicole R. Solinski, LPN</i> | <i>Petition No. 2022-1019</i> | <i>Staff Attorney Linda Fazzina</i> |

PRE-HEARING REVIEW

- | | | |
|-------------------------------|-----------------------------|-------------------------------------|
| • <i>Patricia Taylor, LPN</i> | <i>Petition No. 2022-82</i> | <i>Staff Attorney Joelle Newton</i> |
|-------------------------------|-----------------------------|-------------------------------------|

HEARINGS

- | | | |
|---|--|--------------------------------------|
| • <i>Gina L. Candelori-Bertola, RN*</i> | <i>Petition No. 2021-1210</i> | <i>Staff Attorney Craig Sullivan</i> |
| • <i>Margaret Dunnan, RN*</i> | <i>Petition No. 2021-1098</i> | <i>Staff Attorney Aden Baume</i> |
| • <i>Candace Staines, RN*</i> | <i>Petition No. 2022-470</i> | <i>Staff Attorney Joelle Newton</i> |
| • <i>Danielle Dragon, LPN</i> | <i>License Reinstatement Request</i> | <i>Staff Attorney Joelle Newton</i> |
| • <i>Jacquelyn O'Connor, LPN</i> | <i>Petition No. 2020-845</i> | <i>Staff Attorney Aden Baume</i> |
| • <i>Brian Pervis, APRN, RN</i> | <i>Petition No. 2020-487, 2022-338</i> | <i>Staff Attorney Linda Fazzina</i> |

* Currently Summarily Suspended

Board of Examiners for Nursing – (Meeting/Hearings) via Microsoft TEAMS

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BOEN meeting 12/21/2022

1. **Southern Connecticut State University (SCSU):** ongoing accreditation, for your information

The Commission on Collegiate Nursing Education(CCNE) has granted accreditation to the Baccalaureate degree program in nursing at SCSU to 12/31/2032.

2. **Griffin Hospital School of Allied Health Careers Practical Nursing Program:** update on faculty office space

The faculty are all hired into hybrid or remote positions and will be primarily working from their remote home office(s). The four faculty offices at Griffin Health will be designated for the Practical Nursing (PN) faculty- three in the Nursing Education Office at Griffin Hospital and as of 03/2023 one shared office in suite 206 at the School of Allied Health Careers. In addition, the faculty can use any of the shared conference rooms/spaces throughout Griffin Hospital and the School of Allied Health Careers.

3. **Fairfield University Egan School of Nursing and Health Studies:** request for a permanent faculty waiver.

Fairfield University is requesting a permanent waiver for **Adetutu Olomola, RN, BSN, MPH** as a clinical instructor for NURS 3305 Mental Health Nursing for senior level nursing students. This waiver request will not exceed the 10% outlined in the regulations. Ms. Olomola earned a Bachelor of Science in Nursing and a Master of Public Health from University of Massachusetts, in June of 2002 and May of 2008 respectively. Her clinical experiences include staff nurse on medical-surgical, cardiac, respiratory, orthopedic, oncology, pediatric, maternity, geriatric and rehabilitation units at acute care hospitals, and nurse supervisor of clinical services for home health care agency. Ms. Omolola's educational experiences include clinical instructor for the University of Massachusetts, St. Vincents College and Sacred Heart University on medical-surgical, oncology, cardiac, respiratory, behavioral health units at acute care hospitals. She will be oriented to the role and mentored by Janice Holmes, MSN, APRN the course coordinator, attend a new faculty orientation on 12/19/2022 and will be oriented to the unit at St. Vincent's Westport campus before the start of clinicals.

In addition, Fairfield University is requesting permission to allow Ms. Olomola to be a clinical instructor for NURS 3312, NURS 4325, NURS 4332 (medical surgical) and NURS 4330 (population health) in the future.

4. **University of Connecticut (UCONN):** request for a temporary faculty waiver.

UConn is requesting a 12- month temporary waiver for **Carly Muller, BSN, RN** as a clinical instructor for NU 3334:Theory and Nursing Practice for Perinatal and Women's Health. This request will not exceed the 10% outlined in the Regulations. Ms. Muller will

be providing clinical instruction to junior level students on a maternity unit at Middlesex Hospital. Carly earned a Bachelor of Science in Nursing in September 2018 from Quinnipiac University and is matriculated in the Master of Science in Nursing, Education program at Chamberlain University with an expected graduation date of September 2023. Ms. Muller will continue to be mentored by the course instructor, clinical coordinator and Director of the Prelicensure Programs. Ms. Muller's educational experiences include adjunct clinical faculty at UCONN for this same course. Carly's clinical experiences include staff nurse at an acute care hospital on surgical and the pregnancy and birthing center units.

Please note on 02/02/2022 the BOEN approved a 12-month temporary waiver for Ms. Muller as a clinical instructor for NURS 3334.



655 K STREET NW
SUITE 750
WASHINGTON DC 20001

202-887-6791

CCNEACCREDITATION.ORG

October 20, 2022

Maria Krol, DNP, RNC-NIC, ACUE
Chair & Associate Proesor
Department of Nursing
Southern Connecticut State University
501 Crescent Street
Nursing Bulding, Room 101E
New Haven, CT 06515-1365

Dear Dr. Krol:

On behalf of the Commission on Collegiate Nursing Education (CCNE), I am pleased to advise you that the CCNE Board of Commissioners acted at its meeting on September 20-23, 2022 to grant accreditation to the **baccalaureate degree program in nursing** at Southern Connecticut State University for 10 years, extending to December 31, 2032. The accreditation action is effective as of March 7, 2022, which is the first day of the program's recent CCNE evaluation. You should plan for the next on-site evaluation to take place in the spring of 2032.

The program was considered by the Board using the *CCNE Standards for Accreditation of Baccalaureate and Graduate Nursing Programs (2018)*.

At its meeting, the Board determined that the program met all four accreditation standards. The Board additionally determined that there are no compliance concerns with respect to the key elements.

As is required for all accredited programs, a continuous improvement progress report (CIPR) must be submitted at the midpoint of the accreditation term. Please note that the CIPR needs to demonstrate the program's compliance with the CCNE standards and key elements that are in effect at the time of its submission. As a courtesy, CCNE will send a reminder letter to the chief nurse administrator informing the program of the specific standards to be addressed and providing guidance for the preparation of the report. The deadline for submitting the CIPR to CCNE is December 1, 2027. The Report Review Committee, and then the Board of Commissioners, will review the CIPR. For more information about CIPRs and the report review process, please refer to the CCNE procedures.

As you know, the team report and the program's response to the team report are available to the institution in the CCNE Online Community. We hope that the results of the self-study process and the team report will be useful to the continued growth and development of the nursing program. The certificate of accreditation will be mailed to you in the coming weeks.

As previously conveyed by CCNE and in accordance with U.S. Department of Education requirements, CCNE is required to conduct an in-person verification visit, within a reasonable period of time, to all programs that have hosted a comprehensive virtual evaluation. CCNE will share additional information about this follow-up visit requirement at a later date.

In accordance with CCNE policy, if a program or institution elects to make a public disclosure of a program's accreditation status with CCNE, the program or institution must disclose that status accurately. The program or institution disclosing the information must identify the nursing program and its affiliation with CCNE. Please refer to CCNE's disclosure policy and the statements CCNE has approved for use, as

well as information on use of the CCNE accreditation seal, at <http://www.aacnnursing.org/CCNE/Seal-Policy/Baccalaureate-Graduate>. Please ensure that the institution's website and other materials are updated to reflect this language, as appropriate.

As a reminder, programs are expected to comply with the CCNE standards and procedures throughout the period of accreditation. These documents are available at <https://www.aacnnursing.org/CCNE-Accreditation/Accreditation-Resources/Standards-Procedures-Guidelines>. Information on advising CCNE in the event of a substantive change affecting the nursing program is available at <https://www.aacnnursing.org/CCNE-Accreditation/What-We-Do/Bacc-Graduate-Change-Notifications>. Substantive change notifications must be received by CCNE no earlier than 90 days prior to implementation or occurrence of the change, but no later than 90 days after implementation or occurrence of the change. These reporting requirements are described further in the CCNE procedures.

Thank you for your participation in the CCNE accreditation process. The Commissioners join me in expressing our very best wishes as you continue to promote excellence in nursing education.

Sincerely,

A handwritten signature in blue ink that reads "Elizabeth Ritt". The signature is written in a cursive style.

Elizabeth Ritt, EdD, MSN, RN, NEA-BC, CNE
Chair, CCNE Board of Commissioners

cc: President Joe Bertolino
CCNE Board of Commissioners
CCNE Accreditation Review Committee
CCNE Evaluation Team

Addendum: CT Board of Examiners for Nursing Griffin Hospital School of Allied Health Careers Practical Nursing Program Faculty Office Space

Faculty Office Space

The program faculty of the Griffin Hospital School of Allied Health Careers are all hired into hybrid or remote positions; all classroom instruction (didactic) is taught virtually, and faculty are only required to be on campus for certain team meetings, program events, and if/when they are leading or participating in on-site activities such as a skills lab or simulation. As such, faculty will be primarily working from their remote home office. To address the times for times when faculty are required to be on site or desire to work in-person at Griffin Health, the Practical Nursing Program has four designated shared workstations, available for use, all located within shared locked offices.

As mentioned in the approved Griffin Hospital School of Allied Health Careers *Feasibility Study and Submission for Initial Approval* and the *Equipment and Facilities Specifics* documents, three workstations¹ are located in the Nursing Education Office in the main hospital at 130 Division Street, Derby, CT. The Nursing Education Office is accessible 24/7, is locked, and in addition to individual workstations provides a refrigerator for food storage, space for storing personal belongings, and a round table for collaborative work or small group meetings. All program faculty will be given a key to access the office. Each individual workstation includes a desktop computer, desk space, and easy access to ample electric outlets for plugging in laptops or other electronic devices. All desktop computers are connected to the printer located within the office which is available for use by the program faculty.

In addition to the three previously identified workstations, the Practical Nursing Program has identified a fourth workstation located in the School of Allied Health Careers at 300 Seymour Ave, Suite 206. The newly identified workstation has been designated for exclusive use by the Practical Nursing Program faculty. The workstation will be available starting in March 2023 as the current occupant has two offices and will be relocating permanently to the office she occupies at the main hospital. The newly identified workstation is in an office shared with the CNA program instructor and provides a desktop computer, storage space for personal belongings, and printing to a shared printer located around the corner in a neighboring office. Please see *Figure 1* for a picture of the fourth workstation. In close proximity are the School of Allied Health Careers refrigerator, breakroom, and kitchen, all of which are located in Suite 206. The key to the office containing the fourth workstation is located with the Allied Health Coordinator. If a faculty member wishes to use the space outside of standard business hours, they will need to make arrangements with the Allied Health Coordinator or the Program Director to obtain the key ahead of time. Alternatively, the faculty member can use one of the three workstations in the Nursing Education Office during the off shift, as the office is accessible 24/7 and each faculty member will have a key to access the space.

¹ Formerly these three workstations were shared between the inpatient nursing education staff and the practical nursing program faculty. They have now been designated for exclusive use of the PN program faculty.



Fairfield EGAN

Fairfield University Egan School of Nursing and Health Studies

December 1, 2022

Helen M. Smith, RN, MSN
Nurse Consultant/Investigator
410 Capital Ave. MS#12 HSR
PO Box 340308
Hartford, CT 06134

Dear Ms. Smith,

Fairfield University wishes to petition the State Board of Examiners for Nursing for a permanent waiver for Adetutu Olomola in order to enable her to begin serving as a clinical instructor starting in the spring 2023 semester. We propose that Adetutu Olomola provides mental health nursing clinical instruction at St. Vincent's Westport Campus for students in our traditional nursing program in their 4th semester in NURS 3305 Mental Health Nursing in the spring of 2023. In the future, we would also like permission to be able use her talents in our medical surgical (NURS 3312, NURS 4325, NURS 4332), mental health (NURS 3305), and population health (NURS 4330) nursing clinical rotations given her experience and expertise in these areas.

Ms. Olomola holds a Bachelor of Science in Nursing degree from the University of Massachusetts Lowell and a Master of Public Health from the University of Massachusetts Amherst. She has more than 20 years of experience in clinical settings providing nursing care to children and adults. She has over 15 years of educational experience providing clinical guidance and instruction to nursing students, managers, and staff of hospitals.

Ms. Olomola currently functions as a Supervisor of Clinical Services at Health Care Connectors and also works as an adjunct nursing clinical instructor for Sacred Heart University and Saint Vincent's College. The candidate's education, along with her clinical experience, are appropriate to support the requirements of the NURS 3305 Mental Health Nursing course as well as the medical surgical and population health nursing courses.

Janice Holmes, MSN, APRN, PMHCNS-BC, CHSE is the course coordinator and is responsible for the coordination of the NURS 3305 clinical in the spring of 2023. Prof. Holmes will mentor Ms. Olomola to the role of the clinical instructor. Ms. Olomola will be invited to attend the new faculty orientation on Monday December 19, 2022. If approved, Ms. Olomola would meet with the nurse manager at St. Vincent's Westport Campus and be oriented to all unit specific policy, procedure, and protocols before clinical commences.

Currently, Fairfield University has one permanent waiver for Professor Susan Reynolds. Approval of this waiver still leaves us far below 10% of the overall number of nursing faculty.

We appreciate the consideration of the State Board of Examiners for Nursing. Please feel free to contact me with any further questions or concerns at abeauvais@fairfield.edu or 203-254-4000 extension 2719.

Sincerely,

A handwritten signature in blue ink, appearing to read 'A. Beauvais', with a stylized flourish at the end.

Audrey Beauvais DNP, MSN, MBA, RN
Associate Dean and Associate Professor

Attached please find:

- Resume
- BSN transcript
- MSN transcript
- NURS 3305 Mental Health Nursing Spring 2022 syllabus
- Evaluation tool—ClinSimCAT competencies
- Organizational Chart/Chain of Command for Clinical Faculty

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Explanation of Transcript

University Registrar
213 Whitmore Administration Building
University of Massachusetts
181 Presidents Drive
Amherst, MA 01003-9313
(413) 545-0555

CREDIT

Since September 1933, a two-semester system has been in effect, with the unit of credit being the semester hour. A semester hour of credit represents weekly lecture/recitation of 50 minutes or laboratory exercise of about 110-170 minutes, for the 14-week semester.

GRADES

Effective Fall 2004, the following grading system has been in effect:

A = 4.000	B+ = 3.300	C+ = 2.300	D+ = 1.300
A- = 3.700	B = 3.000	C = 2.000	D = 1.000
	B- = 2.700	C- = 1.700	F = 0.000

AUD = AUDIT (No effect on cumulative average or on credit toward graduation.)
CR = is assigned to work completed through transfer credit or through testing (achievement, advanced placement, CLEP, college board scores) and has no effect on cumulative average.
DR = DROPPED (No effect on cumulative average.)
INC = INCOMPLETE (For students without graduate standing, counts as 0.000 in the cumulative average.)
IF = INCOMPLETE FAILURE (Counts as 0.000 in the cumulative average.)
IP = IN PROGRESS (No effect on cumulative average.)
NR = indicates no grade roster was turned in for the entire class, and has no effect on cumulative average.
P = PASS (No effect on cumulative average.)
SAT = SATISFACTORY (No effect on cumulative average.)
W = WITHDRAWN (No effect on cumulative average.)
WF = WITHDREW FAILING (No effect on cumulative average.)
WP = WITHDREW PASSING (No effect on cumulative average.)
Y = YEAR-LONG COURSE IN PROGRESS. (No effect on cumulative average.)
 _____ = indicates no grade was turned in for this student. For students without graduate standing, counts as 0.000 in the cumulative average.

Between Fall 1975 and Summer 2004 inclusive, the grading system was the same as the current system above, except:

- The A-, B+, B-, C+, C-, and D+ grades were not awarded. Instead, AB (3.500), BC (2.500), and CD (1.500) midpoint grades were awarded in addition to the other grades listed above.

In the case of repeated courses, all attempts remain on the transcript, with impacts on GPA and credit totals as shown.

FIVE COLLEGE PROGRAM

Courses taken through this program bear a department code including one of the following institutions. These indicate which college offered the course.

@AMH = Amherst College
 @HMP = Hampshire College
 @MNT = Mt. Holyoke College
 @SMI = Smith College

For this program, the student's home institution handles registration and grades.

The official Five College grading system is:

A = 4.000	B = 3.000	C = 2.000	D- = 0.750
A- = 3.750	B- = 2.750	C- = 1.750	E = 0.000
B+ = 3.250	C+ = 2.250	D = 1.000	F = 0.000

COURSE NUMBERING SYSTEM

Since September 1977:

001-099	No Graduation credit
100-299	Undergraduate credit only/lower division
300-399	Undergraduate credit only/upper division
400-499	Undergraduate credit/upper division
500-599	Combined graduate/undergraduate credit
600-899	Graduate credit only

Prior to September 1977:

001-099	No Graduation credit
100-199	Undergraduate credit only/lower division
200-399	Undergraduate credit only/upper division
400-499	Professional courses, no graduate credit
500-699	Graduate credit only, parallels 200-399 courses
700-999	Graduate credit only

Prior to 1965:

001-099	Undergraduate credit only
100-149	Graduate credit only
150-199	Undergraduate/Graduate credit
200-299	Graduate credit only

ABBREVIATIONS KEY

Column Headings:

ATTEMPTED = All credits in which the student was enrolled for the term, regardless of grade. Includes credits taken pass/fail.

EARNED = The credits passed.

GRADE = The grade assigned.

POINTS = The grade points. This is calculated by multiplying the number of credits for a graded course taken at this institution by the numeric value assigned to the grade received. (No grade points are assigned to courses taken on an elective or mandatory pass/fail basis nor any other courses excluded from the GPA per University policy. Note that also, no grade points are shown for F and _ grades, even though the course's credits are being counted into the GPA.)

Statistics Below Each Term:

TERM GPA = The student's Grade Point Average for the term.

TERM TOTALS = Display of, respectively, the sums of all credits attempted, all credits earned, and all grade points from this term's enrollments.

CUM GPA = The student's cumulative Grade Point Average reflecting all enrollments (and, occasionally, other credits) credited to this or previous terms.

GM TOTALS = Display of, respectively, the sums of all credits attempted, all credits earned, and all grade points for all enrollments, transfer and test credits credited to this or previous terms.

Career Totals:

CUM GPA = The student's cumulative Grade Point Average reflecting all work recorded for this career.

CUM TOTALS = Display of, respectively, the sums of all credits attempted, all credits earned, and all grade points for all enrollments, transfer and test credits credited to this career.

Other:

An "S" preceding the course number was used, at one time, to designate courses taken at the Stockbridge School of Agriculture.

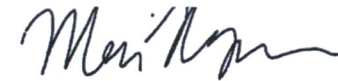
(RPT) or (REPEAT) At the end of the course title was used, at one time, to designate a course repeated.

INSTITUTION OF RECORD

Starting in Spring 2022, the University of Massachusetts Amherst serves as the institution of record for Academic Programs International (API). UMass Amherst also serves as the institution of record for several defunct institutions including Mt Ida College, Bryant and Stratton Junior College, Chamberlayne Junior College, Coyne Electrical School, Grahm Junior College and the New England Institute.

UNIVERSITY OF MASSACHUSETTS LOWELL

Office of the Registrar
 10 Pawtucket Street, Suite M10
 Lowell, MA 01854



Mai T. Nguyen, Registrar
 Page 1 of 2

Official Transcript

Name: Adetutu Adaramola
 Student ID: [REDACTED]
 SSN: [REDACTED]

University of Massachusetts Lowell

Print Date: 11/29/2022
 Issued To: FAIRFIELD UNIVERSITY
 United States

Degrees Awarded

Degree: Bachelor of Science
 Confer Date: 06/02/2002
 Degree Honors: Cum Laude
 Major: Nursing Major

Transfer Credits

Transfer Credit from University of Massachusetts Amherst

Course Trans GPA:	0.000	Transfer Totals:	<u>Attempted</u>	<u>Earned</u>	<u>Points</u>
			47.00	47.00	0.000

Transfer Credit from Quincy College

Course Trans GPA:	0.000	Transfer Totals:	<u>Attempted</u>	<u>Earned</u>	<u>Points</u>
			8.00	8.00	0.000

Transfer Credit from Roxbury Community College

Course Trans GPA:	0.000	Transfer Totals:	<u>Attempted</u>	<u>Earned</u>	<u>Points</u>
			8.00	8.00	0.000

Transfer Credit from University of Massachusetts Boston

Course Trans GPA:	0.000	Transfer Totals:	<u>Attempted</u>	<u>Earned</u>	<u>Points</u>
			6.00	6.00	0.000

----- Beginning of Undergraduate Record -----

2000 Fall

Program: Health Professions
 Plan: Nursing Major

<u>Course</u>	<u>Description</u>	<u>Attempted</u>	<u>Earned</u>	<u>Grade</u>	<u>Points</u>
33 301	Research & Health Care	3.00	3.00	A	12.000
33 310	Health Promotion Fam I	4.00	4.00	BC	10.000
33 311	Hlth Promotn Fam Pract I	3.00	3.00	AB	10.500
33 312	Concepts Prof Nsg	3.00	3.00	B	9.000
33 313	Nsg Asses & Skills	3.00	3.00	AB	10.500
33 313	Nsg Asses & Skills	0.00	0.00		0.000

Term GPA:	3.250	Term Totals:	<u>Attempted</u>	<u>Earned</u>	<u>GPA</u>	<u>Units</u>	<u>Points</u>
			16.00	16.00	16.00	52.000	
Cum GPA:	3.250	Cum Totals:	79.00	79.00	16.00	52.000	

2001 Spring

Program: Health Professions
 Plan: Nursing Major

<u>Course</u>	<u>Description</u>	<u>Attempted</u>	<u>Earned</u>	<u>Grade</u>	<u>Points</u>
33 314	Health Promotion Fam II	5.00	5.00	BC	12.500
33 315	Hlth Prom Fam Pract II	4.00	4.00	B	12.000
33 316	Family Seminar	2.00	2.00	A	8.000
33 317	Pathopharmacology	5.00	5.00	BC	12.500

Term GPA:	2.813	Term Totals:	<u>Attempted</u>	<u>Earned</u>	<u>GPA</u>	<u>Units</u>	<u>Points</u>
			16.00	16.00	16.00	45.000	
Cum GPA:	3.031	Cum Totals:	95.00	95.00	32.00	97.000	

UNIVERSITY OF MASSACHUSETTS LOWELL

Office of the Registrar
220 Pawtucket Street, Suite M10
Lowell, MA 01854

Mai T. Nguyen
Mai T. Nguyen, Registrar
Page 2 of 2

Official Transcript

Name: Adetutu Adaramola
Student ID: [REDACTED]
SSN: [REDACTED]

University of Massachusetts Lowell

2001 Fall

Program: Health Professions
Plan: Nursing Major

Course	Description	Attempted	Earned	Grade	Points
33	410 Nsg Acute Care	5.00	5.00	BC	12.500
33	411 Nsg Acute Care Practicum	4.00	4.00	A	16.000
33	412 Com Hlth & Health Policy	4.00	4.00	A	16.000
		<u>Attempted</u>	<u>Earned</u>	<u>GPA</u>	<u>Points</u>
				<u>Units</u>	
Term GPA:	3.423 Term Totals:	13.00	13.00	13.00	44.500
Cum GPA:	3.144 Cum Totals:	114.00	114.00	45.00	141.500

2002 Spring

Program: Health Professions
Plan: Nursing Major

Course	Description	Attempted	Earned	Grade	Points
33	413 Role Transition	4.00	4.00	AB	14.000
33	414 Role Practicum	6.00	6.00	A	24.000
33	415 Community Project	3.00	3.00	A	12.000
42	282 Crime In Literature	3.00	3.00	B	9.000
		<u>Attempted</u>	<u>Earned</u>	<u>GPA</u>	<u>Points</u>
				<u>Units</u>	
Term GPA:	3.688 Term Totals:	16.00	16.00	16.00	59.000
Cum GPA:	3.287 Cum Totals:	130.00	130.00	61.00	200.500

Dean's List

Undergraduate Career Totals

Attempted	Earned	GPA	Points
		<u>Units</u>	
Cum GPA:	3.287 Cum Totals:	130.00	130.00
		61.00	200.500

End of Official Transcript

CRITERIA FOR PEER EVALUATION OF GROUP MEMBERS

Group topic: _____

Your Name: _____

Please evaluate the effort of **each group member, including your own**. Hand this evaluation to your instructor on the day the group project is due.

1=Very strongly agree (A) 2=Strongly agree (B) 3=Disagree (C) 4=Strongly disagree (D)

<i>Group Member's Name:</i>	1	2	3	4
She/he attended and participated fully in all planned meetings				
He/she met all deadlines for completion of work for project				
His/her work was of exceptional quality (i.e., did not need revision)				
Her/his individual contribution equal to or exceeded that of other members				
Overall, if you were grading this person's work, what grade would you assign?				

<i>Group Member's Name:</i>	1	2	3	4
She/he attended and participated fully in all planned meetings				
He/she met all deadlines for completion of work for project				
His/her work was of exceptional quality (i.e., did not need revision)				
Her/his individual contribution equal to or exceeded that of other members				
Overall, if you were grading this person's work, what grade would you assign?				

<i>Group Member's Name:</i>	1	2	3	4
She/he attended and participated fully in all planned meetings				
He/she met all deadlines for completion of work for project				
His/her work was of exceptional quality (i.e., did not need revision)				
Her/his individual contribution equal to or exceeded that of other members				
Overall, if you were grading this person's work, what grade would you assign?				

<i>Group Member's Name:</i>	1	2	3	4
She/he attended and participated fully in all planned meetings				
He/she met all deadlines for completion of work for project				
His/her work was of exceptional quality (i.e., did not need revision)				
Her/his individual contribution equal to or exceeded that of other members				
Overall, if you were grading this person's work, what grade would you assign?				

CRITERIA FOR GRADING GROUP PROJECT

Drugs in the Category: <i>Identify the main drugs in the category.</i>	6 points _____
Therapeutic Uses <i>What mental health conditions or symptoms does the medication treat? What are the therapeutic uses of the drug?</i>	6 points _____
Drug Action <i>How does the drug work? Neurotransmitters affected? What does the drug do in the body?</i>	6 points _____
Medication Administration: <i>How should the medication be administered? Time of day? Route? With food or without? Etc.</i>	6 points _____
Patient Education: <i>What does the nurse need to teach the patient and family about the medication?</i>	6 points _____
Side Effects <i>What are the <u>main</u> side effects of the medication? Discuss the pertinent side effects.</i>	6 points _____
Contraindications: <i>Are there contraindications to taking the medication?</i>	6 points _____
Medication/Food Interactions <i>Does the medication interact with food or other drugs?</i>	6 points _____
Monitoring: <i>What does the nurse need to monitor or be aware of when a patient is taking the medication?</i>	6 points _____
Evaluation of Effectiveness: <i>How can the nurse evaluate the effectiveness of the medication?</i>	6 points _____
Creativity in presentation of information <i>Here are examples of creativity: Used graphics and/or images in a creative way. Provided acronyms or easy ways to remember the information. Integrated music into the video.</i>	10 points _____
Video is no more than 4 minutes in length or Infographic is no more than 2 pages	6 points _____
English Language Usage (Grammar, Punctuation, etc.)	6 points _____
Completed Peer Evaluation of Group Members	6 points _____
Contribution to group (based on Peer Evaluation of Group Members)	6 points _____
Handwritten sheet that indicates what was learned from each presentation	6 points _____
Total	_____

CLINICAL EXPERIENCE:

The mental health clinical has two components: on-campus (at the Egan School simulation center) and off-campus (at designated healthcare settings). Students are required to attend the set dates and times completely in order to meet the clinical requirements of this course.

A grade of pass or fail will be earned on the basis of achievement of clinical objectives. Students must score 2 or higher for each sub-objective for the phase 2 final evaluation. (See Clinical Evaluation Tool). Students who fail the clinical portion of the course will automatically fail the course, regardless of their classroom performance. Unsafe clinical practice and/or the failure to meet any one clinical objective represents failure in clinical performance. Regardless of the letter grade earned, you must achieve a pass on all clinical objectives. See appendix for clinical objectives. Clinical attendance is mandatory.

Conduct and appearance in clinical agencies and the simulation Center should be in accordance with professional nursing standards and the EGAN School of Nursing and Health Studies undergraduate nursing program policies at all times. *The EGAN School of Nursing and Health Studies uniform is required for each clinical day (on campus and at the clinical agencies).* Students are expected to wear their uniform every time they are at a clinical agency even if they are only picking up a badge or dropping off paperwork.

Students are expected to arrive to clinical/simulation on time and prepared to perform patient care. In the case of illness, students should contact their clinical instructor prior to the start of the clinical day. Documentation from a healthcare provider may be expected upon return to clinical from illness. Students are responsible for *calling the clinical instructor* if unable to attend a scheduled clinical experience. Informing classmates regarding an absence is *not* sufficient. In the event of inclement weather, clinical may be cancelled. The decision to cancel clinical is at the discretion of the clinical instructor. Students should provide their clinical instructor with contact information on the first clinical day.

Missed Clinical (in-patient and on-campus) Days: Absences will be reviewed by the course coordinator and clinical instructor and make-ups will be permitted only with their approval. Travel, work, elective procedures/surgeries, and scheduled appointments **are examples of unexcused absences and make-up of clinical hours will not be permitted.** Missed clinical days must be made up with your instructor before the end of the course. All clinical hours must be complete in order to pass clinical, and therefore, unexcused absences will result in a failed clinical component of the course.

CLASS SCHEDULE, WEEKLY READINGS & ASSIGNMENTS

Class day	Module	Date	Topic/reading
1	1	Thursday 1/20	INTRO Course overview and introductions
2	2	Monday 1/24	Chapter 1 history and role Chapter 2 relationships
3	3	Thursday 1/27	Chapter 3 therapeutic communication Chapter 4 boundaries
4	4	Monday 1/31	Chapter 6 crisis and crisis intervention (Stress and crisis) Levels of anxiety from chapter 14 Chapter 7 case management
5	5	Thursday 2/3	Nursing Process Milieu and safe environment Anger and de-escalation CH 27 Culture, ethnic and spiritual
6	6	Monday 2/7	CH 8 risk factors and interventions CH 9 Systems Chapter 10 theories—defense mechanisms
7	7	Thursday 2/10	CH 28 ethics Restraints
8		Monday 2/14	EXAM 1
9	8	Thursday 2/17	CH 11 pharm overview
		2/21	Monday holiday
11	9	***Tuesday*** 2/22	***Tuesday on a Monday Schedule*** CH 12 Schizophrenia
11	10	Thursday 2/24	CH 13 Mood disorders: Depression//ECT and suicide
12	10	Monday 2/28	CH 13 Mood disorders: Bipolar
13	11	Thursday 3/3	CH 14 Anxiety/trauma and military
14	12	Monday 3/7	CH 15 Personality DO
15		Thursday 3/10	EXAM 2
		3/12-3/20	Spring break
16	13	Monday 3/21	CH 16 Substance abuse
17	14	Thursday 3/24	CH 20 Eating disorders
18	15	Monday 3/28	CH 22 Children and adolescents CH 18 disruptive impulse control
19	16	Thursday 3/31	CH 24 Victims and victimizers FRIDAY APRIL 1ST PHARM PROJECT DUE

20	17	Monday 4/4	CH 21 Psych problems of physically ill (grief and loss) (dementia vs delirium) ELNEC
21	18	Thursday 4/7	CH 17 neuro cognitive CH 23 Elderly CH 25 continuum CH 26 Vulnerable Populations 4/7 ATI PRACTICE ASSESSMENT A DUE (REMEDATION DUE BY 4/20)
22		Monday 4/11	EXAM 3
		4/14-18	Easter Break
23	19	Thursday 4/21	CH 5 Critical Thinking 4/21 ATI PRACTICE ASSESSMENT B DUE (REMEDATION DUE BY 4/27)
24	20	Monday 4/25	Course evaluation Activity: view group projects videos/infographics
25		Thursday 4/28	ATI PROCTORED ASSESSMENT
26		Monday 5/2	Course evaluation WRAP UP--review
		Monday 5/9 at 11:30 (date subject to change per the registrar)	FINAL EXAM CUMULATIVE Make sure your laptop is updated and fully charged

Unless otherwise noted, all readings on the topical outline are from *Psychiatric Mental Health Nursing: An Interpersonal Approach* (3rd ed.) (Jones & Beauvais, 2023). Additional readings may be assigned at the discretion of the faculty.

*****This syllabus is subject to change.**

Revised 2/28/2022

Clinical and Simulation Competency Assessment Tool (ClinSimCAT)

Phase 1: **PROGRESS**

Phase 2: **FINAL**

STUDENT: _____ COURSE: _____ CLINICAL INSTRUCTOR: _____

LOCATION: SIMULATION/CLINICAL (Include Unit): _____ DATES: _____

ABSENCES: _____ Make-up date: _____

FINAL GRADE: **PASS/FAIL (phase 2 only)**

Circle one: Self or Faculty

Circle one: Traditional Sophomore/Junior/Senior or SDNU

Interpretive Guidelines: The purpose of this tool is to evaluate the extent to which the student has accomplished the objectives. This form will be used for evaluation of clinical in all settings (phase 1/phase 2). In order to successfully pass clinical, students must score 2 or higher for each sub-objective for the phase 2 final evaluation.

QSEN/NOF Competency	Level 1: The student has <i>not met</i> the objectives.	Level 2: The student has met the objectives. The behavior is primarily carried out independently and/or in response to occasional external guidance.	Level 3: The student has met the objective. The behavior occurs independently, competently, and consistently.
1 Patient Centered Care	<input type="checkbox"/> Requires repeated assistance or prompting to provide holistic patient centered nursing care and to recognize assessment results requiring intervention, and/or additional assessments/interventions (i.e. examination, history, or lab/diagnostic tests)	<input type="checkbox"/> Provides holistic patient centered nursing care, recognizes and verbalizes assessment results requiring intervention, and/or additional assessments/interventions (i.e. examination, history, or lab/diagnostic tests)	<input type="checkbox"/> Provides holistic patient centered nursing care, including prioritizing and intervening appropriately when recognizing assessment results requiring intervention, and/or additional assessments/interventions (i.e. examination, history, or lab/diagnostic tests)

Approved by the Nursing UG Curriculum Committee on September 13, 2019

Name of Student: _____ Date: _____ Course: _____ Faculty: _____

QSEN/NOF Competency	Level 1: The student has <i>not met</i> the objectives.	Level 2: The student has met the objectives. The behavior is primarily carried out independently and/or in response to occasional external guidance.	Level 3: The student has met the objective. The behavior occurs independently, competently, and consistently.
2 Patient centered care	<input type="checkbox"/> Does not engage patient and family in care.	<input type="checkbox"/> Occasionally engages patient and family in care and answer questions appropriately (which may require occasional assistance), and translates medical jargon into layperson speech.	<input type="checkbox"/> Consistently engages patient and family in care, answers questions, translates medical jargon into layperson speech, and elicits feedback from patient and family to assess understanding of care.
3 Patient Centered Care	<input type="checkbox"/> Does not demonstrate an awareness of patients/families' spiritual, cultural, ethnic and/or social values.	<input type="checkbox"/> Demonstrates an awareness of patients/families' spiritual, cultural, ethnic and/or social values.	<input type="checkbox"/> Demonstrates an awareness of and provides nursing care that incorporates patients/families' spiritual, cultural, ethnic, and/or social values.
4 Patient centered care	<input type="checkbox"/> Unable to identify relevant changes in patient condition.	<input type="checkbox"/> Identifies relevant changes in patient condition.	<input type="checkbox"/> Identifies relevant changes in patient condition and takes appropriate action to intervene (e.g. contacting provider using SBAR, implements independent nursing actions, etc.).
5 Patient centered care	<input type="checkbox"/> Does not prioritize nursing care.	<input type="checkbox"/> Safely prioritizes nursing care, but may require occasional guidance.	<input type="checkbox"/> Independently and safely prioritizes nursing care.
6 Patient Centered Care	<input type="checkbox"/> Does not use therapeutic and developmentally appropriate communication when interacting with patients and families.	<input type="checkbox"/> Uses therapeutic and developmentally appropriate communication when interacting with patients and families but requires occasional prompting.	<input type="checkbox"/> Consistently uses therapeutic and developmentally appropriate communication when interacting with patient and families.
<p>Note: Therapeutic communication is defined as the process of interacting with the patient in a manner that focuses on the patient's physical, mental, emotional, and spiritual well-being while maintaining a professional boundary. Examples of therapeutic communication techniques include: using silence, active listening, summarizing, etc.</p>			
7 Teamwork and collaboration	<input type="checkbox"/> Does not engage with and incorporate the healthcare team in the care of patients/families.	<input type="checkbox"/> Occasionally engages with and incorporates the healthcare team in the care of patients/families.	<input type="checkbox"/> Consistently engages with and incorporates the healthcare team in the care of patients/families and incorporates the healthcare team into the care plan of patients/families.
<p>Note: Healthcare team can include but is not limited to nurses, doctors, social workers, therapists, peers during pre and post conference/debrief, etc.</p>			
8 Teamwork and collaboration	<input type="checkbox"/> Does not provide patient information in an organized manner and/or does not make recommendations for patient care (e.g. SBAR).	<input type="checkbox"/> Provides patient information in an organized manner and makes recommendations for care (e.g. SBAR) with occasional assistance.	<input type="checkbox"/> Independently provides patient information in an organized manner and makes recommendations for care (e.g. SBAR).
<p>Note: Providing patient information can refer to discussing patients in post-conference or debrief, sharing information with the interprofessional healthcare team, providing handoff communication, etc.</p>			

Name of Student: _____ Date: _____ Course: _____ Faculty: _____

QSEN/NOF Competency	Level 1: The student has <i>not met</i> the objectives.	Level 2: The student has met the objectives. The behavior is primarily carried out independently and/or in response to occasional external guidance.	Level 3: The student has met the objective. The behavior occurs independently, competently, and consistently.
9 Teamwork and collaboration	<input type="checkbox"/> Does not participate in group discussions.	<input type="checkbox"/> Participates in group discussions, occasionally demonstrating integration of course content into clinical practice	<input type="checkbox"/> Participates in group discussions, consistently demonstrating integration of course content into clinical practice.
Note: Group can refer to pre/post conference or debrief with peers, interdisciplinary groups such as Huddles, or healthcare team meetings, etc.			
10 Teamwork and collaboration	<input type="checkbox"/> Verbal and nonverbal cues show disengagement with the group.	<input type="checkbox"/> Verbal and nonverbal cues show engagement with the group.	<input type="checkbox"/> Verbal and nonverbal cues show engagement with the group demonstrating respect and contributing to positive group dynamics.
Note: Group can refer to pre/post conference or debrief with peers, interdisciplinary groups such as huddles, healthcare team meetings, etc.			
11 Evidence based practice	<input type="checkbox"/> Does not incorporate appropriate clinical evidence into nursing practice.	<input type="checkbox"/> Occasionally, incorporates appropriate clinical evidence into nursing practice.	<input type="checkbox"/> Consistently, incorporates appropriate clinical evidence into nursing practice.
Example: clinical practice guidelines, read research related to area of practice			
12 Quality Improvement	<input type="checkbox"/> Does not identify opportunities for quality improvement.	<input type="checkbox"/> Identifies opportunities for quality improvement.	<input type="checkbox"/> Identifies opportunities for quality improvement and describes ways to address the issues.
Note: Quality improvement means refers to finding ways to provide better patient care and services; it can also refer to improving the work environment			
13 Safety	<input type="checkbox"/> Does not or inconsistently follows universal safety precautions and established protocols of the agency and the nursing program (e.g. patient identification, hand sanitation, universal precautions).	<input type="checkbox"/> Follows universal safety precautions and established protocols of the agency and the nursing program (e.g. patient identification, hand sanitation, universal precautions).	<input type="checkbox"/> Follows universal safety precautions and established protocols of the agency and the nursing program (e.g. patient identification, hand sanitation, universal precautions) and identifies potential safety issues/situations.
14 Informatics	<input type="checkbox"/> Has difficulty navigating an electronic health record or other sources of information technology if authorized by clinical agency or available in simulation.	<input type="checkbox"/> Occasionally uses an electronic health record and other sources of information technology if authorized by clinical agency or available in simulation.	<input type="checkbox"/> Consistently uses electronic health record or other sources of information technology if authorized by clinical agency or available in simulation.
Note: Electronic health record and other sources of information technology may include but is not limited to: navigating patient information, medication reconciliation/administration, diagnostic information, care planning, or charting.			
15 Professionalism	<input type="checkbox"/> Does not conduct self in professional manner.	<input type="checkbox"/> Conducts self in a professional manner.	<input type="checkbox"/> Conducts self in professional manner while incorporating constructive feedback into nursing practice.
Note: Professional manner refers to their communication, hygiene, clothing, and interactions with others.			

Name of Student: _____ Date: _____ Course: _____ Faculty: _____

QSEN/NOF Competency	Level 1: The student has <i>not met</i> the objectives.	Level 2: The student has met the objectives. The behavior is primarily carried out independently and/or in response to occasional external guidance.	Level 3: The student has met the objective. The behavior occurs independently, competently, and consistently.
16 Professionalism	<input type="checkbox"/> Is not prepared for clinical/simulation.	<input type="checkbox"/> Is prepared for clinical/simulation.	<input type="checkbox"/> Is prepared for clinical/simulation beyond course expectations (e.g. has done extra background reading/research, arrives with list of questions, assists peers who are not as competent, serves as a role model for others).
Note: Prepared for clinical/simulation can include, but is not limited to: knowledge, clothing/dress, on-time, and/or arrives with required materials (stethoscope, ID badge, etc.).			
17 Professionalism	<input type="checkbox"/> Lacks insight and/or self-awareness.	<input type="checkbox"/> Occasionally demonstrates insight and/or self-awareness.	<input type="checkbox"/> Consistently demonstrates insight and/or self-awareness that lead to self-improvement in nursing skills.
Note: This may be demonstrated as, but not limited to, an insight and/or awareness of personal values/beliefs and their affects on patient care/interactions, and/or regulations of ones' own emotional state. insight and/or self awareness may be noted in students comments, clinical journals, and/or interactions with others during clinical/simulation.			
18 Professionalism	<input type="checkbox"/> Does not comply with the Standards of Practice and policies and procedures of the nursing program and/or clinical agency.	<input type="checkbox"/> Complies with the Standards of Practice and policies and procedures of nursing program and/or clinical agency.	<input type="checkbox"/> Complies with the Standards of Practice and policies and procedures of the nursing program and/or clinical agency and demonstrate an understanding of the rationale for the policies and procedures Note: Rationale may be demonstrated in clinical logs, pre/post conference/debrief discussion, individual interaction, etc.
19 Professionalism	<input type="checkbox"/> Does not demonstrate professional boundaries necessary for care giving relationships.	<input type="checkbox"/> Demonstrates professional boundaries necessary for care giving relationships.	<input type="checkbox"/> Demonstrates professional boundaries necessary for care giving relationships and addresses situations that may challenge professional values and integrity.
20 System-based practice	<input type="checkbox"/> Does not consider resources available on the work unit when contributing to the plan of care for a patient or group of patients.	<input type="checkbox"/> Occasionally considers resources available on the work unit when contributing to the plan of care for a patient or group of patients.	<input type="checkbox"/> Consistently considers resources available on the work unit and in the health system when contributing to the plan of care for the patient or group of patients.
Note: Resources may include supplies, medication, equipment, information as well as human resources such as staffing.			

Form Completed by: _____

Date: _____

Name of Student: _____ Date: _____ Course: _____ Faculty: _____

HANDOFF BETWEEN CLINICAL INSTRUCTORS

SBAR FORMAT:	
SITUATION:	Student, (name) _____, has completed (either: xx hours of on campus clinical or yy hours of in-patient clinical).
BACKGROUND:	Student completed (write the number of simulations, or the clinical days on <u>zz</u> (name of unit), caring for patients with _____ diagnoses, and _____ (state range of ages) and developmental stages.
ASSESSMENT:	<p>Student, (name) _____, has Strengths in the following areas:</p> <p>Opportunities for growth include:</p> <p>Concerns include: _____</p> <p>OR I do not have any concerns at this time.</p>
RECOMMENDATIONS:	<p>I recommend that this student continue to build towards: independence, competency, and consistency in patient care.</p> <p>OR:</p> <p>Remediation is advised. Referral has been made to the Learning Resource Center. Remediation work is to be completed by: (date)</p>

Faculty comments: _____

Student Comments: _____

Faculty signature: _____ Student signature: _____



Organizational Chart/Chain of command for clinical faculty



December 2, 2022



To the Connecticut Board of Examiners,

The UConn School of Nursing is requesting a renewal of a 12-month temporary teaching faculty education waiver for Carly Muller. Carly Muller is currently matriculated in an MSN program at Chamberlain University for an advanced degree in nursing education with an expected graduation date of September 2023. She has her BSN from Quinnipiac University and has taught maternity clinical for the last 3 semesters with UConn under a temporary teaching waiver that is currently up for renewal, expiring February 2023.

We continue to experience significant difficulty in securing maternity clinical placements and finding MSN prepared faculty to teach this clinical course. The workforce challenges persist with the lack of available MSN prepared nurse educators as many are leaving the bedside seeking other clinical opportunities and others finding clinical teaching opportunities as other regionally based nursing programs beginning their clinical rotations in this specialty area. At this time, Carly will be the only adjunct clinical faculty member teaching for our undergraduate nursing programs that will require a waiver from the Connecticut Board of Examiners for this next academic year. She will be teaching clinical on the maternity unit at Middlesex Hospital where she is employed and has taught for the past 3 semesters. This rotation will be with 12 junior-level BSN students in their second clinical semester who will rotate in an A/B weekly pattern. There will be no more than 6 students on the unit each clinical day.

Carly Muller has continuously proved to be a leader on the maternity unit at Middlesex Hospital for the last several years. She is identified as one of the primary preceptors in her department, orienting and training both new nurses as well as experienced nurses that are new to this specialty area. She has created teaching tools and references to provide her preceptees to ensure they feel well supported and organized as they acclimate to this unique population of patients. Carly is an EPIC "Super User" and has been instrumental in the electronic medical record transition in her department. She has demonstrated proficiency as a clinical instructor these past three semesters as she works towards completing her MSN in nursing education. As a UConn clinical adjunct faculty, there is ample mentoring set in place for her with orientation onboarding such as the pre-and post-semester meetings along with support and guidance by the course instructor, clinical coordinator, and Director of the PreLicensure Programs. The policies and procedures for UConn School of Nursing faculty and students also serve to provide the necessary support during clinical practicum.

Based on our previous experiences working with Carly for the past 3 semesters, we have full confidence in her ability to teach in the maternity clinical course in the spring of 2023. Her experience as a nurse in the department where she will be teaching makes her a strong candidate for the teaching waiver.

Her current waiver expires February 2023. We greatly appreciate your consideration of this request during these challenging times.

With gratitude and appreciation,

A handwritten signature in black ink that reads "Annette T. Maruca".

Annette T. Maruca, PhD, RN, PMH-BC, CNE, CCHP
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Historic Information

1889 – Evangelical Deaconess Hospital School of Nursing founded
 1981 – Deaconess College of Nursing (DCN)
 1958 – Deaconess Hospital School of Nursing
 2008 – Chamberlain College of Nursing (CCN)
 2017 – Chamberlain University (CU)
 2017 – Chamberlain College of Health Professionals (CHP)

Degrees Awarded:

College of Nursing: The Diploma in Nursing was awarded until December 1991 and the Associate Degree in Nursing program (Associate of Science in Nursing degree in Columbus, Ohio and St. Louis, Missouri) was first awarded in 1990. The Bachelor of Science in Nursing degree was first awarded in 1985. The Master of Science of Nursing degree was first awarded in 2010. The Doctor of Nursing Practice degree was first awarded in 2014.
Associate Degree in Nursing program (Associate of Science in Nursing (ASN) degree in St. Louis, Missouri): Graduates of the ASN program, May 1997 through May 1998, will have the nutrition hours requirements, under the Missouri Articulation Plan, distributed throughout the curriculum, which will be deemed equal to a 3-hour course. Beginning with the December 1998 graduates, a 3-hour course in Nutrition was required. Beginning in 2004, the Nutrition course was changed to a 2-hour course.
College of Health Professions: The Master of Public Health degree was first offered in 2017. The Master of Social Work degree was first offered in 2019. The Master of Physician Assistant Studies degree was first offered in 2022.

Academic Information

Official Transcripts: An official transcript carries the signature of the registrar, the seal of the University and date of issuance. Transcripts issued to students, or former students, are marked "Issued to Student." Issuance of a transcript may be denied when the student or former student has unfulfilled obligations to the University. Copies are not made of transcripts on file from other institutions.

Accreditation & Approvals: Chamberlain University is accredited by the Higher Learning Commission (www.hlc.com), an institutional accreditation agency recognized by the U.S. Department of Education. The baccalaureate degree program in nursing, master's degree in nursing program, Doctor of Nursing Practice program, and post graduate APRN certificate program at Chamberlain University are accredited by the Commission on Collegiate Nursing Education (<http://www.ccnaccreditation.org>). Chamberlain University's Master of Public Health Program is accredited by the Council on Education for Public Health, www.ceph.org. The Accreditation Review Commission on Education for the Physician Assistant, Inc. has granted Accreditation-Provisional status to the Chamberlain University Physician Assistant Program. For the most updated accreditation information, visit chamberlain.edu/accreditation.

Calendar & Credit System: Chamberlain University operates on a student-centric calendar. An academic year will be determined by the student's schedule. Each semester consists of 16 weeks of instruction and exams; classes are scheduled in two eight-week sessions each semester.

An individual student's calendar is based on his/her initial enrollment into a degree seeking program or on the date studies are resumed following readmission to the University. This schedule results in two overlapping calendars (referred to as "cycles"). The two overlapping calendar cycles designate months corresponding to Chamberlain's summer, fall and spring semesters. The academic credit unit is the semester hour. A semester credit is defined as a minimum of 18 contact hours of lecture or online learning activities with an associated 32 hours of out-of-class student work, 32 contact hours of laboratory or 48 contact hours of clinical instruction/practicum, 24 contact hours of graduate practicum/fieldwork for MPH, 64 contact hours of practicum for the DNP and 83 hours of out-of-class fieldwork for MSW. Courses with zero academic credits are designed to support students and therefore are exempt from the Credit Hour Allocation policy. One contact hour is defined as 50 minutes of attendance in lecture, laboratory or clinical instruction/practice or participation in online learning activities. Lab and clinical section credit hours are integrated into the course. Up to five additional contact hours are added per graduate practicum course for conferencing and documentation.

Course Identification: Courses in the 100 series are primarily for undergraduate freshmen, 200 series are primarily for undergraduate sophomores, 300 series are primarily for undergraduate juniors, 400 series are primarily for undergraduate seniors. Courses in the 500 and 600 series are primarily for graduate level students, and the 700 series are primarily for doctorate level students. The chart below defines the minimum clinical contact hours required for pre-licensure and post-licensure nursing courses.

Course Number	Clinical Contact Hours	Course Number	Clinical Contact Hours	Course Number	Clinical Contact Hours	Course Number	Clinical Contact Hours
NR-226	48	NR-326	48	NR-435	96	NR-601	125
NR-227	96	NR-327	48	NR-436	48	NR-602	125
NR-259	96	NR-328	48	NR-441	96	NR-603	125
NR-320	96	NR-329	144	NR-442	96	NR-661	125
NR-321	72	NR-330	144	NR-444	144	NR-663	144
NR-322	72	NR-340	96	NR-446	96	NR-664	144
NR-324	96	NR-341	48	NR-452	48	NR-665	144
NR-325	96	NR-342	96	NR-511	125	NR-667	125

*Course no longer offered after September 2017

Grading System: Prior to fall 1998, the 4.0 scale of values was used: A - 4; B - 3; C - 2; D - 1; F - 0. While some instructors used "+" and "-" in grading, these grades remained as if no "+" or "-" had been attached. Beginning with the fall 1998 semester, the scale of values became: A=4.0; A-=3.75; B+=3.25; B=3.0; B-=2.75; C+=2.25; C=2.0; C-=1.75; D+=1.25; D=1; D-=.75; F=0.

Beginning with the summer 2009 semester, the scale of values became: A=4.0; A-=3.75; B+=3.25; B=3.0; B-=2.75; C+=2.25; C=2.0; C-=1.75; D+=1.25; D=1; D-=.75; F=0.

A, A-	Superior	TRC	Transfer No Credit	RM	Remediation
B+, B, B-	Above Average	PR	Internal Proficiency	S	Satisfactory
C+, C, C-	Average	PRX	External Institution Proficiency	U	Unsatisfactory
D+, D, D-	Below Average+	W	Withdrawal After Start of Class	R	Repeat
P	Pass (No Credit)	WP	Withdrawal Passing ***	H	Hold†
F	Failure	WF	Withdrawal Failing ***	I	Included in GPA Calculations
*	Not Included in GPA	AU	Audit (No Credit)	E	Excluded in GPA Calculations
T	T Proceeded By a Letter Grade Indicates Transfer Credit	CR	Credit	† Minimum grade requirement for all undergraduate nursing and science courses and all graduate courses is a C	
TR	Transfer Credit**	I	Incomplete	**TR not in use after July 2012	
		IP	In Progress	***W/PWF in use prior to Spring 1997 and beginning Spring 2017	

Grade Point Average (GPA): A student's Grade Point Average (GPA), based on a 4.0 scale, is computed by dividing total quality grade points by total credit hours, for which grades "A", "A-", "B+", "B", "B-", "C+", "C", "C-", "D+", "D", "D-", or "F" are received. Grades of "I", "H" or "RM" are counted in attempted hours but are not used in any GPA calculations. All courses completed while enrolled in a Chamberlain University program are included in this calculation, with the exception of transitional studies and zero academic credit hour coursework. Transitional studies coursework is included in attempted and earned credit hours, but not in the GPA, Quality Point or GPA credit-hour totals. Transfer credit from academic institutions will be accepted for credit only and are not included in the CGPA calculation. The Term GPA (TGPA) is calculated at the end of each session. The Semester GPA (SGPA) is calculated at the end of a semester/student-centric period and represents the GPA for work completed in a given semester only. The Cumulative GPA (CGPA) is an average for all work completed while enrolled at Chamberlain University. When a course is repeated, only the highest grade is computed in credit hours completed and the CGPA for coursework completed prior to September 2020. The most recent attempt is computed in the credit hours completed and CGPA for coursework completed in September 2020 or later.

Semester Honors: Dean's List and Honor Roll are awarded for undergraduate students. Full-time students with a semester GPA of 3.5 or above are eligible for the Dean's List. Full-time students with a semester GPA between 3.0 and 3.49 are listed on the Honor Roll. Students who earn a grade of "D", "F", "WF" or "I" in one or more courses, including transitional studies coursework, will not be eligible for honors during that semester. For the purpose of semester honors, transitional studies coursework does not count toward full-time status.

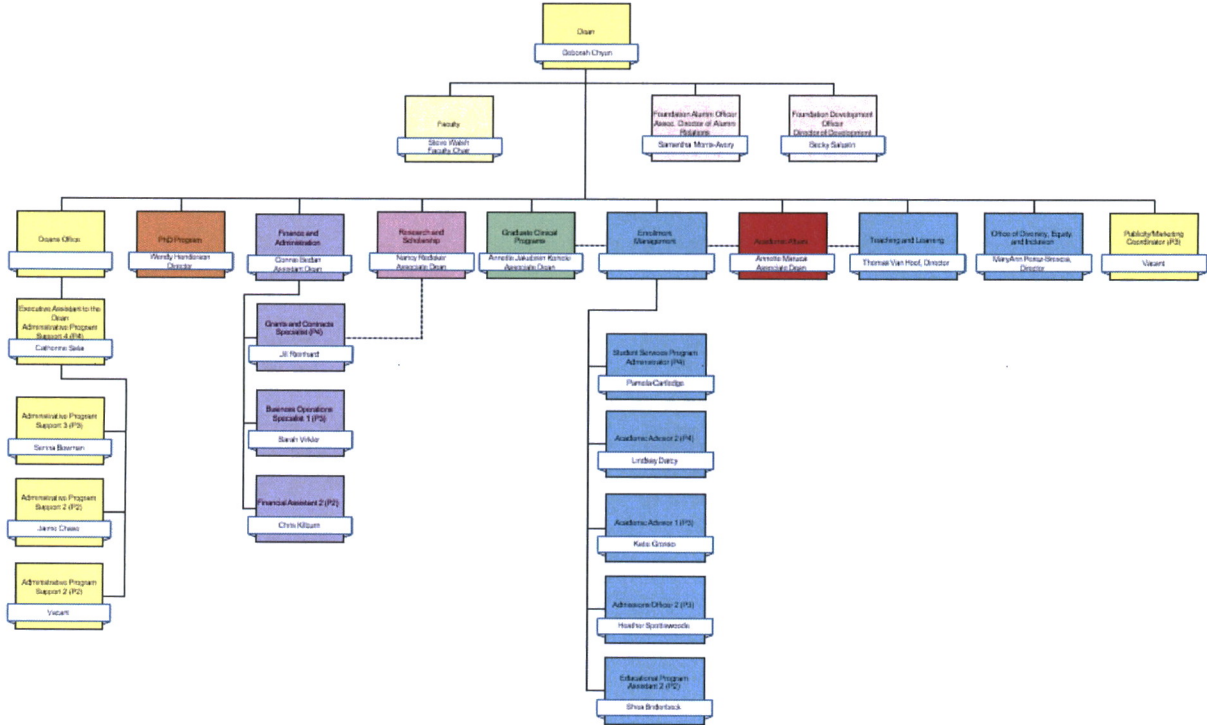
Honors at Graduation: Latin honors are awarded for bachelor's degree graduates who have completed a minimum of 60 credit hours in residence with a GPA of 3.3 and above. Honors are computed on the basis of all college work applied toward the degree and taken in residence at Chamberlain University. Summa Cum Laude, the highest honor, requires a CGPA of 3.8 or above. Students with a CGPA between 3.5 and 3.79 will graduate Magna Cum Laude, and those with a CGPA between 3.3 and 3.49 will graduate Cum Laude. President's Honors will be awarded to BSN students who graduate with a CGPA of 3.5 or above, and have less than 60 credit hours in residence. A student who has graduated from a doctorate or graduate program must have completed a minimum of 30 credit hours in residence. Doctorate and graduate degree students with a CGPA of 4.0 will graduate with the designation "With High Distinction" and those with a CGPA from 3.85 to 3.99 will graduate with the designation "With Distinction." As of July 2012, all coursework completed (including the last semester of study) will be included in the calculation of graduation honors.

Eligibility to Re-Enroll: Any undergraduate or graduate student who interrupts their academic studies for six consecutive sessions or more must request readmission. A person seeking readmission must complete and submit an application for admission and meet all admission requirements in effect at the time of readmission. Readmitted or resuming students are bound by Chamberlain policies in effect at the time of resumption or readmission. Dismissed students must appeal for reinstatement.

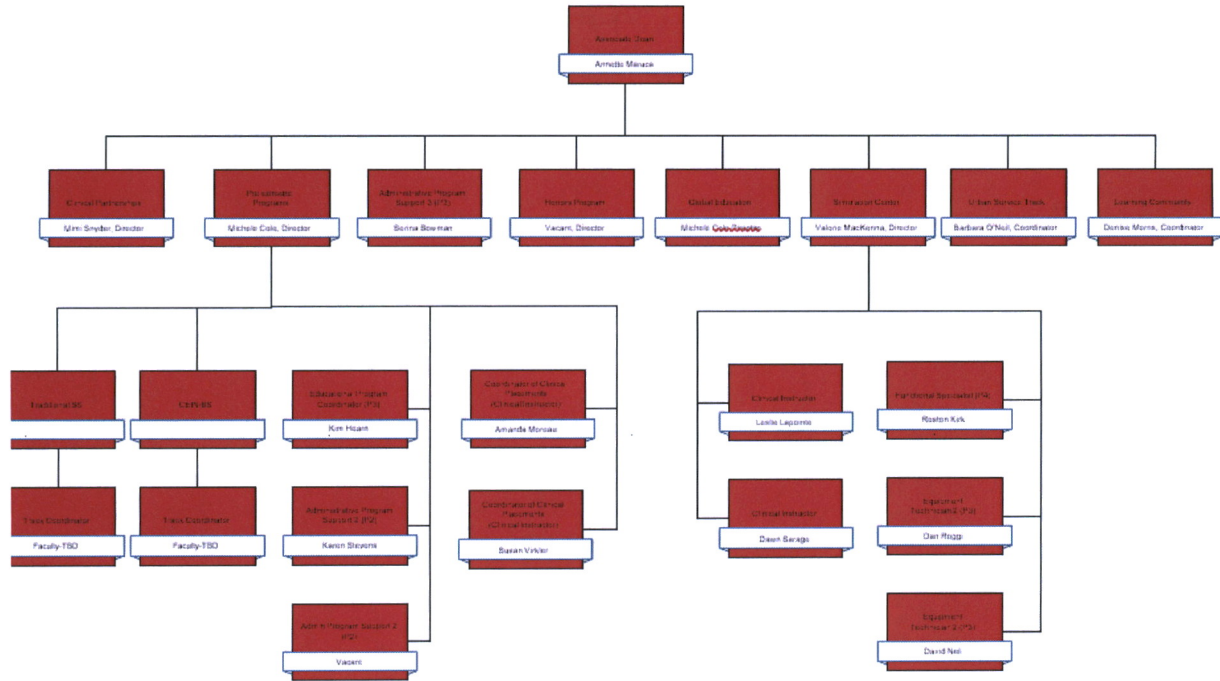
Students' Rights of Confidentiality: In compliance with Public Law 93-380 Family Educational Rights and Privacy Act of 1974, as amended, this transcript is provided to you for employment or admission purposes only. The law prohibits you from permitting access to this information by any other party without the written consent of the student concerned. If you are unable to comply fully with this requirement, please return this record to us immediately.

UCONN

SCHOOL OF NURSING



Academic Affairs



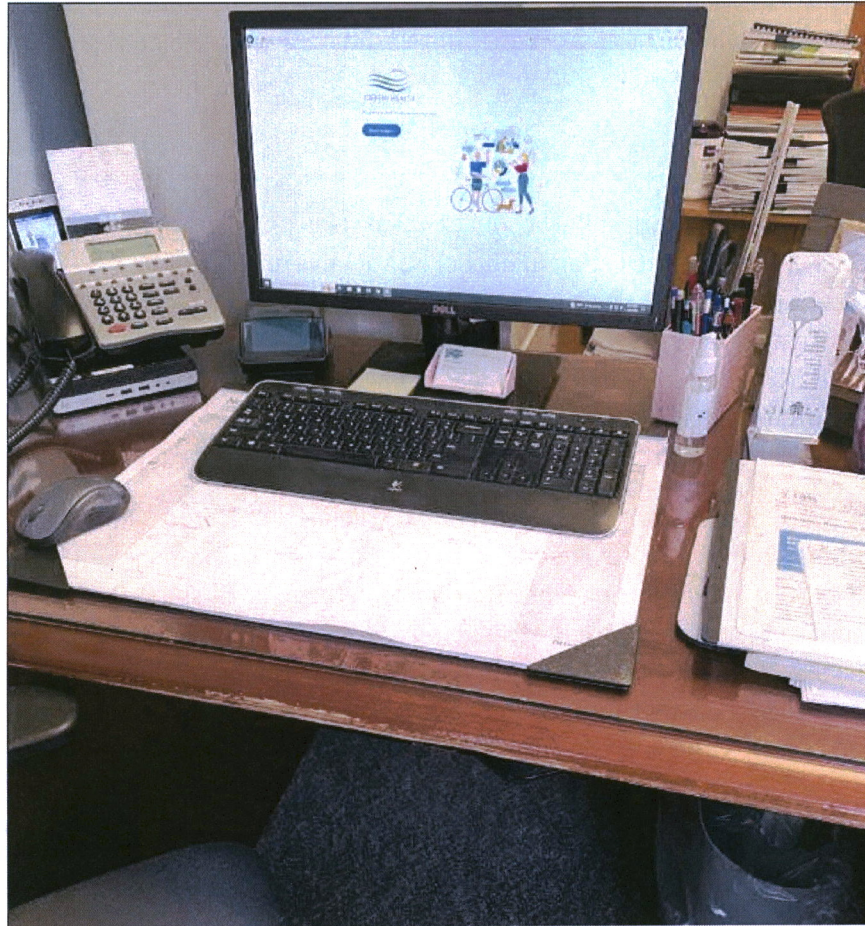


Figure 1. Fourth PN Faculty Workstation, located within the School of Allied Health Careers Suite 206

As mentioned above, by March 2023, the practical nursing program will have four shared workstations, all located within shared, locking offices. All program workspaces are available to the program faculty when on campus and offer an area where faculty can work quietly. When faculty need to meet with their peers or one or more students, they can utilize the worktable in the Nursing Education Office or any of the shared conference rooms/spaces located throughout the hospital and the School of Allied Health Careers. All faculty members will be given an individual Griffin Health account which grants them the capability of logging into any computer located within the hospital or the school and accessing their work accounts and individual and shared folders. Although the faculty will be primarily remote, if a faculty member desires to work on campus for a set period of time (e.g., the length of a semester) or would like to have scheduled on-campus hours, a workstation can be reserved for the desired dates and times by contacting the program director. The Program Director will maintain the workstation schedule and is responsible for notifying faculty when changes occur to the schedule. The Program Director will ensure the schedule is readily available to all faculty members to reference when planning their time. The School of Allied Health Careers currently employs two faculty members; as the program grows, the school will employ up to four full-time faculty members and thus will be able to accommodate all faculty, whether they are working in person or remotely.

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
HEALTHCARE QUALITY AND SAFETY BRANCH**

CONSENT ORDER COVER SHEET

In re: Nicholas O'Brien, APRN, RN

Petition Nos. 2021-1174 and 2021-603

1. Nicholas O'Brien ("respondent") graduated from Quinnipiac University and was licensed to practice as a registered nurse in 2012. He graduated from Saint Joseph's University and was licensed to practice as an advanced practice registered nurse in 2015. He has not been previously disciplined.

2. On April 6, 2022, respondent's license was summarily suspended based, in part, on the following:

From approximately 2019 through 2021, respondent abused or used alcohol to excess which affected his practice of nursing concerning the boundary violation specified below.

From August 2019 through March 2021, respondent deviated from the standard of care of nursing in that he:

- a. engaged in an inappropriate and/or romantic relationship with patient #1 which included a sexual relationship on or about August and November 2019;
- b. violated professional boundaries with patient #1; and/or,
- c. engaged in dual and/or multiple relationships with patient #1.

On or about May 17, 2018 and/or June 14, 2018, respondent provided psychiatric nursing services for patient #1 at his private practice, Concierge Psychiatry of Greenwich.

From approximately June 14, 2018 through approximately September 2020, respondent continued to provide psychiatric nursing services for patient #1 by prescribing medication for her although he did not provide her with clinical services.

Respondent also failed to properly treat and assess patient #1.

3. On October 19, 2022, the Connecticut Board of Examiners for Nursing reviewed this petition as a Prehearing Review and made a recommendation for a Consent Order to include the following terms:

- reprimand;
- \$2,000.00 civil penalty;
- three years of probations with
 - urine screens weekly for the 1st and 3rd year, twice monthly for the 2nd year;
 - therapy reports monthly for the 1st and 3rd year, twice monthly for the 2nd year;
 - employer or supervisor reports monthly for the 1st and 3rd year, twice monthly for the 2nd year;
 - no solo practice; and
 - anonymous support group meetings.

4. The Department and respondent, through his attorney, respectfully request the Board to approve and order the attached proposed Consent Order. The petitioner has been contacted and has no objection to the terms.

CONFIDENTIALITY NOTICE: The confidentiality of the attached documents is required under Federal and State law. All recipients must maintain strict confidentiality. All forms of disclosure, whether oral, written, or electronic, are strictly prohibited.

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
HEALTHCARE QUALITY AND SAFETY BRANCH**

In Re: Nicholas O'Brien, APRN, RN

Petition No. 2021-603

Petition No. 2021-1174

CONSENT ORDER

WHEREAS, Nicholas O'Brien ("respondent") of Watertown, Connecticut, has been issued registered nurse license number 106063 and advanced practice registered nurse license number 006158 by the Connecticut Department of Public Health ("Department") pursuant to Connecticut General Statutes, Chapter 378, as amended.

WHEREAS, respondent admits:

1. From approximately 2019 through 2021, respondent abused or used alcohol to excess which affected his practice of nursing concerning the boundary violation specified below.
2. From August 2019 through March 2021, respondent deviated from the standard of care of nursing in one or more of the following ways, in that he:
 - a. engaged in an inappropriate and/or romantic relationship with patient #1 which included a sexual relationship on or about August and November 2019;
 - b. violated professional boundaries with patient #1; and/or,
 - c. engaged in dual and/or multiple relationships with patient #1.
3. On or about May 17, 2018 and/or June 14, 2018, respondent provided psychiatric nursing services for patient #1 at his private practice, Concierge Psychiatry of Greenwich.
From approximately June 14, 2018 through approximately September 2020, respondent

continued to provide psychiatric nursing services for patient #1 by prescribing medication for her although he did not provide her with clinical services.

Respondent also failed to properly treat and assess patient #1.

4. The above-described facts constitute grounds for disciplinary action pursuant to Connecticut General Statutes §20-99(b), including but not limited to:

- a. §20-99(b)(2);
- b. §20-99(b)(5); and/or
- c. §20-99(b)(6).

WHEREAS, on April 6, 2022, respondent's nursing license was summarily suspended.

WHEREAS, on October 19, 2022, the Connecticut Board of Examiners for Nursing ("Board") reviewed this petition as a Prehearing Review and made a recommendation for discipline against respondent's nursing licenses reflected in the terms of this Consent Order.

WHEREAS, respondent, in consideration of this Consent Order, has chosen not to contest the above-admitted violations at a hearing before the Board. Respondent agrees that for the purpose of this or any future proceedings before the Board this Consent Order shall have the same effect as if ordered after a full hearing pursuant to Connecticut General Statutes §§19a-9, 19a-10, and 20-99(a).

WHEREAS, respondent successfully completed coursework in professional boundaries and ethics.

NOW THEREFORE, pursuant to Connecticut General Statutes §19a-17 and §20-99(a) respondent hereby stipulates and agrees to the following:

1. Respondent waives respondent's right to a hearing on the merits of this matter.

2. Respondent shall comply with all federal and state statutes and regulations applicable to respondent's profession.
3. Respondent's Connecticut registered nurse license number 106063 and advanced practice registered nurse license number 006158 are hereby reprimanded.
4. Respondent shall pay a civil penalty of two thousand dollars (\$2,000.00) by certified or cashier's check payable to "Treasurer, State of Connecticut." The check shall reference the Petition Number on the face of the check and shall be payable at the time respondent submits the executed Consent Order to the Department.
5. Respondent's registered nurse license number 106063 and advanced practice registered nurse license number 006158 are placed on probation for three (3) years, subject to the following terms and conditions:
 - A. At respondent's own expense, respondent shall engage in therapy and counseling with a Connecticut licensed therapist ("therapist") approved by the Department for the entire probationary period.
 - (1) Respondent shall provide a copy of this Consent Order to respondent's therapist.
 - (2) Respondent's therapist shall furnish written confirmation to the Department of his or her engagement in that capacity and receipt of a copy of this Consent Order within fifteen (15) days of the effective date of this Consent Order.
 - (3) If respondent's therapist determines that therapy is no longer necessary, that a reduction in frequency of therapy is warranted, or that respondent should be transferred to another therapist, he or she shall advise the Department. Said termination of therapy, reduction in frequency of therapy, and/or respondent's transfer to another therapist shall not occur until approved by the Department.

However, if therapy is terminated with approval of the Department, respondent's therapist shall continue to monitor respondent's alcohol and drug-free status by monitoring and reviewing the observed random urine screens for drugs and alcohol as described in paragraph B below, and by providing the reports described in paragraph C below.

- (4) The therapist shall immediately notify the Department in writing if respondent discontinues therapy and/or terminates services.
- B. Respondent shall not obtain or use controlled substances, legend drugs, marijuana or alcohol in any form unless prescribed or recommended for a legitimate therapeutic purpose by a licensed health care professional authorized to prescribe medications. Respondent shall inform said health care professional of respondent's substance abuse history.
- (1) At respondent's own expense, respondent shall submit to observed random urine screens for drugs and alcohol, in accordance with Department Requirements for Drug and Alcohol Screens, attached hereto marked "Schedule 'A': Department Requirements for Drug and Alcohol Screens" at a testing facility approved by the Department. Laboratory reports of random alcohol and drug screens shall be submitted directly to the Department by the testing laboratory. All such observed random drug and alcohol screens shall be legally defensible in that the specimen donor and chain of custody can be identified throughout the screening process. All laboratory reports shall indicate that the chain of custody procedure has been followed.

- (2) Respondent shall be responsible for notifying the laboratory, therapist, the Department and respondent's prescribing practitioner of any drug(s) respondent is taking. For the prescription of a controlled substance(s) for more than two consecutive weeks, the respondent shall cause the provider prescribing the controlled substance(s) to submit quarterly reports to the Department, until such time as the controlled substance(s) are not prescribed by the provider, documenting the following:
 1. A list of controlled substances prescribed by this provider for the respondent;
 2. A list of controlled substance(s) prescribed by other providers;
 3. An evaluation of the respondent's need for the controlled substance;
 4. An assessment of the respondent's continued need for the controlled substance(s).
- (3) There must be at least one such observed random alcohol/drug screen and accompanying laboratory report every week for the first and third years of probation; and at least two such screens and reports every month for the second year of probation.
- (4) There must be at least two (2) random tests for Ethylglucuronide (EtG) and accompanying laboratory reports every month for the first and third years of probation and at least (1) such random test and report every month for the remainder of the probationary period.
- (5) All screens shall be negative for the presence of drugs, marijuana and alcohol. Respondent agrees that an EtG test report of EtG at a level of 1000ng/mL or

higher shall be deemed to constitute a positive screen for the presence of alcohol under this Consent Order. Respondent understands and agrees that if respondent fails to submit a urine sample when requested by respondent's monitor, such missed screen shall be deemed a positive screen.

- (6) All positive screen results shall be confirmed by gas chromatograph/mass spectrometer (GC/MS) testing.
- (7) Respondent is hereby advised that the ingestion of poppy seeds, mouthwash and over the counter cough or cold medicines or remedies has from time to time, been raised as a defense to a positive screen result for morphine, opiates and/or alcohol and as a defense of an EtG at 1000ng/mL or higher. For that reason, respondent agrees to refrain from ingesting poppy seeds in any food substances, mouthwash and over the counter cough or cold medicines or remedies during the term of this Consent Order. If respondent has a positive screen for morphine, opiates and/or alcohol or if respondent's test reports an EtG at 1000ng/mL or higher, respondent agrees that the ingestion of poppy seeds and/or mouthwash and/or over the counter cough or cold medicines or remedies shall not constitute a defense to such a screen.

- C. Respondent shall be responsible for the provision of written reports from respondent's therapist directly to the Department for the entire probationary period; monthly for the first and third years of probation; and, quarterly for the second year of probation. Such reports shall include documentation of dates of treatment, an evaluation of respondent's progress in treatment and of respondent's drug and alcohol-free status as established by the observed random urine screens

for drugs and alcohol, an evaluation of respondent's ability to practice nursing safely and competently, and copies of all laboratory reports. A report indicating that respondent is not able to practice nursing safely and competently shall be deemed to be a violation of this Consent Order.

- D. Notwithstanding the foregoing, respondent's therapist shall immediately report to the Department any confirmed positive alcohol/drug screen and any conduct or condition on respondent's part which does or may violate any federal or state statute or regulation applicable to respondent's profession.
- E. If employed as a nurse, respondent shall provide a copy of this Consent Order to all current and future employers for the duration of probation. The Department shall be notified in writing by any such employer(s) within fifteen (15) days of the commencement of employment to confirm receipt of a copy of this Consent Order.
- F. Respondent shall not be employed as a nurse for a personnel provider service, assisted living services agency, staffing agency, homemaker-home health aide agency, or home health care agency.
- G. If employed as a nurse, respondent shall be responsible for the provision of written reports directly to the Department from respondent's immediate nursing supervisor monthly for the first and third years of probation; and quarterly for the second year of probation. Employer reports shall include documentation of respondent's ability to practice nursing safely and competently, and shall be issued to the Department at the address cited in the paragraph O below. A report indicating that respondent is not practicing with reasonable skill and safety shall be deemed to be a violation of this Consent Order. Respondent further agrees that if the probationary

period terminates prior to completion of three (3) years of employer reports, the probationary period shall be extended to ensure that a total of three (3) years of employer reports, or supervisor reports as required in paragraph 5(I), are received. If the probationary period is extended to comply with this provision, paragraph 5(F) shall also be extended however, no other terms of probation shall be extended.

- H. During the period of probation, if respondent is self-employed as an advanced practice registered nurse, he shall only practice in an office and practice setting that physically includes a licensed physician or advanced practice registered nurse on-site while respondent is practicing at said office and practice setting.
- I. If respondent is self-employed as an advanced practice registered nurse, he shall obtain at respondent's own expense, the services of a licensed physician or advanced practice registered nurse, pre-approved by the Department ("supervisor"), to conduct a random review of twenty-five percent (25%) or twenty-five (25) of respondent's patient records, whichever is the larger number, monthly for the first and third years of probation; and quarterly for the second year of probation ("supervisory period"). If respondent has twenty-five (25) or fewer patients, the supervisor shall review all of respondent's patient records.
 - (1) Respondent shall provide a copy of this Consent Order to respondent's supervisor. Respondent's supervisor shall furnish written confirmation to the Department of the supervisor's engagement in that capacity and receipt of a copy of this Consent Order within fifteen (15) days of the effective date of this Consent Order.

- (2) Respondent's supervisor shall conduct such review and meet with respondent not less than once every month for the first and third years of probation; and quarterly for the second year of probation.
- (3) The supervisor shall have the right to monitor respondent's practice by any other reasonable means which the supervisor deems appropriate. Respondent shall fully cooperate with the supervisor in providing such monitoring.
- (4) Respondent shall be responsible for providing written supervisor reports directly to the Department, monthly for the first and third years of probation; and quarterly for the second year of probation. Such supervisor's reports shall include documentation of dates and duration of meetings with respondent, number and a general description of the patient records and patient medication orders and prescriptions reviewed, additional monitoring techniques utilized, and statement as to whether respondent is practicing with reasonable skill and safety. A supervisor report indicating that respondent is not practicing with reasonable skill and safety shall be deemed to be a violation of this Consent Order. Respondent further agrees that if the probationary period terminates prior to the completion of a total of three (3) years of employer reports or supervisory reports, the probationary period shall be extended to ensure that a total of three years of employer reports or supervisory reports are received. If the probationary period is extended to comply with this provision, no other terms of probation shall be extended.

- (5) Respondent shall not engage in the practice of advanced practice registered nursing while self-employed until he receives written approval from the Department that he has retained the services of a supervisor.
- J. During the entire probationary period, respondent shall attend "anonymous" or support group meetings at least eight to ten times per month and shall provide quarterly reports to the Department concerning respondent's record of attendance.
- K. Respondent shall notify the Department in writing of any change of employment within fifteen (15) days of such change.
- L. Respondent shall notify the Department of any change in respondent's home or business address within fifteen (15) days of such change.
- M. If respondent pursues further training or is engaged at the time of the implementation of the Consent Order, in an educational program in any subject area that is regulated by the Department, respondent shall provide a copy of this Consent Order to the educational institution or, if not an institution, to respondent's instructor. Such institution or instructor shall notify the Department of receipt of the Consent Order within fifteen (15) days of receipt.
- N. All reports required by the terms of this Consent Order shall be due according to a schedule to be established by the Department of Public Health.
- O. All correspondence and reports shall be addressed to:
Practitioner Compliance and Monitoring Unit
Department of Public Health
410 Capitol Avenue, MS #12HSR
P.O. Box 340308
Hartford, CT 06134-0308

6. Any violation of the terms of this Consent Order without prior written approval by the Department shall constitute grounds for the Department to seek revocation of respondent's nursing license following notice and an opportunity to be heard.
7. Respondent shall pay all costs necessary to comply with this Consent Order.
8. Any extension of time or grace period for reporting granted by the Department shall not be a waiver or preclude the Department's right to act later. The Department shall not be required to grant future extensions of time or grace periods.
9. Legal notice of any action shall be deemed sufficient if sent to respondent's last known address of record reported to the Department.
10. This Consent Order is effective on the first day of the month immediately following the month in which this Consent Order is approved and accepted by the Board.
11. Respondent understands this Consent Order is a public record.
12. Respondent understands and agrees that this Consent Order shall be deemed as evidence of the above-admitted violations in any proceeding before the Board in which (1) respondent's compliance with this same Consent Order is at issue, or (2) respondent's compliance with Connecticut General Statutes §20-99(b), as amended, is at issue. Further, respondent understands that any discipline imposed by this Consent Order shall be reported to the National Practitioner Data Bank maintained by the United States Department of Health and Human Services and will appear on respondent's advanced practice registered nurse profile pursuant to Connecticut General Statutes §20-13j.
13. If respondent violates any term of this Consent Order, respondent agrees immediately to refrain from practicing as a nurse, upon request by the Department, for a period not to exceed forty-five (45) days. During that time, respondent further agrees to cooperate with the

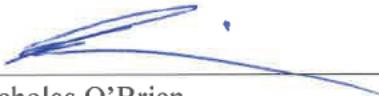
Department in its investigation of the violation, and to submit to and complete a medical, psychiatric or psychological evaluation, if requested to do so by the Department; and, that the results of the evaluation shall be submitted directly to the Department. Respondent further agrees that failure to cooperate with the Department in its investigation during said forty-five (45) day period shall constitute grounds for the Department to seek a summary suspension of respondent's licenses. In any such summary action, respondent stipulates that failure to cooperate with the Department's investigation shall be considered and given due weight by the Board in determining whether respondent's conduct constitutes a clear and immediate danger as required pursuant to Connecticut General Statutes §§4-182(c) and 19a-17(c). Respondent understands that the Board has complete and final discretion as to whether a summary suspension is ordered.

14. If, during the period of probation, respondent practices nursing outside Connecticut, respondent shall provide written notice to the Department concerning such practice. During such time, respondent shall not be responsible for complying with the terms of probation of this Consent Order, and such time shall not be counted in reducing the probationary period covered by this Consent Order. Respondent may comply with the terms of probation while practicing outside Connecticut if pre-approved by the Department. If respondent intends to return to the practice of nursing in Connecticut, respondent shall provide the Department with thirty (30) days prior written notice and agrees to comply with all probationary terms and conditions required in paragraph 5 above.
15. If respondent violates any term of this Consent Order, said violation may also constitute grounds for the Department to seek a summary suspension of respondent's licenses before the Board.

16. This Consent Order and terms set forth herein are not subject to reconsideration, collateral attack or judicial review under any form or in any forum. Respondent agrees that this Consent Order shall not be subject to modification because of any claim that the terms contained herein may result in action by third parties, including, but not limited to, healthcare facilities and/or credentialing or licensure boards and respondent waives any right to seek reconsideration or modification of this Consent Order pursuant to Connecticut General Statutes §4-181a without the express consent and agreement of the Department. Respondent assumes all responsibility for assessing such actions prior to the execution of this Consent Order. Further, this Consent Order is not subject to appeal or review under the provisions of Connecticut General Statutes Chapters 54 and 368a, provided that this stipulation shall not deprive respondent of any other rights that respondent may have under Connecticut or United States law.
17. Respondent permits a representative of the Department to present this Consent Order and its factual basis to the Board. Respondent agrees that the Board has complete and final discretion whether an executed Consent Order is approved or accepted. Respondent waives any claim of error that could be raised related to or arises during the Board's review of documentation and discussions regarding whether to approve or reject this Consent Order and/or a Board member's participation during this process, through the Board member's review or comments, including but not limited to bias or reliance on evidence outside the administrative record if this matter proceeds to a hearing on a statement of charges resulting in a proposed decision and/or final decision by the Board.
18. This Consent Order is a revocable offer of settlement, which may be modified by mutual agreement or withdrawn by the Department at any time prior to its being executed by the last signatory.

19. Respondent consulted with his attorney prior to signing this Consent Order.
20. The execution of this document has no bearing on any criminal liability without the written consent of the Director of the Medicaid Fraud Control Unit or the State's Attorney's Office where the allegation occurred or Bureau Chief of the applicable unit in the Chief State's Attorney's Office. The purpose of this Consent Order is to resolve the pending administrative license disciplinary petition only and is not intended to affect any civil or criminal liability or defense.
21. This Consent Order embodies the entire agreement of the parties with respect to this case. All previous communications or agreements regarding the subject matter of this Consent Order, whether oral or written, between the parties are superseded unless expressly incorporated herein or made a part hereof.

I, Nicholas O'Brien, have read the above Consent Order, and I agree to the terms set forth therein. I further declare the execution of this Consent Order to be my free act and deed.



Nicholas O'Brien

Subscribed and sworn to before me this 4th day of November, 2022.



Notary Public/Commissioner Superior Court

Elaine M. Schaefer
Notary Public-Connecticut
My Commission Expires
December 31, 2026

The above Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 22nd day of November, 2022, it is hereby accepted.

Christian Andresen

Christian D. Andresen, MPH, Section Chief
Practitioner Licensing and Investigations Section
Healthcare Quality and Safety Branch

The above Consent Order having been presented to the Connecticut Board of Examiners for Nursing on the _____ day of _____, 2022, it is hereby ordered and accepted.

BY: _____
Connecticut Board of Examiners for Nursing

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
HEALTHCARE QUALITY AND SAFETY BRANCH**

In re: Diana Doe, RN

Petition Number: 2022-240

CONSENT ORDER COVER SHEET

1. Diana Doe ("respondent") graduated from Capital Community College and received her nursing license in 2016. Her license has not been previously disciplined.
2. On or about July 4, 2020, respondent failed to conform to the accepted standards of the nursing profession when she failed to properly and/or timely implement necessary emergency measures and/or perform cardiopulmonary resuscitation for an unresponsive patient. Respondent also failed to maintain appropriate medical records.
3. The proposed Consent Order places a reprimand on respondent's license and includes probation for six months during which time respondent shall successfully complete coursework in advance directives and critical thinking.
4. The Department and respondent respectfully request the Board to accept the proposed Consent Order.

CONFIDENTIALITY NOTICE: The documents attached may contain information that is confidential or privileged. Please do not disseminate, distribute or copy the contents or discuss with parties who are not directly involved in this petition. Thank you.

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
HEALTHCARE QUALITY AND SAFETY BRANCH**

In re: Diana Doe, RN

Petition Number: 2022-240

CONSENT ORDER

WHEREAS, Diana Doe ("respondent") of East Hartford, Connecticut, has been issued license number 135610 to practice as a registered nurse by the Connecticut Department of Public Health ("Department") pursuant to Connecticut General Statutes, Chapter 378, as amended.

WHEREAS, the Department alleges:

1. At all times mentioned, respondent was practicing nursing at Windsor Health and Rehabilitation Center in Windsor, Connecticut.
2. On or about July 4, 2020, respondent failed to conform to the accepted standards of the nursing profession when she failed to properly and/or timely implement necessary emergency measures and/or perform cardiopulmonary resuscitation for an unresponsive patient. Respondent also failed to maintain appropriate medical records.
4. The above-described facts constitute grounds for disciplinary action pursuant to Connecticut General Statutes §20-99(b), including but not limited to §20-99(b)(2).

WHEREAS, respondent, in consideration of this Consent Order, has chosen not to contest the above-admitted violations at a hearing before the Board of Examiners for Nursing ("Board"). Respondent agrees that for the purpose of this or any future proceedings before the Board this Consent Order

shall have the same effect as if ordered after a full hearing pursuant to Connecticut General Statutes §§19a-9, 19a-10, and 20-99(a).

NOW THEREFORE, pursuant to Connecticut General Statutes §§19a-17 and 20-99(a), respondent hereby stipulates and agrees to the following:

1. Respondent waives her right to a hearing on the merits of this petition.
2. Respondent's Connecticut registered nurse number 135610 is hereby reprimanded.
3. Respondent shall comply with all federal and state statutes and regulations applicable to her profession.
4. Respondent's Connecticut registered nurse number 135610 is hereby placed on probation for six (6) months, subject to the following terms and conditions:
 - A. Respondent shall attend and successfully complete coursework in a) advance directives and b) critical thinking pre-approved by the Department. Within fourteen (14) days of the completion of said coursework, respondent shall provide the Department with proof, to the Department's satisfaction, of the successful completion of said coursework. If respondent successfully completes said coursework to the Department's satisfaction prior to the six (6) month term of probation, respondent's probation shall terminate.
 - B. Respondent shall notify the Department in writing of any change of employment within fifteen (15) days of such change.
 - C. Respondent shall notify Department of any change in respondent's home or business address within fifteen (15) days of such change.
 - D. If respondent pursues further training or is engaged at the time of the implementation of the Consent Order, in an educational program in any subject area that is regulated by the

Department, respondent shall provide a copy of this Consent Order to the educational institution or, if not an institution, to respondent's instructor. Such institution or instructor shall notify the Department of receipt of the Consent Order within fifteen (15) days of receipt.

E. All correspondence and reports shall be addressed to:

Practitioner Compliance and Monitoring Unit
Department of Public Health
410 Capitol Avenue, MS #12HSR
P.O. Box 340308
Hartford, CT 06134-0308

5. Any violation of the terms of this Consent Order without prior written approval by the Department shall constitute grounds for the Department to seek revocation of respondent's nursing license following notice and an opportunity to be heard.
6. Respondent shall pay all costs necessary to comply with this Consent Order.
7. Any extension of time or grace period for reporting granted by the Board shall not be a waiver or preclude the Department's right to act at a later time. The Board shall not be required to grant future extensions of time or grace periods.
8. Legal notice of any action shall be deemed sufficient if sent to respondent's last known address of record reported to the Department.
9. This Consent Order is effective on the first day of the month immediately following the month in which this Consent Order is approved and accepted by the Board.
10. Respondent understands this Consent Order is a public record.
11. Respondent understands and agrees that this Consent Order shall be deemed as evidence of the Department's allegations in any proceeding before the Board in which (1) respondent's compliance with this same Consent Order is at issue, or (2) respondent's compliance with

Connecticut General Statutes §20-99(b), as amended, is at issue. Further, respondent understands that any discipline imposed by this Consent Order shall be reported to the National Practitioner Data Bank maintained by the United States Department of Health and Human Services.

12. In the event respondent violates a term of this Consent Order, respondent agrees immediately to refrain from practicing as a nurse, upon request by the Department for a period not to exceed forty-five (45) days. Respondent further agrees that failure to cooperate with the Department in its investigation during said forty-five (45) day period shall constitute grounds for the Department to seek a summary suspension of respondent's license. In any such summary action, respondent stipulates that failure to cooperate with the Department's investigation shall be considered and given due weight by the Board in determining whether respondent's conduct constitutes a clear and immediate danger as required pursuant to Connecticut General Statutes §§4-182(c) and 19a-17(c). Respondent understands that the Board has complete and final discretion whether a summary suspension is ordered.
13. In the event respondent violates any term of this Consent Order, said violation may also constitute grounds for the Department to seek a summary suspension of respondent's license before the Board.
14. This Consent Order and terms set forth herein are not subject to reconsideration, collateral attack or judicial review under any form or in any forum. Respondent agrees that this Consent Order shall not be subject to modification as a result of any claim that the terms contained herein may result in action by third parties, including, but not limited to, healthcare facilities and/or credentialing or licensure authorities and respondent waives any right to seek reconsideration or modification of this Consent Order pursuant to Connecticut General

Statutes §4-181a. Respondent assumes all responsibility for assessing such actions prior to the execution of this Consent Order. Further, this Consent Order is not subject to appeal or review under the provisions of Connecticut General Statutes, Chapters 54 and 368a provided that this stipulation shall not deprive respondent of any other rights that respondent may have under the laws of the State of Connecticut or the United States.

15. Respondent permits a representative of the Department to present this Consent Order and its factual basis to the Board. The Department and respondent agree that the Board has complete and final discretion whether an executed Consent Order is approved or accepted. Respondent hereby waives any claim of error that could be raised that is related to or arises during the course of the Board's discussions and review of documents regarding whether to approve or reject this Consent Order and/or a Board member's participation during this process, through the Board member's review or comments, including but not limited to bias or reliance on evidence outside the administrative record if this matter proceeds to a hearing on a Statement of Charges resulting in a proposed decision and/or final decision by the Board.
16. This Consent Order is a revocable offer of settlement, which may be modified by mutual agreement or withdrawn by the Department at any time prior to its being executed by the last signatory.
17. Respondent consulted with her attorney prior to signing this Consent Order.
18. The execution of this Consent Order has no bearing on any criminal liability without the written consent of the Director of the Medicaid Fraud Control Unit or the State's Attorney's Office where the allegation occurred or Bureau Chief of the applicable unit in the Chief State's Attorney's Office. The purpose of this Consent Order is to resolve the pending administrative

license disciplinary petition only and is not intended to affect any civil or criminal liability or defense.

19. This Consent Order embodies the entire agreement of the parties with respect to this case. All previous communications or agreements regarding the subject matter of this Consent Order, whether oral or written, between the parties are superseded unless expressly incorporated herein or made a part hereof.

I, Diana Doe, have read the above Consent Order, and I agree to the terms set forth therein. I further declare the execution of this Consent Order to be my free act and deed.

[Handwritten signature]

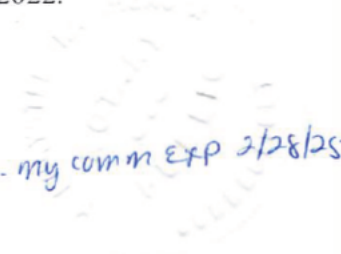
Diana Doe

Subscribed and sworn to before me this 11 day of 15, 2022.

[Handwritten signature]

Kristelline Kleng

Commissioner Superior Court/Notary Public



The above Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 16th day of November, 2022, it is hereby accepted.

[Handwritten signature: Christian D. Andresen]

Christian D. Andresen, MPH, Section Chief
Practitioner Licensing and Investigations Section
Healthcare Quality and Safety Branch

The above Consent Order having been presented to the Connecticut State Board of Examiners for Nursing on the _____ day of _____, 2022, it is hereby ordered and accepted.

BY: _____
Connecticut State Board of Examiners for Nursing

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
HEALTHCARE QUALITY AND SAFETY BRANCH**

In re: Kristen Kobylanski, LPN

Petition Number: 2021-944

CONSENT ORDER COVER SHEET

1. Kristen Kobylanski ("respondent") graduated from Stone Academy and received her nursing license in 2008. Her license has not been previously disciplined.

2. From approximately September 2020 through July 2021, while practicing nursing at Brandywine Living at Litchfield, respondent failed to conform to the accepted standards of the nursing profession in that she:
 - a. documented withdrawals of controlled substances without administering and/or failed to document administration of said controlled substances to multiple patients; and/or,
 - b. failed to maintain appropriate medical records.

3. The proposed Consent Order places a reprimand on respondent's license and includes probation for one year with the following terms and conditions:
 - monthly employer reports;
 - coursework in documentation standards and medication administration;
 - eight (8) hours of supervised medication administration; and
 - no solo practice.

4. The Department and respondent respectfully request the Board to accept the proposed Consent Order.

CONFIDENTIALITY NOTICE: The documents attached may contain information that is confidential or privileged. Please do not disseminate, distribute or copy the contents or discuss with parties who are not directly involved in this petition. Thank you.

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
HEALTHCARE QUALITY AND SAFETY BRANCH**

In re: Kristen Kobylanski, LPN

Petition number: 2021-944

CONSENT ORDER

WHEREAS, Kristen Kobylanski ("respondent") of Cheshire, Connecticut has been issued licensed practical nurse license number 033313 by the Connecticut Department of Public Health ("Department") pursuant to Connecticut General Statutes Chapter 378, as amended.

WHEREAS, respondent admits:

1. At all relevant times, respondent was practicing nursing at Brandywine Living at Litchfield, Litchfield, Connecticut.
2. From approximately September 2020 through July 2021, respondent failed to conform to the accepted standards of the nursing profession in one or more of the following ways, in that she:
 - a. documented withdrawals of controlled substances without administering and/or failed to document administration of said controlled substances to multiple patients; and/or,
 - b. failed to maintain appropriate medical records.
3. The above-described facts constitute grounds for disciplinary action pursuant to Connecticut General Statutes §20-99(b), including but not limited to §20-99(b)(2).

WHEREAS, respondent, in consideration of this Consent Order, has chosen not to contest the above allegations of wrongdoing, agrees that for purposes of this or any future proceedings before the Board of Examiners for Nursing ("Board"), this Consent Order shall have the same effect as if

proven and ordered after a full hearing held pursuant to Connecticut General Statutes §§19a-9, 19a-10, and 20-99(a).

NOW THEREFORE, pursuant to Connecticut General Statutes §§19a-17 and 20-99(a), respondent hereby stipulates and agrees to the following:

1. Respondent waives respondent's right to a hearing on the merits of this petition.
2. Respondent shall comply with all federal and state statutes and regulations applicable to respondent's profession.
3. Respondent's licensed practical nurse license number 033313 is hereby reprimanded.
4. Respondent's licensed practical nurse license number 033313 is placed on probation for one (1) year, subject to the following terms and conditions:
 - A. If employed as a nurse, respondent shall provide a copy of this Consent Order to all current and future employers during the period of probation. The Department shall be notified in writing by any such employer(s) within fifteen (15) days of the commencement of employment as a nurse confirming receipt of a copy of this Consent Order.
 - B. Respondent shall not be employed as a nurse for a personnel provider service, assisted living services agency, staffing agency, homemaker-home health aide agency, or home health care agency, and shall not be self-employed as a nurse during the probationary period.
 - C. If employed as a nurse, respondent shall be responsible for providing monthly written reports directly to the Department from respondent's immediate nursing supervisor. Employer reports shall include documentation of respondent's ability to safely and

competently practice nursing, and shall be issued to the Department at the address cited in paragraph J below. A report indicating that respondent is not practicing with reasonable skill and safety shall be deemed to be a violation of this Consent Order.

- D. Respondent shall successfully complete coursework, pre-approved by the Department, within the first three (3) months of probation in documentation standards and medication administration. Within fourteen (14) days of the completion of each course, respondent shall provide the Department with proof, to the Department's satisfaction, of the successful completion of each course.
- E. Within three months of practicing as a nurse, respondent shall complete at least eight (8) hours of supervised medication administration ("medication administration"). Within fourteen (14) days of the completion of the medication administration, respondent shall provide the Department with proof, to the Department's satisfaction, of the successful completion of the medication administration.
- F. Respondent shall notify the Department in writing of any change of employment within fifteen (15) days of such change.
- G. Respondent shall notify the Department of any change in respondent's home or business address within fifteen (15) days of such change.
- H. All reports required by the terms of this Consent Order shall be due according to a schedule to be established by the Department of Public Health.
- I. If respondent pursues further training or is engaged at the time of the implementation of the Consent Order, in an educational program in any subject area that is regulated by the Department, respondent shall provide a copy of this Consent Order to the educational

institution or, if not an institution, to respondent's instructor. Such institution or instructor shall notify the Department of receipt of the Consent Order within fifteen (15) days of receipt.

J. All correspondence and reports shall be addressed to:

Practitioner Compliance and Monitoring Unit
Department of Public Health
410 Capitol Avenue, MS #12HSR
P.O. Box 340308
Hartford, CT 06134-0308

5. Any violation of the terms of this Consent Order without prior written approval by the Department shall constitute grounds for the Department to seek revocation of respondent's nursing license following notice and an opportunity to be heard.
6. Respondent shall pay all costs necessary to comply with this Consent Order.
7. Any extension of time or grace period for reporting granted by the Department shall not be a waiver or preclude the Department's right to act later. The Department shall not be required to grant future extensions of time or grace periods.
8. Legal notice of any action shall be deemed sufficient if sent to respondent's last known address of record reported to the Department.
9. This Consent Order is effective on the first day of the month immediately following the month in which this Consent Order is approved and accepted by the Board.
10. Respondent understands this Consent Order is a public record.
11. Respondent understands and agrees that the above-admitted violations in this Consent Order shall be deemed true in any subsequent proceeding before the Board in which (1) respondent's compliance with this same Consent Order is at issue, or (2) respondent's compliance with Connecticut General Statutes §20-99(b) of the, as amended, is at issue. Further, respondent

understands that any discipline imposed by this Consent Order shall be reported to the National Practitioner Data Bank maintained by the United States Department of Health and Human Services.

12. If respondent violates any term of this Consent Order, respondent agrees immediately to refrain from practicing as a nurse, upon request by the Department, for a period not to exceed forty-five (45) days. Respondent further agrees that failure to cooperate with the Department in its investigation during said forty-five (45) day period shall constitute grounds for the Department to seek a summary suspension of respondent's license. In any such summary action, respondent stipulates that failure to cooperate with the Department's investigation shall be considered by the Board and given due weight in determining whether respondent's conduct constitutes a clear and immediate danger as required pursuant to Connecticut General Statutes §§4-182(c) and 19a-17(c). Respondent understands that the Board has complete and final discretion whether a summary suspension is ordered.
13. If respondent does not practice nursing for thirty (30) consecutive days or longer, respondent shall notify the Department in writing. Such periods of times shall not be counted in reducing the probationary period covered by this Consent Order and such terms shall be held in abeyance. During such time, respondent shall not be responsible for complying with the terms of probation of this Consent Order. In the event respondent resumes the practice of nursing, respondent shall provide the Department with thirty (30) days prior written notice. Respondent shall not return to the practice of nursing without written pre-approval from the Department. Respondent agrees that the Department, in its complete discretion, may require additional documentation from respondent and/or require respondent to satisfy other conditions or terms as a condition precedent to respondent's return to practice.

Respondent agrees that any return to the practice of nursing without pre-approval from the Department shall constitute a violation of this Consent Order and may subject the respondent to further disciplinary action.

14. If, during the period of probation, respondent practices nursing outside Connecticut, respondent shall provide written notice to the Department concerning such practice. During such time, respondent shall not be responsible for complying with the terms of probation of this Consent Order, and such time shall not be counted in reducing the probationary period covered by this Consent Order. Respondent may comply with the terms of probation while practicing outside Connecticut if pre-approved by the Department. If respondent intends to return to the practice of nursing in Connecticut, respondent shall provide the Department with thirty (30) days prior written notice and agrees to comply with all probationary terms and conditions contained in paragraph 4 above.
15. If respondent violates any term of this Consent Order, said violation may also constitute grounds for the Department to seek a summary suspension of respondent's license before the Board.
16. This Consent Order and terms set forth herein are not subject to reconsideration, collateral attack or judicial review under any form or in any forum. Respondent agrees that this Consent Order shall not be subject to modification because of any claim that the terms contained herein may result in action by third parties, including, but not limited to, healthcare facilities and/or credentialing or licensure boards and respondent waives any right to seek reconsideration or modification of this Consent Order pursuant to Connecticut General Statutes §4-181a without the express consent and agreement of the Department. Respondent assumes all responsibility for assessing such actions prior to executing this Consent Order. Further, this Consent Order

is not subject to appeal or review under the provisions of Connecticut General Statutes Chapters 54 and 368a, provided that this stipulation shall not deprive respondent of any other rights that respondent has under Connecticut or United States law.

17. Respondent permits a representative of the Department to present this Consent Order and its factual basis to the Board. Respondent agrees that the Board has complete and final discretion whether an executed Consent Order is approved or accepted. Respondent waives any claim of error that could be raised that is related to or arises during the Board's discussions and review of documents regarding whether to approve or reject this Consent Order and/or a Board member's participation during this process, through the Board member's review or comments, including but not limited to bias or reliance on evidence outside the administrative record if this matter proceeds to a hearing on a statement of charges resulting in a proposed decision and/or final decision by the Board.
18. This Consent Order is a revocable offer of settlement, which may be modified by mutual agreement or withdrawn by the Department at any time prior to its being executed by the last signatory.
19. Respondent has been advised she has the right to consult with an attorney at any time including prior to signing this Consent Order.
20. The execution of this document has no bearing on any criminal liability without the written consent of the Director of the Medicaid Fraud Control Unit or the State's Attorney's Office where the allegation occurred or Bureau Chief of the applicable unit in the Chief State's Attorney's Office. The purpose of this Consent Order is to resolve the pending administrative license disciplinary petition only and is not intended to affect any civil or criminal liability or defense.

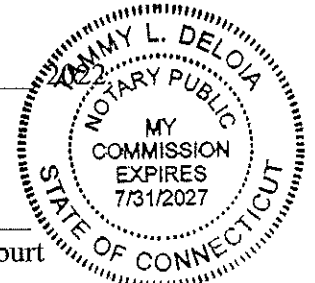
21. This Consent Order embodies the entire agreement of the parties with respect to this case. All previous communications or agreements regarding the subject matter of this consent order, whether oral or written, between the parties are superseded unless expressly incorporated herein or made a part hereof.

I, Kristen Kobylanski, have read the above Consent Order, and I agree to the terms set forth therein.

I further declare the execution of this Consent Order to be my free act and deed.

Kristen Kobylanski
Kristen Kobylanski

Subscribed and sworn to before me this 10th day of November



Tommy L. DeLoia
Notary Public/Commissioner Superior Court

The above Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 15th day of November, 2022, it is hereby accepted.

Christian D. Andresen
Christian D. Andresen, MPH, Section Chief
Practitioner Licensing and Investigations Section
Healthcare Quality and Safety Branch

The above Consent Order having been presented to the Connecticut Board of Examiners for Nursing on the _____ day of _____, 2022, it is hereby ordered and accepted.

BY: _____
Connecticut Board of Examiners for Nursing

MODIFICATION OF CONSENT ORDER COVER SHEET

In re: Gregory Orfitelli, R.N.

Petition No. 2022-714

1. Gregory Orfitelli, of Berlin, Connecticut (hereinafter "respondent") was issued license number 141118 to practice as a registered nurse in 2017.
2. Respondent graduated from the University of Connecticut School of Nursing in 2016.
3. Respondent disciplinary history: On November 1, 2020, a Consent Order in Petition 2019-946 came into effect that placed respondent's nursing license on probation for four (4) years. This Consent Order was due, in part, to respondent's abuse and/or excess use of hydromorphone, oxymorphone, alprazolam, cannabis, and/or alcohol
4. The Department alleges:
 - a. During the period March 14, 2022 to July 5, 2022, respondent was employed as a nurse at Rockville General Hospital, in Vernon, Connecticut.
 - b. In or about June, 2022, while working as a nurse at Rockville General Hospital, respondent diverted 31 capsules of Gabapentin, failed to completely, properly and/or accurately document medical or hospital records, and/or falsified one or more Controlled Substance Receipt Records.
 - c. In or about June 2022, and while under the terms of the Consent Order, respondent abused and/or utilized to excess Gabapentin.
 - d. Respondent's abuse and/or excess use of Gabapentin does, and/or may, affect his practice as a nurse.
 - e. Respondent's conduct as described above constitutes a violation of the terms of probation as set forth in the Consent Order, and constitute grounds for disciplinary action pursuant to the General Statutes of Connecticut, §19a-17, and/ or §20-99(b), including but not limited to §20-99(b)(2), §20-99(b)(5), and/or §20-99(b)(6).
5. The proposed Modification of Consent Order provides for:
 - a. The Consent Order is modified to order that for the six (6) months following the effective date of this Modification of Consent Order, respondent shall submit to weekly random observed urine screens as described in the Consent Order
 - b. All other terms and conditions of the Consent Order remain in effect.
6. Attached are the DPH Investigative report and Consent Order in Petition 2019-946
7. The Department and respondent respectfully request that the Board accept the proposed Consent Order.

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
HEALTHCARE QUALITY AND SAFETY BRANCH**

In re: Gregory Orfitelli, R.N.

Petition No. 2022-714

MODIFICATION OF CONSENT ORDER

WHEREAS Gregory Orfitelli, R.N., of Berlin, Connecticut (hereinafter "respondent") entered into a Consent Order in Petition No. 2019-946 effective November 1, 2020 ("Consent Order"), a true and complete copy of which is attached hereto marked as Attachment "A"); and

WHEREAS, the Consent Order, in part, placed respondent's license to practice nursing on probation for a period of four (4) years; and

WHEREAS, the Consent Order required, in part, that respondent shall not obtain or use controlled substances unless prescribed for a legitimate therapeutic purpose by a licensed health care professional; and

WHEREAS, in or about June 2022, respondent obtained and/or used Gabapentin without it having been prescribed for a legitimate therapeutic purpose by a licensed healthcare provider; and

WHEREAS, respondent's conduct as described above constitutes a violation of the terms of probation as set forth in the Consent Order, and subjects respondent's license to revocation or

other disciplinary action authorized by Connecticut General Statutes, §§19a-17 and 20-99(b);
and

WHEREAS, in or about June 2022, respondent abused and/or utilized to excess Gabapentin
which does, and/or may, affect his practice as a nurse; and

WHEREAS, the above facts constitute grounds for disciplinary action pursuant to the General
Statutes of Connecticut, §20-99(b)(5); and

WHEREAS, in or about June, 2022, while working as a nurse at Rockville General
Hospital, respondent diverted 31 capsules of Gabapentin, failed to completely, properly
and/or accurately document medical or hospital records, and/or falsified one or more
Controlled Substance Receipt Records; and

WHEREAS the above facts constitute grounds for disciplinary action pursuant to the General
Statutes of Connecticut, §20-99(b), including but not limited to §20-99(b)(2); and/or §20-
99(b)(6); and

NOW THEREFORE, the Consent Order is modified as follows:

1. The Consent Order is modified to order that for the six (6) months following the
effective date of this Modification of Consent Order, respondent shall submit to weekly
random observed urine screens as described in the Consent Order.

2. This Modification of Consent Order is effective upon the order and acceptance of the Connecticut Board of Examiners for Nursing ("Board"). All other terms and conditions of the Consent Order remain in effect.

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I, Gregory Orfitelli, R.N., have read the foregoing Modification of Consent Order, and I agree to the terms and conditions therein. I further declare the execution of this document to be my free act and deed.



Gregory Orfitelli, R.N.

Subscribed and sworn to before me this 8th day of December 2022



Notary Public or person authorized by law to administer an oath or affirmation **SHANEL K. BANKS**
NOTARY PUBLIC
MY COMMISSION EXPIRES FEB. 29, 2024

The above Modification of Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 14th day of December 2022, it is hereby accepted.

Christian Andresen

Christian Andresen, MPH, Section Chief
Practitioner Licensing and Investigations
Healthcare Quality and Safety Branch

The above Modification of Consent Order having been presented to the duly appointed agent of the Connecticut Board of Examiners for Nursing on the _____ day of _____ 2022, it is hereby ordered and accepted.

Connecticut Board of Examiners for Nursing

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
HEALTHCARE QUALITY AND SAFETY BRANCH**

In re: Allison Sewell, R.N.

Petition No.: 2020-53

CONSENT ORDER

WHEREAS, Allison Sewell, of Mansfield Center, Connecticut (hereinafter "respondent") has been issued license number 134500 by the Department of Public Health (hereinafter "the Department") pursuant to Chapter 378 of the General Statutes of Connecticut, as amended, and

WHEREAS, the Department alleges that:

1. In or about November 2019, respondent was disciplined by her employer for significant tardiness and absenteeism.
2. Respondent enrolled in a medication assisted treatment program, but relapsed on alcohol, cocaine and fentanyl.
3. In February 2020, respondent signed an Interim Consent Order.
4. Respondent's abuse and/or excess use of controlled substances and/or alcohol does and/or may, affect her ability to practice as a registered nurse.
5. The above-described facts constitute grounds for disciplinary action pursuant to the General Statutes of Connecticut, §20-99(b), including but not limited to §20-99(b)(2) and/or §20-99(b)(5).

WHEREAS, respondent, in consideration of this Consent Order, has chosen not to contest the above violations or allegations at a hearing before the Connecticut State Board of

Examiners for Nursing (hereinafter "the Board"). Respondent agrees that for the purpose of this or any future proceedings before the Board this Consent Order shall have the same effect as if ordered after a full hearing pursuant to §§19a-9, 19a-10 and 20-99(a) of the General Statutes of Connecticut.

NOW THEREFORE, pursuant to §§19a-14, 19a-17 and 20-99(b) of the General Statutes of Connecticut, respondent hereby stipulates and agrees to the following:

1. Respondent waives her right to a hearing on the merits of this matter.
2. Respondent shall comply with all federal and state statutes and regulations applicable to respondent's profession.
3. Respondent's license number 134500 to practice as a nurse in the State of Connecticut is hereby placed on probation for three years, subject to the following terms and conditions:
 - A. At respondent's own expense, respondent shall engage in therapy and counseling with a Connecticut licensed therapist (hereinafter "therapist") approved by the Department for the entire probationary period.
 - (1) Respondent shall provide a copy of this Consent Order to respondent's therapist.
 - (2) Respondent's therapist shall furnish written confirmation to the Department of his or her engagement in that capacity and receipt of a copy of this Consent Order within fifteen (15) days of the effective date of this Consent Order.
 - (3) If respondent's therapist determines that therapy is no longer necessary,

that a reduction in frequency of therapy is warranted, or that respondent should be transferred to another therapist, he or she shall advise the Department. Said termination of therapy, reduction in frequency of therapy, and/or respondent's transfer to another therapist, he or she shall advise the Department. Said termination of therapy, reduction in frequency of therapy, and/or respondent's transfer to another therapist shall not occur until approved by the Department. However, if therapy is terminated with approval of the Department, respondent's therapist shall continue to monitor her alcohol and drug free status by monitoring and reviewing the observed random urine screens for drugs and alcohol as described in paragraph 3B below, and by providing the reports described in paragraph 3C below.

- (4) The therapist shall immediately notify the Department in writing if respondent discontinues therapy and/or terminates his/her services.

B. Respondent shall not obtain or use controlled substances, legend drugs or alcohol in any form unless prescribed or recommended for a legitimate therapeutic purpose by a licensed health care professional authorized to prescribe medications. Respondent shall inform said health care professional of respondent's substance abuse history.

- (1) At respondent's own expense, respondent shall submit to observed random urine screens for drugs and alcohol, in accordance with Department Requirements for Drug and Alcohol Screens, attached hereto

marked as ("Attachment 'A': Department Requirements for Drug and Alcohol Screens") at a testing facility approved by the Board, after consultation with the Department, as ordered by the therapist and/or personal physician. Laboratory reports of random alcohol and drug screens shall be submitted directly to the Board and the Department by the testing laboratory. All such observed random drug and alcohol screens shall be legally defensible in that the specimen donor and chain of custody can be identified throughout the screening process. All laboratory reports shall indicate that the chain of custody procedure has been followed.

(2) Respondent shall be responsible for notifying the laboratory, therapist, the Department and respondent's prescribing practitioner of any drug(s) respondent is taking. For the prescription of a controlled substance(s) for more than two consecutive weeks, the respondent shall cause the provider prescribing the controlled substance(s) to submit quarterly reports to the Department, until such time as the controlled substance(s) are not prescribed by the provider, documenting the following:

1. A list of controlled substances prescribed by this provider for the respondent.
2. A list of controlled substance(s) prescribed by other providers;
3. An evaluation of the respondent's need for the controlled substance;
4. An assessment of the respondent's continued need for the controlled substance(s).

- (3) There must be at least one such observed random alcohol/drug screen and accompanying laboratory report every week for the first and third years of probation; and at least two such screens and reports every month for the second year of probation.
- (4) There must be at least two (2) random tests for Ethylglucuronide (EtG) and accompanying laboratory reports every month for the first and third year of probation and at least (1) such random test and report every month for the remainder of the probationary period.
- (5) All screens shall be a negative for the presence of drugs and alcohol. Respondent agrees that an EtG test report of EtG at level of 1000ng/mL or higher shall be deemed to constitute a positive screen for the presence of alcohol and under this Consent Order. Respondent understands and agrees that if respondent fails to submit a urine sample when requested by respondent's monitor, such missed screen shall be deemed a positive screen.
- (6) All positive screen results shall be confirmed by gas chromatograph / mass spectrometer (GC/MS) testing.
- (7) Respondent is hereby advised that the ingestion of poppy seeds, mouthwash and over the counter cough or cold medicines or remedies has from time to time, been raised as a defense to a positive screen result for morphine, opiates and/or alcohol and as a defense of an EtG at 1000ng/mL or higher. For that reason, respondent agrees to refrain

from ingesting poppy seeds in any food substances, mouthwash and over the counter cough or cold medicines or remedies during the term of this Consent Order. In the event respondent has a positive screen for morphine, opiates and/or alcohol or if respondent's test reports an EtG at 1000ng/mL or higher, respondent agrees that the ingestion of poppy seeds and/or mouthwash and/or over the counter cough or cold medicines or remedies shall not constitute a defense to such a screen.

- C. Respondent shall be responsible for the provision of written reports from respondent's therapist directly to the Department for the entire probationary period; monthly for the first and third years of probation; and, quarterly reports for the second year of probation. Such reports shall include documentation of dates of treatment, an evaluation of respondent's progress in treatment and of respondent's drug and alcohol-free status as established by the observed random urine screens for drugs and alcohol, an evaluation of respondent's ability to safely and competently practice nursing, and copies of all laboratory reports. A report indicating that respondent is not able to practice nursing safely and competently shall be deemed to be a violation of this Consent Order.
- D. Notwithstanding the foregoing, respondent's therapist shall immediately report to the Department any confirmed positive alcohol/drug screen and any conduct or condition on respondent's part which does and/or may violate any federal or state statute or regulation applicable to respondent's profession.

- E. Respondent shall provide a copy of this Consent Order to all current and future employers for the duration of probation.
- F. Respondent shall not be employed as a nurse for a personnel provider service, assisted living services agency, homemaker-home health aid agency or home health care agency, and shall not be self-employed as a nurse for the period of probation.
- G. Respondent shall not administer, count or have access to narcotics or other controlled substances, or have responsibility for such activities in the course of nursing duties for the first year after returning to work as a nurse.
- H. Respondent shall be responsible for the provision of written reports directly to the Department from respondent's nursing supervisor (i.e. Director of Nursing) monthly for the first and third years of her probation; and quarterly for the second year of probation. Respondent shall provide a copy of this Consent Order to any and all employers if employed as a nurse during the probationary period. The Department shall be notified in writing by an employer(s) within fifteen (15) days of the commencement of employment as to the receipt of a copy of this Consent Order. Employer reports shall include documentation of respondent's ability to safely and competently practice nursing, and shall be issued to the Department at the address cited in paragraph 3N below. A report indicating that respondent is not practicing with reasonable skill and safety shall be deemed to be a violation of this Consent Order.
- I. During the entire probationary period, respondent shall attend "anonymous" or

support group meetings on an average of eight to ten times per month, and shall provide quarterly reports to the Department concerning respondent's record of attendance.

- J. Respondent shall notify the Department in writing of any change of employment within fifteen (15) days of such change.
- K. Respondent shall notify the Department of any change in respondent's home or business address within fifteen (15) days of such change.
- L. If respondent pursues further training or is engaged at the time of the implementation of the Consent Order, in an educational program in any subject area that is regulated by the Department, respondent shall provide a copy of this Consent Order to the education institution or, if not an institution, to respondent's instructor. Such institution or instructor shall notify the Department of receipt of the Consent Order within fifteen (15) days of receipt.
- M. All reports required by the terms of this Consent Order shall be due according to a schedule to be established by the Department of Public Health.
- N. All correspondent and reports shall be addressed to:

Practitioner Compliance and Monitoring Unit
Department of Public Health
410 Capitol Avenue, MS #12HSR
P.O. Box 340308 Hartford, CT 06134-0308

- 4. Any violation of the terms of this Consent Order without prior written approval by the Department shall constitute grounds for the Department to seek revocation of respondent's nursing license following notice and an opportunity to be heard. Respondent shall pay all costs necessary to comply with this Consent Order.

5. Any extension of time or grace period for reporting granted by the Department shall not be a waiver or preclude the Department's right to take action at a later time. The Department shall not be required to grant future extensions of time or grace periods.
6. Legal notice of any action shall be deemed sufficient if sent to respondent's last known address of record reported to the Practitioner Licensing and Investigations Section of the Healthcare Quality and Safety Branch of the Department.
7. This Consent Order is effective on the first day of the month immediately following the month in which this Consent Order is approved and accepted by the Board.
8. Respondent understands this Consent Order is a matter of public record.
9. Respondent understands and agrees that this Consent Order shall be deemed as evidence of the above-admitted violations in any proceeding before the Board in which (1) respondent's compliance with this same Consent Order is at issue, or (2) respondent's compliance with §20-99(b) of the General Statutes of Connecticut, as amended, is at issue. Further, respondent understands that any discipline imposed by this Consent Order shall be reported to the National Practitioner Data Bank maintained by the United States Department of Health and Human Services.
10. In the event respondent violates a term of this Consent Order, respondent agrees immediately to refrain from practicing as a nurse, upon request by the Department, for a period not to exceed 45 days. During that time period, respondent further agrees to cooperate with the Department in its investigation of the violation, and to submit to and complete a medical, psychiatric or psychological evaluation, if requested to do so by the Department; and, that the results of the evaluation shall be submitted directly to the Department. Respondent further agrees that failure to cooperate with the

Department in its investigation during said 45-day period shall constitute grounds for the Department to seek a summary suspension of respondent's license. In any such summary action, respondent stipulates that failure to cooperate with the Department's investigation shall be considered by the Board and shall be given due weight by the Board in determining whether respondent's conduct constitutes a clear and immediate danger as required pursuant to Connecticut General Statutes, Sections 4-182(c) and 19a-17(c). The Department and respondent understand that the Board has complete and final discretion as to whether a summary suspension is ordered.

11. In the event respondent violates any term of this Consent Order, said violation may also constitute grounds for the Department to seek a summary suspension of respondent's license before the Board.
12. This Consent Order and terms set forth herein are not subject to reconsideration, collateral attack or judicial review under any form or in any forum. Respondent agrees that this Consent Order shall not be subject to modification as a result of any claim that the terms contained herein may result in action by third parties, including, but not limited to, healthcare facilities and/or credentialing or licensure boards, and respondent waives any right to seek reconsideration or modification of this Consent Order pursuant to §4-181a of the General Statutes of Connecticut without the express consent and agreement of the Department. Respondent assumes all responsibility for assessing such actions prior to the execution of this document. Further, this Consent Order is not subject to appeal or review under the provisions of Chapters 54 and 368a of the General Statutes of Connecticut, provided that this stipulation shall not deprive respondent of

any other rights that respondent may have under the laws of the State of Connecticut or of the United States.

13. Respondent permits a representative of the Department to present this Consent Order and the factual basis for this Consent Order to the Board. The Department and respondent agree that the Board has complete and final discretion as to whether an executed Consent Order is approved or accepted. Respondent hereby waives any claim of error that could be raised that is related to or arises during the course of the Board's discussions regarding whether to approve or reject this Consent Order and/or a Board member's participation during this process, through the Board member's review or comments, including but not limited to bias or reliance on evidence outside the administrative record if this matter proceeds to a hearing on a Statement of Charges resulting in a proposed decision and/or final decision by the Board.
14. This Consent Order is a revocable offer of settlement, which may be modified by mutual agreement or withdrawn by the Department at any time prior to its being executed by the last signatory.
15. Respondent has had the opportunity to consult with an attorney prior to signing this document.
16. The execution of this document has no bearing on any criminal liability without the written consent of the Director of the Medicaid Fraud Control Unit or the State's Attorney's Office where the allegation occurred or Bureau Chief of the applicable unit in the Chief State's Attorney's Office. The purpose of this Consent Order is to resolve the pending administrative license disciplinary petition only, and is not intended to affect any civil or criminal liability or defense. This Consent Order

embodies the entire agreement of the parties with respect to this case.

17. All previous communications or agreements regarding the subject matter of this Consent Order whether oral or written, between the parties are superseded unless expressly incorporated herein or made a part hereof.

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I, Allison Sewell, have read the above Consent Order, and I agree to the terms set forth therein. I further declare the execution of this Consent Order to be my free act and deed.

Allison Sewell

Subscribed and sworn to before me this _____ day of _____, 2022.

Notary Public or person authorized
by law to administer an oath or affirmation

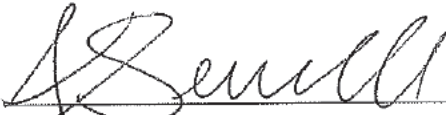
The above Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the _____ day of _____, 2022, it is hereby accepted.

Christian D. Andresen, MPH, Section Chief
Practitioner Licensing and Investigations Section
Healthcare Quality and Safety Branch

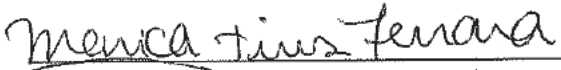
The above Consent Order having been presented to the duly appointed agent of the Connecticut Board of Examiners for Nursing on the _____ day of _____, 2022, it is hereby ordered and accepted.

BY: _____
Connecticut Board of Examiners for Nursing

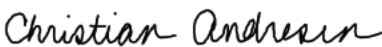
I, Allison Sewell, have read the above Consent Order, and I agree to the terms set forth therein. I further declare the execution of this Consent Order to be my free act and deed.


Allison Sewell

Subscribed and sworn to before me this 15th day of NOVEMBER, 2022.


Notary Public or person authorized
by law to administer an oath or affirmation

The above Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 1st day of December, 2022, it is hereby accepted.



Christian D. Andresen, MPH, Section Chief
Practitioner Licensing and Investigations Section
Healthcare Quality and Safety Branch

The above Consent Order having been presented to the duly appointed agent of the Connecticut Board of Examiners for Nursing on the _____ day of _____, 2022, it is hereby ordered and accepted.

BY: _____
Connecticut Board of Examiners for Nursing

CONSENT ORDER COVER SHEET

In re: Jared Spears R.N.

Petition No. 2021-559

1. Jared Spears of Schaumburg, Illinois (hereinafter "respondent") applied for a license to practice as a Registered Nurse in Connecticut on April 28, 2021 and was on the same date issued registered nurse temporary permit number 180088-TEMP to practice as a Registered Nurse in Connecticut.
2. Respondent graduated from St Francis Medical Center in Peoria, Illinois, in 2018
3. Respondent is licensed to practice as a nurse in Illinois, California, and Oregon.
4. Respondent disciplinary history: NA
5. Between on or about April 24, 2021 through on or about May 12, 2021, while working as a Registered Nurse in Connecticut, respondent inappropriately accessed the protected health information of two or more female patients in order to make unwanted advances on them.
6. The above described facts constitute grounds for disciplinary action pursuant to the General Statutes of Connecticut, §20-99, including, but not limited to §20-99(2)
7. Respondent's registered nurse temporary permit number 180088-TEMP expired as of August 26, 2021.
8. This Consent Order provides for a reprimand on the registered nurse temporary permit number 180088-TEMP.
9. Respondent will withdraw his pending application to practice as a Registered Nurse in Connecticut upon acceptance of this Consent Order by the Board of Examiners for Nursing.
10. The Department and respondent respectfully request that the Board accept the proposed Consent Order.

STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
HEALTHCARE QUALITY AND SAFETY BRANCH



In re: Jared Spears

Petition No. 2021-559

CONSENT ORDER

WHEREAS, Jared Spears of Schaumburg, Illinois (hereinafter "respondent") has been issued registered nurse temporary permit number 180088-TEMP to practice nursing by the Department of Public Health (hereinafter "the Department") pursuant to Chapter 378 of the General Statutes of Connecticut, as amended; and,

WHEREAS, Department alleges that:

1. Between on or about April 24, 2021 through on or about May 12, 2021, while working as a registered nurse in Connecticut, respondent inappropriately accessed the protected health information of two or more female patients in order to make unwanted advances on them.
2. The above described facts constitute grounds for disciplinary action pursuant to the General Statutes of Connecticut, §20-99, including, but not limited to §20-99(2)

WHEREAS, respondent, in consideration of this Consent Order, has chosen not to contest the above allegation(s) but, while admitting no guilt or wrongdoing, agrees that for purposes of this or any future proceedings before the Board of Examiners for Nursing (hereinafter "the Board"), this Consent Order shall have the same effect as if proven and ordered after a full hearing held pursuant to §§19a-10, 19a-14 and 20-99 of the General Statutes of Connecticut.

ESPACIO EN BLANCO



ESPACIO EN BLANCO



NOW THEREFORE, pursuant to §§19a-14, 19a-17 and 20-99 of the General Statutes of Connecticut, respondent hereby stipulates and agrees to the following:

1. Respondent waives respondent's right to a hearing on the merits of this matter.
2. Respondent's registered nurse temporary permit number 180088-TEMP to practice as a registered nurse in the State of Connecticut is hereby reprimanded.
3. Respondent shall comply with all state and federal statutes and regulations applicable to respondent's licensure.
4. Respondent shall pay all costs necessary to comply with this Consent Order.
5. Legal notice shall be sufficient if sent to respondent's last known address of record reported to the Practitioner Licensing and Investigations Section of the Healthcare Quality and Safety Branch of the Department.
6. This Consent Order is effective on the first day of the month immediately following the date this Consent Order is accepted and ordered by the Board.
7. Respondent understands and agrees that this Consent Order shall be deemed a public document and the above admitted violations shall be deemed true in any proceeding before the Board in which respondent's compliance with this Consent Order or with §20-99 of the General Statutes of Connecticut, as amended, is at issue. Further, the above admitted violations shall be deemed true in the event respondent applies for licensure by the Department. Additionally, respondent understands that any discipline imposed by this Consent Order shall be reported to the National Practitioner Data Bank maintained by the United States Department of Health and Human Services.
8. This Consent Order and terms set forth herein are not subject to reconsideration, collateral attack or judicial review under any form or in any forum. Respondent agrees that this Consent Order shall not be subject to modification as a result of any claim that the terms contained herein may result in action by third parties, including, but not limited to,



ESPACIO EN BLANCO



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healthcare facilities and/or credentialing or licensure boards and respondent waives right to seek reconsideration or modification of this Consent Order pursuant to §4-181 of the General Statutes of Connecticut without the express consent and agreement of the Department. Respondent assumes all responsibility for assessing such actions prior to the execution of this document. Further, this Consent Order is not subject to appeal or review under the provisions of Chapters 54 or 368a of the General Statutes of Connecticut, provided that this stipulation shall not deprive respondent of any rights that respondent may have under the laws of the State of Connecticut or of the United States.

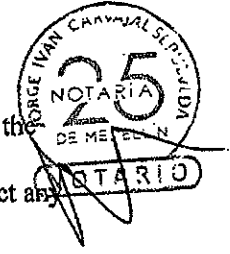


- 9. This Consent Order is a revocable offer of settlement which may be modified by mutual agreement or withdrawn by the Department at any time prior to its being executed by the last signatory.
- 10. Respondent permits a representative of the Department to present this Consent Order and the factual basis for this Consent Order to the Board. Respondent understands that the Board has complete and final discretion as to whether this executed Consent Order is approved or accepted. Respondent hereby waives any claim of error that could be raised that is related to or arises during the course of the Board's discussions regarding whether to approve or reject this Consent Order and/or a Board member's participation during this process, through the Board member's review or comments, including but not limited to bias or reliance on evidence outside the administrative record if this matter proceeds to a hearing on a statement of charges resulting in a proposed decision by the Board and/or a panel of the Board and a final decision by the Board.
- 11. Respondent has the right to consult with an attorney prior to signing this document.
- 12. The execution of this document has no bearing on any criminal liability without the written consent of the Director of the Medicaid Fraud Control Unit or the State's Attorney's Office where the allegation occurred or Bureau Chief of the applicable unit in

ESPACIO EN BLANCO



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the Chief State's Attorney's Office. The purpose of this Consent Order is to resolve the pending administrative license disciplinary petition only, and is not intended to affect any civil or criminal liability or defense.

- 13. This Consent Order embodies the entire agreement of the parties with respect to this case. All previous communications or agreements regarding the subject matter of this consent order, whether oral or written, between the parties are superseded unless expressly incorporated herein or made a part hereof.

NOTARIO

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ESPACIO EN BLANCO



ESPACIO EN BLANCO

I, Jared Spears, have read the above Consent Order, and I stipulate and agree to the terms as set forth therein. I further declare the execution of this Consent Order to be my free act and deed.



Jared Spears

Jared Spears

Subscribed and sworn to before me this 19 day of September 2022.

Notary Public or person authorized
by law to administer an oath or affirmation

The above Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 20th day of September 2022, it is hereby accepted.

Christian D. Andresen

Christian D. Andresen, MPH, Section Chief
Practitioner Licensing and Investigations Section
Healthcare Quality and Safety Branch

The above Consent Order having been presented to the duly appointed agent of the Board of Examiners for Nursing on the _____ day of _____ 2022, it is hereby ordered and accepted.

Board of Examiners for Nursing



REINSTATEMENT CONSENT ORDER
COVER SHEET

In re: Jemma R. Wettish, Unlicensed R.N.

Petition No. 2022-863

1. Jemma R. Wettish of East Hampton, Connecticut (hereinafter "respondent") graduated from Gateway Community College in 2013.
2. Respondent was issued license number 110632 (hereinafter "RN license") on March 20, 2013 to practice as a registered nurse by the Department of Public Health (hereinafter "the Department") pursuant to Chapter 378 of the Connecticut General Statutes, as amended.
3. On February 18, 2015, after finding, inter alia, that the respondent was diagnosed with opioid dependence and anxiety; that, on more than one occasion, respondent tested positive for morphine; that, on multiple occasions, the respondent abused heroin and/or used heroin to excess; and that respondent's abuse of heroin does, and/or may, affect her practice of registered nursing, the Connecticut Board of Examiners for Nursing (hereinafter the "Board") issued a Memorandum of Decision in Petition No. 2013-1132, wherein the Board ordered that respondent's RN license be revoked.
4. Subsequent to the revocation of respondent's RN license, respondent applied to the Department for a message therapist license.
5. On April 6, 2021, in Petition No. 2021-95, the Department accepted a prelicensure consent order (hereinafter the "PLCO"), that became effective that same day, and on April 14, 2021 and pursuant to Connecticut General Statutes Chapter 384a, the Department issued massage therapist license number 010848 to the respondent subject to the terms of the PLCO, which included probation with monitoring, therapy and therapist reports, drug and alcohol screens, a restriction of self-employment, and employer reports.
6. On November 16, 2022, the Board received and considered the Department's request for a review of the respondent's request for the reinstatement of her RN License. With its request, the Department submitted, for the Board's review, a proposed reinstatement consent order (hereinafter the "RICO"), a copy of the PLCO, a copy of a letter from respondent's therapist, a memorandum from the Department's Monitoring Unit providing a favorable assessment of the respondent's compliance with the terms of the PLCO, and a copy of the respondent's self-assessment. Following its review, the Board concluded that it would entertain the reinstatement of the respondent's RN license under the terms of the RICO provided the RICO was amended to expand the term of probation thereunder to three years, to add a requirement that the respondent take a refresher course, and to add a requirement that the respondent re-take and pass the National Council Licensure Examination, or NCLEX, exam.
7. Given the foregoing, the Department has amended the RICO in accordance with the foregoing and it has included a copy of the amended RICO herewith for the Board's consideration. A redlined version thereof has also been included herewith for the

Board's reference in reviewing the amendments to the RICO.

8. The Department and respondent respectfully request that the Board review, and approve, the attached RICO.

CONFIDENTIALITY NOTICE: This document and all attachments may contain information that is confidential or privileged. Please do not disseminate, distribute or copy the contents or discuss with parties who are not directly involved in this petition.

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
HEALTHCARE QUALITY AND SAFETY BRANCH**

In re: Jemma R. Wettish, Unlicensed R.N.

Petition No. 2022-863

REINSTATEMENT CONSENT ORDER

WHEREAS, Jemma R. Wettish of East Hampton, Connecticut (hereinafter "respondent") was issued license number 110632 (hereinafter "RN license") on March 20, 2013 to practice as registered nurse by the Department of Public Health (hereinafter "the Department") pursuant to Chapter 378 of the Connecticut General Statutes, as amended; and,

WHEREAS, on February 18, 2015, after finding, inter alia, that the respondent was diagnosed with opioid dependence and anxiety; that, on more than one occasion, respondent tested positive for morphine; that, on multiple occasions, the respondent abused heroin and/or used heroin to excess; and that respondent's abuse of heroin does, and/or may, affect her practice of registered nursing, the Connecticut Board of Examiners for Nursing (hereinafter the "Board") revoked respondent's RN license, and respondent has now applied to have said license reinstated by the Department pursuant to Chapter 368a of the Connecticut General Statutes, as amended; and,

WHEREAS, respondent hereby admits and acknowledges that:

1. Respondent's RN license was revoked on February 18, 2015.
2. Subsequent to respondent's RN license being revoked, respondent applied to the Department for a message therapist license.
3. On April 6, 2021, in Petition No. 2021-95, the Department accepted a prelicensure consent order (hereinafter the "PLCO") that became effective that same day and, on April 14, 2021 and

pursuant to Connecticut General Statutes Chapter 384a, the Department issued massage therapist license number 010848 to the respondent subject to the terms of the PLCO.

4. The terms of the PLCO included, in part, that: a.) the respondent's massage therapist license was to be placed on probation for four years; b.) the respondent was to engage in therapy and counseling for the entire probationary period, and the respondent's therapist was to submit reports to the Department monthly for the first and fourth years of probation and quarterly for the second and third years of probation; c.) the respondent was to submit to observed random urine screens once a week for the first and fourth years of probation and twice a month for the second and third years of probation, with all such urine screens being negative for the presence of drugs and alcohol; and d.) the respondent was not to be self-employed during the period of probation, and the respondent's supervisor was to submit reports to the Department monthly for the first and fourth years of probation and quarterly for the second and third years of probation.
5. The above cited facts and allegations constitute grounds for the denial of respondent's application for reinstatement of her RN license pursuant to §19a-14(a)(6) of the Connecticut General Statutes.

WHEREAS, respondent, in consideration of this Reinstatement Consent Order (hereinafter "RICO"), has chosen not to contest the above admitted allegations at a hearing in front of the Board.

Respondent further agrees that this RICO shall have the same effect as if ordered after a full hearing pursuant to §§19a-9, 19a-10, and 20-99(a) of the Connecticut General Statutes.

NOW THEREFORE, pursuant to §§19a-17 and 20-99 of the Connecticut General Statutes, as amended, respondent hereby stipulates and agrees as follows:

1. She waives her right to a hearing on the merits of the Board's decision as to whether her RN license should be reinstated.
2. Respondent's RN license shall be reinstated when respondent satisfies the requirements for reinstatement of her license, as set forth in §§ 19a-14-1 through 19a-14-5, inclusive, of the Regulations of Connecticut State Agencies, and this RICO is executed by all parties.
3. Respondent shall comply with all federal and state statutes and regulations applicable to respondent's profession.
4. Immediately upon reinstatement, respondent's license shall be restricted in that respondent is prohibited from the practice of nursing and may only use respondent's registered nurse license solely for participating in the coursework identified in paragraph 5 below. Respondent shall not return to the practice of nursing without written pre-approval from the Department. Respondent further understands that any return to the practice of nursing without written pre-approval from the Department shall constitute a violation of this Reinstatement Consent Order and may subject respondent to further disciplinary action.
5. Upon reinstatement, but prior to commencing the practice of a registered nurse, respondent shall, at respondent's own expense, attend and successfully complete a registered nurse refresher program which shall include a clinical component ("refresher program"), pre-approved by the Department, and respondent shall take and successfully pass the licensing examination for registered nurses offered by the National Council of State Boards of Nursing ("NCLEX"). Respondent shall be responsible for providing certification of respondent's successful completion of the refresher program to the Department, directly from the

educational institution where the refresher program was taken, within thirty (30) days of completion. Respondent shall incur all expenses associated with applying for and taking the registered nurse licensing examination (i.e. NCLEX-RN). Respondent shall obtain a passing score on the licensing examination for registered nurses (i.e. NCLEX-RN).

6. Immediately upon reinstatement, the respondent's RN license shall be placed on probation for a period of three years under the following terms and conditions:

A. At respondent's own expense, respondent shall engage in therapy and counseling with a Connecticut licensed therapist (hereinafter "therapist") pre-approved by the Department for the entire probationary period.

- i. Respondent shall provide a copy of this RICO to respondent's therapist.
- ii. Respondent's therapist shall furnish written confirmation to the Department of his or her engagement in that capacity and receipt of a copy of this RICO within fifteen (15) days of the effective date of this RICO.
- iii. If respondent's therapist determines that therapy is no longer necessary, that a reduction in frequency of therapy is warranted, or that respondent should be transferred to another therapist, he or she shall advise the Department. Said termination of therapy, reduction in frequency of therapy, and/or respondent's transfer to another therapist shall not occur until approved by the Department. However, if therapy is terminated with approval of the Department, respondent's therapist shall continue to monitor her alcohol and drug free status by monitoring and reviewing the observed random urine screens for drugs and alcohol as described in paragraph 6 B below, and by providing the reports described in paragraph 6 C below.

- iv. The therapist shall immediately notify the Department in writing if respondent discontinues therapy and/or terminates the therapist's services.
- B. Respondent shall not obtain or use controlled substances, legend drugs or alcohol in any form unless prescribed or recommended for a legitimate therapeutic purpose by a licensed health care professional authorized to prescribe medications. Respondent shall inform said health care professional of respondent's substance abuse history.
 - i. At respondent's own expense, respondent shall submit to observed random urine screens for drugs and alcohol in accordance with the Department Requirements for Drug and Alcohol Screens, attached hereto marked as ("Attachment 'A': Department Requirements for Drug and Alcohol Screens") at a testing facility approved by the Department, as ordered by the therapist and/or personal physician. Laboratory reports of random alcohol and drug screens shall be submitted directly to the Board and the Department by the testing laboratory. All such observed random drug and alcohol screens shall be legally defensible in that the specimen donor and chain of custody can be identified throughout the screening process. All laboratory reports shall indicate that the chain of custody procedure has been followed.
 - ii. Respondent shall be responsible for notifying the laboratory, therapist, the Department, and respondent's prescribing practitioner of any drug(s) respondent is taking. For the prescription of a controlled substance(s) for more than two consecutive weeks, the respondent shall cause the provider prescribing the controlled substance(s) to submit quarterly reports to the Department, until such time as the controlled substance(s) are not prescribed by the provider, documenting the following:

- a. A list of controlled substances prescribed by this provider for the respondent;
 - b. A list of controlled substance(s) prescribed by other providers;
 - c. An evaluation of the respondent's need for the controlled substance;
 - d. An assessment of the respondent's continued need for the controlled substance(s).
- iii. There must be at least one (1) such observed random alcohol/drug screen and accompanying laboratory report every week during the first and third years of probation; and at least two such screens and reports every month during the second year of probation.
- iv. There must be at least two (2) random tests for Ethylglucuronide (EtG) and accompanying laboratory reports every month during the first and third years of probation, and at least (1) such random test and report every month for the second year of probation.
- v. All screens shall be negative for the presence of drugs, alcohol. Respondent agrees that an EtG test report of EtG at a level of 1000ng/mL or higher shall be deemed to constitute a positive screen for the presence of alcohol under this RICO. Respondent understands and agrees that if respondent fails to submit a urine sample when requested by respondent's monitor, such missed screen shall be deemed a positive screen.
- vi. All positive screen results shall be confirmed by gas chromatograph/mass spectrometer (GC/MS) testing.
- vii. Respondent is hereby advised that the ingestion of poppy seeds, mouthwash and over the counter cough or cold medicines or remedies has from time to time, been raised

as a defense to a positive screen result for morphine, opiates and/or alcohol and as a defense of an EtG at 1000ng/mL or higher. For that reason, respondent agrees to refrain from ingesting poppy seeds in any food substances, mouthwash and over the counter cough or cold medicines or remedies during the term of this RICO. In the event respondent has a positive screen for morphine, opiates and/or alcohol or if respondent's test reports an EtG at 1000ng/mL or higher, respondent agrees that the ingestion of poppy seeds and/or mouthwash and/or over the counter cough or cold medicines or remedies shall not constitute a defense to such a screen.

- C. Respondent shall be responsible for the provision of written reports from respondent's therapist directly to the Department for the entire probationary period; monthly during the first and third years of probation; and quarterly during the second year of probation. Such reports shall include documentation of dates of treatment, an evaluation of respondent's progress in treatment and of respondent's drug and alcohol-free status as established by the observed random urine screens for drugs and alcohol, an evaluation of respondent's ability to practice nursing safely and competently, and copies of all laboratory reports. A report indicating that respondent is not able to practice nursing safely and competently shall be deemed to be a violation of this RICO.
- D. Notwithstanding the foregoing, respondent's therapist shall immediately report to the Department any confirmed positive alcohol/drug screen and any conduct or condition on respondent's part which does or may violate any federal or state statute or regulation applicable to respondent's profession.
- E. Respondent shall provide a copy of this RICO to all current and future employers for the duration of probation.

- F. Respondent shall not be employed as a nurse for a personnel provider service, assisted living services agency, homemaker - home health aide agency, or home health care agency, and shall not be self-employed as a nurse for the period of probation.
- G. Respondent shall not administer, count, or have access to narcotics or other controlled substances, or have responsibility for such activities in the course of nursing duties for the first year after returning to work as a nurse.
- H. Respondent shall be responsible for the provision of written reports directly to the Department from respondent's nursing supervisor (i.e., Director of Nursing) monthly during the first and third years of her probation; and quarterly during the second year of probation. Respondent shall provide a copy of this RICO to any and all employers if employed as a nurse during the probationary period. The Department shall be notified in writing by any employer(s) within fifteen (15) days of the commencement of employment as to the receipt of a copy of this RICO.

Employer reports shall include documentation of respondent's ability to safely and competently practice nursing, and shall be issued to the Department at the address cited in paragraph 6 N below. A report indicating that respondent is not practicing with reasonable skill and safety shall be deemed to be a violation of this RICO.
- I. During the entire probationary period, respondent shall attend "anonymous" or support group meetings on an average of eight to ten times per month, and shall provide quarterly reports to the Department concerning respondent's record of attendance.
- J. Respondent shall notify the Department in writing of any change of employment within fifteen (15) days of such change.

- K. Respondent shall notify the Department of any change in respondent's home or business address within fifteen (15) days of such change.
- L. If respondent pursues further training or is engaged at the time of the implementation of the RICO, in an educational program in any subject area that is regulated by the Department, respondent shall provide a copy of this RICO to the educational institution or, if not an institution, to respondent's instructor. Such institution or instructor shall notify the Department of receipt of the RICO within fifteen (15) days of receipt.
- M. All reports required by the terms of this RICO shall be due according to a schedule to be established by the Department of Public Health.
- N. All correspondence and reports shall be addressed to:

Practitioner Compliance and Monitoring Unit
Department of Public Health
410 Capitol Avenue, MS #12HSR
P.O. Box 340308
Hartford, CT 06134-0308

- 7. Any violation of the terms of this Consent Order without prior written approval by the Department shall constitute grounds for the Department to seek revocation of respondent's nursing license following notice and an opportunity to be heard.
- 8. Respondent shall pay all costs necessary to comply with this Consent Order.
- 9. Any extension of time or grace period for reporting granted by the Department shall not be a waiver or preclude the Department's right to take action at a later time. The Department shall not be required to grant future extensions of time or grace periods.
- 10. Legal notice shall be sufficient if sent to respondent's last known address of record reported to the Practitioner Licensing and Investigations Section of the Healthcare Quality and Safety Branch of the Department.

11. This RICO is effective when accepted and approved by a duly appointed agent of the Department.
12. Respondent understands that this RICO is a matter of public record.
13. Respondent understands and agrees that this RICO shall be deemed as evidence of the above admitted violations in any proceeding before the Board in which (1) his/her compliance with this same RICO is at issue, or (2) respondent's compliance with Chapter 378 of the Connecticut General Statutes, as amended, is at issue. Further, respondent understands that any discipline imposed by this RICO shall be reported to the National Practitioner Data Bank maintained by the United States Department of Health and Human Services.
14. In the event respondent violates a term of this RICO, respondent agrees immediately to refrain from practicing as a nurse, upon request by the Department, for a period not to exceed 45 days. During that time period, respondent further agrees to cooperate with the Department in its investigation of the violation, and to submit to and complete a medical, psychiatric or psychological evaluation, if requested to do so by the Department; and, that the results of the evaluation shall be submitted directly to the Department. Respondent further agrees that failure to cooperate with the Department in its investigation during said 45-day period shall constitute grounds for the Department to seek a summary suspension of respondent's license. In any such summary action, respondent stipulates that failure to cooperate with the Department's investigation shall be considered by the Board and shall be given due weight by the Board in determining whether respondent's conduct constitutes a clear and immediate danger as required pursuant to Connecticut General Statutes, sections 4-182(c) and 19a-17(c). The Department and respondent understand that the Board has complete and final discretion as to whether a summary suspension is ordered.

15. If, during the period of probation, respondent practices nursing outside Connecticut, respondent shall provide written notice to the Department concerning such practice. During such time, respondent shall not be responsible for complying with the terms of probation of this RICO, and such time period shall not be counted in reducing the probationary period covered by this RICO. Respondent may comply with the terms of probation while practicing outside Connecticut if pre-approved by the Department. In the event respondent intends to return to the practice of nursing in Connecticut, respondent shall provide the Department with thirty (30) days prior written notice and agrees to comply with all terms and conditions contained in paragraph 6 above.
16. In the event respondent violates any term of this RICO, said violation may also constitute grounds for the Department to seek a summary suspension of respondent's license before the Board.
17. This RICO and the terms set forth herein are not subject to reconsideration, collateral attack or judicial review under any form or in any forum. Respondent agrees that this RICO shall not be subject to modification as a result of any claim that the terms contained herein may result in action by third parties, including, but not limited to, healthcare facilities and/or credentialing or licensure boards and respondent waives any right to seek reconsideration or modification of this RICO pursuant to §4-181a of the Connecticut General Statutes without the express consent and agreement of the Department. Respondent assumes all responsibility for assessing such actions prior to the execution of this document. Further, this RICO is not subject to appeal or review under the provisions of Chapters 54 or 368a of the Connecticut General Statutes provided that this stipulation shall not deprive respondent of any other rights that respondent may have under the laws of the State of Connecticut or of the United States.

18. Respondent permits a representative of the Department to present this RICO and the factual basis for this RICO to the Board. The Department and respondent agree that the Board has complete and final discretion as to whether an executed RICO is approved or accepted. Respondent hereby waives any claim of error that could be raised that is related to or arises during the course of the Board's discussions regarding whether to approve or reject this RICO and/or a Board member's participation during this process, through the Board member's review or comments, including but not limited to bias or reliance on evidence outside the administrative record if this matter proceeds to a hearing on a statement of charges resulting in a proposed decision and/or final decision by the Board.
19. This RICO is a revocable offer of settlement which may be modified by mutual agreement or withdrawn by the Department at any time prior to its being executed by the last signatory.
20. Respondent has the right, and she has had the opportunity, to consult with an attorney prior to signing this document.
21. The execution of this document has no bearing on any criminal liability without the written consent of the Director of the Medicaid Fraud Control Unit or the Bureau Chief of the Division of Criminal Justice's Statewide Prosecution Bureau. The purpose of this RICO is to resolve the pending administrative license disciplinary petition only, and it is not intended to affect any civil or criminal liability or defense.
22. This RICO embodies the entire agreement of the parties with respect to the resolution of this matter. All previous communications or agreements regarding the subject matter of this RICO, whether oral or written, between the parties are superseded unless expressly incorporated herein or made a part hereof.

I, Jemma R. Wettish, have read the above RICO, and I agree to the terms and allegations set forth therein. I further declare the execution of this RICO to be my free act and deed.

Jemma R. Wettish
Jemma R. Wettish

Subscribed and sworn to before me this 30th day of November 2022.

Delmys Velez
Notary Public or person authorized by law to administer an oath or affirmation
DELMYS VELEZ
Notary Public, Connecticut
My Commission Expires June 30, 2027



The above RICO having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 30th day of November 2022, it hereby ordered and accepted.

Christian D. Andresen

Christian D. Andresen, MPH, Section Chief
Practitioner Licensing and Investigations Section
Healthcare Quality and Safety Branch

The above Consent Order having been presented to the duly appointed agent of the Connecticut Board of Examiners for Nursing on the _____ day of _____, 2022, it is hereby ordered and accepted.

BY: _____
Connecticut Board of Examiners for Nursing

**STATE OF CONNECTICUT
BOARD OF EXAMINERS FOR NURSING**

Sarah Croteau, L.P.N.
License no. 025849

Petition No. 2021-739

MEMORANDUM OF DECISION

I

Procedural Background

On October 21, 2021, the Department of Public Health ("Department") filed a Statement of Charges ("Charges") with the Board of Examiners for Nursing ("Board"). Board ("Bd.") Exhibit ("Ex.") 1. The Charges allege violations of Chapter 378 of the Connecticut General Statutes ("Conn. Gen. Stat.") by Sarah Croteau ("Respondent"), which would subject Respondent's licensed practical nurse ("L.P.N.") license to disciplinary action pursuant to Conn. Gen. Stat. §§ 19a-17(f) and 20-99(b)(2), (6). Bd. Ex. 1.

On the same date, the Department filed a Motion for Summary Suspension ("Motion") with the Board, which was granted. Bd. Ex. 2. Based on the allegations in the Charges, the affidavits, and relevant reports attached to the Motion, the Board found that Respondent's continued nursing practice presented a clear and immediate danger to public health and safety. On November 17, 2021, pursuant to Conn. Gen. Stat. §§ 4-182(c) and 19a-17(c), the Board ordered that Respondent's L.P.N. license be summarily suspended pending a final determination by the Board of the allegations contained in the Charges ("Summary Suspension Order"). Bd. Ex. 3.

On November 18, 2021, the Charges, Summary Suspension Order, and a Notice of Hearing ("Notice") were sent to Respondent by first class mail, to 34 Glen Rd. Fl 2, Sandy Hook, CT 06482-1124, which is Respondent's address of record on file with the Department. Bd. Ex. 3 & 4. Also, on the same date, the Charges, Summary Suspension Order and Notice were emailed to Respondent's email address of record on file with the Department. Respondent's email address is sarah.croteau64@gmail.com. Bd. Ex. 5.

On January 4, 2022, the Department sent by email a Notice of Rescheduled Hearing to Respondent in which she was informed that the hearing was rescheduled to convene on January 19, 2022. Bd. Ex. 6.

On January 18, 2022, Respondent contacted the Hearing Office by email to inform the Department that she would be unable to attend the January 19, 2022, hearing and to explain that any medical errors she may have committed were not due to alcohol or drugs. Rather, her email explained that on July 18, 2021, she had a stroke. Bd. Ex. 7.

On January 19, 2022, the Board held the first day of the hearing. Neither Respondent nor an attorney representing Respondent appeared at the hearing. Tr. 1/19/2022, p. 3. Attorney Aden Baume represented the Department. After reviewing Respondent's email to the Hearing Office, which explained her inability to attend the hearing, the Board voted to continue the hearing until May 18, 2022. However, there was no hearing on May 18, 2022. Tr. 1/19/2022, pp. 5-10; Tr. 7/20/2022, p. 3.

On May 19, 2022, the Department sent to Respondent by email a second Notice of Rescheduled Hearing. Bd. Ex. 8. The new hearing date was July 20, 2022. *Id.*

On July 20, 2022, the Board reconvened for the second day of hearing in this matter. Neither Respondent nor an attorney representing Respondent appeared on July 20, 2022. Tr. 7/20/2022, p. 3. Attorney Aden Baume represented the Department. Tr. 7/20/2022, p. 3.

As a preliminary matter, Attorney Baume orally moved to amend the Charges to reflect the correct spelling of Respondent's first name by adding an "h" to her first name. Tr. 7/20/2022, p. 4. The Board granted the Department's motion. Tr. 7/20/2022, pp. 4-5.

Respondent failed to file an Answer to the Charges. Tr. 1/19/2022, pp. 7-8; Tr. 7/20/2022, pp. 7-9.

On July 20, 2022, the Department moved orally on the record to deem allegations admitted (Tr. 7/20/2022, pp. 7-9), which the Board granted unanimously. Tr. 7/20/2022, pp. 8-9.

Following the close of the record, which was comprised of documents from the Board and the Department, but not witness testimony, the Board conducted fact finding.

Each member of the Board involved in this decision attests that he or she was present at the hearing or has reviewed the record, and that this decision is based entirely on the record, the law, and the Board's specialized professional knowledge in evaluating the evidence. *Pet v. Department of Health Services*, 228 Conn. 651 (1994).

II

Allegations

1. In paragraph 1 of the Charges, the Department alleges that Respondent of Sandy Hook, Connecticut is, and has been at all times, referenced in the Charges, the holder of Connecticut L.P.N. license no. 025849.
2. In paragraph 2 of the Charges, the Department alleges that at all relevant times, Respondent was employed as a nurse at The Curtis Home in Meriden, Connecticut.
3. In paragraph 3 of the Charges, the Department alleges that on or about July 18, 2021, while working as a nurse at The Curtis Home, in Meriden, Connecticut, Respondent:
 - a. Diverted 30 tablets of oxycodone;
 - b. Failed to document completely, properly and/or accurately medical or hospital records; and/or
 - c. Falsified one or more Controlled Substance Receipt Records.
4. In paragraph 4 of the Charges, the Department alleges that the above facts constitute grounds for disciplinary action pursuant to Conn. Gen. Stat. § 20-99(b), including but not limited to:
 - a. § 20-99(b)(2); and/or,
 - b. § 20-99(b)(6).

III

Findings of Fact

1. On November 18, 2021, the Charges, Summary Suspension Order, and a Notice were sent to Respondent by first class mail, to 34 Glen Rd. Fl 2, Sandy Hook, CT 06482-1124, which is Respondent's address of record on file with the Department. Bd. Ex. 1-5. Also, on the same date, the Charges, Summary Suspension Order and Notice were emailed to Respondent's email address of record on file with the Department. Respondent's email address is sarah.croteau64@gmail.com. Bd. Ex. 4-5.
2. On January 4, 2022, the Department emailed a Notice of Rescheduled Hearing to Respondent which continued the hearing to January 19, 2022. Bd. Ex. 6.
3. On January 18, 2022, Respondent emailed the Department to inform the Board that she would not be able to attend the January 19, 2022, hearing. Bd. Ex. 7.
4. On January 19, 2022, neither Respondent nor an attorney representing Respondent appeared at the hearing. The Board continued the hearing until May 18, 2022, without a request from Respondent for a continuance of the hearing. Tr. 1/19/2022, pp. 5-10; Tr. 7/20/2022, p. 3.

5. On May 18, 2022, Respondent was not scheduled to appear for the second day of hearing. May 18, 2022, BOEN agenda.
 6. On May 18, 2022, the Department sent an email to Respondent a second Notice of Rescheduled Hearing. Bd. Ex. 8. The hearing was continued to July 20, 2022. *Id.*
 7. On May 19, 2022, Respondent contacted Attorney Baume and stated that she would not be present at the July 20, 2022, hearing, but instructed the Department to proceed without her or any legal representation. Video recording of July 20, 2022, hearing.
 8. On July 20, 2022, the Board reconvened the second day of hearing in this matter. Neither Respondent nor an attorney representing Respondent appeared on July 20, 2022. Respondent did not request a continuance. Tr. 7/20/2022, p. 3.
8. The factual allegations contained in paragraphs 1 through 3 of the Charges are deemed admitted and true. Tr. 7/20/2022, pp. 7-9.
 9. The Department proved the follow facts by a preponderance of the evidence:
 - a. Respondent of Sandy Hook, Connecticut is, and has been at all times, referenced in the Charges, the holder of Connecticut L.P.N. license no. 025849. Dept. Ex.1A; Bd. Ex. 5.
 - b. At all relevant times, Respondent was employed as a nurse at The Curtis Home in Meriden, Connecticut. Dept. Ex. 1A-2A.
 - c. On or about July 18, 2021, while working as a nurse at The Curtis Home, in Meriden, Connecticut, Respondent:
 - i. Diverted 30 tablets of oxycodone;
 - ii. Failed to document completely, properly and/or accurately medical or hospital records; and/or
 - iii. Falsified one or more Controlled Substance Receipt Records. Dept. Ex. 1A, 2A, 1E-3E.
 - d. The above facts constitute grounds for disciplinary action pursuant to Conn. Gen. Stat. § 20-99(b), including but not limited to Conn. Gen. Stat. § 20-99(b)(2); and/or § 20-99(b)(6).

IV

Discussion and Conclusions of Law

The Department bears the burden of proof by a preponderance of the evidence in this matter. *Jones v. Connecticut Medical Examining Board*, 309 Conn. 727, 739-740 (2013). The Department sustained its burden of proof with regard to the allegations contained in the Charges. Conn. Gen. Stat. § 20-99 provides, in pertinent part, that:

- (a) The Board shall have jurisdiction to hear all charges of conduct which fails to conform to the accepted standards of the nursing profession brought against persons

licensed to practice nursing. After holding a hearing said board, if it finds such person to be guilty, may revoke or suspend his or her license or take any of the actions set forth in section 19a-17

- (b) Conduct which fails to conform to the accepted standards of the nursing profession includes, but is not limited to, the following: (2) illegal conduct, incompetence or negligence in carrying out usual nursing functions; (6) fraud or material deception in the course of professional services or activities.

Under Conn. Gen. Stat. §§ 20-99(b)(2) and 20-99(b)(6) , the Board can discipline the license of a nurse who “fails to conform to the accepted standards of practice of the nursing profession, including, illegal conduct, incompetence or negligence in carrying out usual nursing functions and fraud or material deception in the course of professional services or activities.”

Since Respondent did not file an Answer, the allegations are deemed admitted. *See*, Conn. Agencies Regs. § 19a-9-20. In addition, based on the sufficient and credible evidence present, the Department established by a preponderance of evidence that on or July 18, 2021, while working as a nurse at The Curtis Home, in Meriden, Connecticut, Respondent diverted 30 tablets of oxycodone; failed to document completely, properly, and/or accurately medical or hospital records; and/or falsified one or more Controlled Substance Disposition Records (“CSDR”).

With regard to the allegations contained in paragraph 3 of the Charges, the record sufficiently establishes that on July 18, 2021, at approximately 7:15 p.m., Baylor Nursing Supervisor, Princess Cabahug, R. N., started her rounds of the “A wing” of The Curtis Home. Nurse Cabahug saw Respondent, who was the “A wing nurse,” in the hallway standing near her medication cart. Respondent had her head down and her knees were bent. It looked like she was about to fall. Nurse Cabahug called Respondent by her first name, but she did not answer immediately. Nurse Cabahug observed that Respondent appeared to be very sleepy, she was sweating profusely, and her skin was clammy. Respondent told Nurse Cabahug that she was okay, but she was hot and had not eaten anything. Nurse Cabahug gave Respondent something to drink and some food to eat and checked her vital signs and blood sugar, which were normal. Respondent was still very sleepy and slow to respond at times. Respondent was described as still disoriented, at times was euphoric and other times sporadically crying. Dept. Ex. 1, pp. 1-3; Dept. Ex. 2, pp. 2-4; Dept. Ex. 5, p. 1; Dept. Ex. 6, p. 1.

Subsequently Nurse Cabahug asked Respondent for her keys to the “A wing” medication cart. Nurse Cabahug counted the narcotic cards on Respondent’s medication cart for the “A wing.” No one else had keys or access to the “A wing narcotic cart.” The count was off by one; Respondent initially had 21 narcotic cards, but only 20 narcotic cards were counted. Respondent was not able to explain why the blister card count was off by one. Dept. Ex. 2, p. 3. “B wing” nurse Andre Johnson, verified the count and also observed Respondent’s behavior. Dept. Ex. 1, p. 2; Dept. Ex. 2, pp. 3; Dept. Ex. 6, p. 1

Nurse Johnson checked a trash can near where Respondent was sitting because it appeared that she was trying to get rid of some garbage from the “A wing.” When Nurse Johnson checked the trash can, he discovered an empty narcotic card with a patient’s name crossed out in black ink and a CSDR narcotic sheet torn in several pieces. The 5 mg. oxycodone blister card appeared to be covered in milk and the card was empty. Respondent continued to be disoriented and continued to fall asleep intermittently while sitting at a desk. Dept. Ex. 1, pp. 1-3; Dept. Ex. 2, pp. 2-4; Dept. Ex. 5, p. 1; Dept. Ex. 6, p. 1. Respondent refused to seek medical care; instead, Respondent left the facility via an Uber ride. Dept. Ex. 1, p. 2.

Two agents from the CT Department of Consumer Protection, Drug Control Division, investigated Respondent’s alleged diversion of 30 oxycodone tablets (a schedule II-controlled substance). Dept. Ex. 1, pp. 2-3; Dept. Ex. 2, pp. 2-4. As part of their investigation, neither Drug Control agent was able to contact Respondent to take her statement since she did not respond to their phone calls or emails. Dept. Ex. 2, pp. 3-4.

In subsequent emails from Respondent to the Department, she suggested that her alleged misconduct was due to her having a “major stroke” and that the stroke impaired her ability to practice. She denied being under the influence of alcohol or drugs. Bd. Ex. 7. Her email also claimed that she went to a hospital that evening. *Id.* The record, however, is devoid of any evidence that Respondent indeed suffered a stroke on July 18, 2021 or that she sought medical care for her condition that evening.

Based on the foregoing evidence in the record, the Department established by a preponderance of the evidence that Respondent’s diversion of 30 oxycodone tablets constituted illegal conduct in carrying out her usual nursing functions. Respondent’s failure to document a patient’s medical record completely, properly and/or accurately and/or Respondent’s ripping apart of the patient’s corresponding CSDR sheet constitutes fraud or material deception in the

course of her professional services or activities. Moreover, the allegations set forth in the Charges were deemed admitted. Thus, Respondent's conduct violated both Conn. Gen. Stat. §§ 20-99(b)(2) and 20-99(b)(6).

Therefore, the Board concludes that Respondent's conduct, as alleged in paragraphs 1 through 3 of the Charges, is proven and deemed to be admitted and true, and constitutes grounds for disciplinary action pursuant to Conn. Gen. Stat. §§ 20-99(b)(2), 20-99(b)(6), and § 19a-17.

Order

Based on the record in this case, the above findings of fact and conclusions of law, the Board hereby orders that Respondent's license number 025849 to practice as a L.P.N, in the State of Connecticut is hereby REVOKED.

This Memorandum of Decision becomes effective on the date signed by the Board. The Board hereby informs Respondent, Sarah Croteau, and the Department of this decision.

Dated at Hartford, Connecticut this _____ day of December 2022.

BOARD OF EXAMINERS FOR NURSING

By _____
Patricia C. Bouffard, D.N.Sc., Chair

**STATE OF CONNECTICUT
BOARD OF EXAMINERS FOR NURSING**

Lynn Dougan, R.N.
License no. E50789

Petition No. 2021-1192

MEMORANDUM OF DECISION

I

Procedural Background

On May 11, 2022, the Department of Public Health ("Department") filed a Statement of Charges ("Charges") with the Board of Examiners for Nursing ("Board"). Board ("Bd.") Exhibit ("Ex.") 1. The Charges allege violations of Chapter 378 of the Connecticut General Statutes ("Conn. Gen. Stat.") by Lynn Dougan ("Respondent"), which would subject Respondent's registered nurse ("R.N.") license to disciplinary action pursuant to Conn. Gen. Stat. §§ 19a-17 and 20-99(b)(2). Bd. Ex. 1.

On the same date, the Department filed a Motion for Summary Suspension ("Motion") with the Board, which was granted. Bd. Ex. 2. Based on the allegations in the Charges, the May 6, 2022, affidavit of Health Services Social Work Consultant, Paula DelGREGO (Department Ex. 6) and the relevant reports attached to the Motion, the Board found that Respondent's continued nursing practice presented a clear and immediate danger to public health and safety. On May 18, 2022, pursuant to Conn. Gen. Stat. §§ 4-182(c) and 19a-17(c), the Board ordered that Respondent's R.N. license be summarily suspended pending a final determination by the Board of the allegations contained in the Charges ("Summary Suspension Order"). Bd. Ex. 3.

On May 18, 2022, the Charges, Summary Suspension Order, and a Notice of Hearing ("Notice") were sent to Respondent by first class mail, to 44 Germain Avenue, Southington, CT 06489, which is Respondent's address of record on file with the Department. Bd. Ex. 4; Department ("Dept.") Ex., 1, p. 1; Tr. p. 5. This correspondence was also emailed to Respondent's email address of record (Ldouganrn@yahoo.com) on file with the Department. Bd. Ex. 4. Neither the first-class mail was returned to the Department nor is there any evidence in the record that the email transmission was undeliverable. Tr. pp. 4-5.

On June 1, 2022, the hearing was held. Tr. 6/1/22 Respondent did not file an Answer to the Charges. Tr. pp. 5, 7. Respondent did not appear and was not represented by an

attorney. Tr. pp. 3, 7-8. Attorney Aden Baume represented the Department. The Department orally moved on the record to deem the allegations admitted (“Motion”). Tr. p. 7. The Board granted the Motion. Tr. p. 9. Following the close of the record, the Board conducted fact finding.

Each member of the Board involved in this decision attests that he or she was present at the hearing or has reviewed the record, and that this decision is based entirely on the record, the law, and the Board’s specialized professional knowledge in evaluating the evidence. *Pet v. Department of Health Services*, 228 Conn. 651 (1994).

II

Allegations

1. In paragraph 1 of the Charges, the Department alleges that Respondent of Southington, Connecticut is, and has been at all times, referenced in the Charges, the holder of Connecticut R.N. license no. E50789.
2. In paragraph 2 of the Charges, the Department alleges that at all times, Respondent was employed as a nurse at the Trustaff Staffing Agency, placed in a Post-Anesthesia Care Unit (“PACU”) at Tri City Medical Center in Oceanside, CA.
3. In paragraph 3 of the Charges, the Department alleges that on or about August 26, 2021, while working as a nurse, Respondent abused and/or used alcohol to excess.
4. In paragraph 4 of the Charges, the Department alleges that Respondent’s abuse and/or use of alcohol to excess may affect her practice as a nurse.
5. In paragraph 5 of the Charges, the Department alleges that the above facts constitute grounds for disciplinary action pursuant to Conn. Gen. Stat. § 20-99(b), including but not limited to § 20-99(b)(2).

III

Findings of Fact

1. Respondent of Southington, Connecticut is, and has been at all times, referenced in the Charges, the holder of Connecticut R.N. license no. E50789. Dept. Ex. 1, p. 1.
2. On May 18, 2022, the Charges, Summary Suspension Order, and Notice were sent to Respondent by first class mail, to 44 Germainia Avenue, Southington, CT 06489, which is Respondent’s address of record on file with the Department. Bd. Ex. 4; Dept. Ex. p. 1; Tr. p. 5.

3. On May 18, 2022, this correspondence was also emailed to Respondent's email address of record (Ldouganrn@yahoo.com) on file with the Department. *Id.* Neither the first-class mail was returned to the Department nor is there any evidence in the record that the email transmission was undeliverable. Tr. pp. 4-5.
4. On May 18, 2022, neither Respondent nor an attorney representing Respondent appeared at the hearing. Respondent did not request a continuance of the hearing. Tr. pp. 4-5, 7, 9.
5. All reasonable efforts were made to effectuate service. Bd. Ex. 4; Dept. Ex. p. 1; Tr. pp. 4-5, 7, 9.
6. The factual allegations contained in paragraphs 1 through 4 of the Charges are deemed admitted and true. Tr. pp. 7, 9.
7. The Department proved the following facts by a preponderance of the evidence:
 - a. At all times, Respondent was employed as a nurse at the Trustaff Staffing Agency, placed in a Post-Anesthesia Care Unit ("PACU") at Tri City Medical Center in Oceanside, CA.
 - b. On or about August 26, 2021, while working as a nurse, Respondent abused and/or used alcohol to excess.
 - c. Respondent's abuse and/or use of alcohol to excess may affect her practice as a nurse.
 - d. The facts constitute grounds for disciplinary action pursuant to Conn. Gen. Stat. § 20-99(b), including but not limited to § 20-99(b)(2).

IV

Discussion and Conclusions of Law

The Department bears the burden of proof by a preponderance of the evidence in this matter. *Jones v. Connecticut Medical Examining Board*, 309 Conn. 727, 739-740 (2013). The Department sustained its burden of proof with regard to the allegations contained in the Charges.

Conn. Gen. Stat. § 20-99 provides, in pertinent part, that:

- (a) The Board . . . shall have jurisdiction to hear all charges of conduct which fails to conform to the accepted standards of the nursing profession brought against persons licensed to practice nursing. After holding a hearing . . . said board, if it finds such person to be guilty, may revoke or suspend his or her license or take any of the actions set forth in section 19a-17
- (b) Conduct which fails to conform to the accepted standards of the nursing profession includes, but is not limited to, the following: . . . (2) illegal conduct, incompetence or negligence in carrying out usual nursing functions; . . . (5) abuse or excessive use of drugs, including alcohol, narcotics or chemicals.

Under Conn. Gen. Stat. § 20-99(b)(2), the Board can discipline the license of a nurse who “fails to conform to the accepted standards of practice of the nursing profession, including, illegal conduct, incompetence or negligence in carrying out usual nursing functions.” Since Respondent did not file an Answer, the allegations are deemed admitted. *See*, Conn. Agencies Regs. § 19a-9-20. In addition, based on the sufficient and credible evidence presented, the Department established by a preponderance of the evidence that on August 26, 2021, while Respondent was working as a nurse, Respondent abused and/or used alcohol to excess. This conduct is in violation of Conn. Gen. Stat. §§ 20-99(b)(5). Respondent’s conduct was also negligent in carrying out usual nursing functions and is a violation of Conn. Gen. Stat. §§ 20-99(b)(2).

The Department’s investigative report establishes that on August 26, 2021, Respondent reported to work at the PACU approximately 2.5 to 3 hours late. She stated that she was not aware that she was scheduled to work on August 26, 2021, although she had worked in the surgical department the night before and when she left for the night, she reportedly told staff that she would see them in the morning. Dept. Ex. 1, pp. 1-2. Respondent was assigned to a patient in the PACU who was on a cardiac monitor. Dept. Ex. 1, p. 1. Respondent left for a bathroom break but did not return as expected. *Id.* . After about 45 minutes into her shift, Respondent was found in her car, drinking from a bottle. Dept. Ex. 1, p. 1, 3. Security found two empty wine bottles in her car, one located by the gas pedal and the other one was located on the floor in the back. Dept. Ex. 1, pp. 1-3; Dept. Ex. 4, pp. 6-9, 18-19. Security took photos of the car and the wine bottles. *Id.*

Respondent was suspected of being impaired by alcohol. Dept. Ex. 1, p. 1; Dept. Ex. 4, p. 6. The record states that Respondent, while visibly upset, initially reported that she was late because she was not aware she had to work on August 26, 2021. Dept. Ex. 1 p. 2. She later explained that she was late for work because she had care trouble. *Id.* She also stated that (1) she was upset because her boyfriend had died earlier that year. , (2) she was drinking water or juice while on her lunch break and was not on an extended bathroom break, (3) she was upset that her daughter’s cat was reportedly missing, and (4) she had taken Motrin prescribed for back pain but denied that she was impaired. Dept. Ex. 1, p. 2-3; Dept. Ex. 4, pp. 14, 18-19. Respondent was not scheduled to take her lunch break at the time she left the PACU. Dept. Ex. 4, p. 20

On August 31, 2021, Respondent's urine test results for alcohol were positive. Dept. Ex. 1, pp. 2-3; Dept. Ex. 4, pp. 25-26. Thus, the Board concludes that Respondent's conduct, as alleged in paragraphs 1 through 5 of the Charges, is deemed to be admitted and true, has been proven by a preponderance of the evidence, and constitutes grounds for disciplinary action pursuant to Conn. Gen. Stat. §§ 20-99(b)(2) and (5) and § 19a-17.

Order

Based on the record in this case, the above findings of fact and conclusions of law, the Board hereby orders that Lynn Dougan's license number E50879 to practice as a registered nurse in the State of Connecticut is REVOKED.

This Memorandum of Decision becomes effective on the date signed by the Board.

The Board hereby informs Respondent, Lynn Dougan, and the Department of this decision.

Dated at Waterbury, Connecticut this _____ day of December 2022.

BOARD OF EXAMINERS FOR NURSING

By _____
Patricia C. Bouffard, D.N.Sc., Chair

**STATE OF CONNECTICUT
BOARD OF EXAMINERS FOR NURSING**

Cindy Jean Featherston, R.N.
License No. 147946

Petition No. 2020-391

MEMORANDUM OF DECISION

I

Procedural Background

On July 7, 2021, the Department of Public Health ("Department") filed a Statement of Charges ("Charges") with the Board of Examiners for Nursing ("Board"). Board ("Bd.") Exhibit ("Ex.") 1. The Charges allege that Cindy Featherston ("Respondent") violated Chapter 378 of the Connecticut General Statutes ("Conn. Gen. Stat."), subjecting Respondent's registered nurse ("R.N.") license number 147946 to disciplinary action pursuant to Conn. Gen. Stat. §§ 19a-17 and 20-99(b)(2), (3) and/or (5).

On July 8, 2021, the Charges and Notice of Hearing ("Notice") were sent by first class mail and electronic mail to lrntogo@msn.com, Respondent's email address of record on file with the Department. Bd. Ex. 2. The Notice informed Respondent that a hearing was scheduled for September 15, 2021. *Id.*

On July 21, 2021, Respondent's legal counsel, Attorney Heidi Ciano, filed an Answer to the Charges. Bd. Ex. 3.

On August 20, 2021, Respondent filed a Motion for Continuance of Hearing with Consent and Request for a Live Proceeding. Bd. Ex. 4.¹ On that same date, the Department filed an Objection to Respondent's Request for a Live Proceeding but did not object to

¹ The Respondent's motion argued that a virtual hearing would be inherently unfair to Respondent and would deprive her of her due process rights that require that the hearing be held at "a meaningful time and in a meaningful manner." Respondent further argued that the proceeding would violate Respondent's right to cross examine the Department's witnesses; Respondent's ability to observe and determine the credibility of the witnesses would be restricted; and that there could be technical difficulties with a virtual hearing. She maintained that a live, in person hearing would remedy the alleged violation of these rights and avert any potential technical difficulties. See Bd. Ex. 4, pp. 2- 11. In response, the Department argued that even before the Covid-19 pandemic and the resultant implementation of Covid-19 protocols, remote hearings were permitted by the Connecticut Practice Book. The Department further argued that remote hearings satisfy due process requirements because they provide the same due process protections as live, in person hearings. Bd. Ex. 5, pp. 1-3.

Respondent's request for a continuance of the September 15, 2021 hearing. Bd. Ex. 5; Bd. Ex. 6, p. 1.

On August 24, 2021, the Board granted Respondent's Motion for a Continuance, but denied Respondent's Request for a Live In person Proceeding. Bd. Ex. 6, p. 1. On that same date, a Notice of Rescheduled Hearing, informing that the hearing had been rescheduled to October 20, 2021 was sent to the parties. *Id.*

On September 28, 2021, Respondent filed another Motion for Continuance of Hearing and Request for a Live Proceeding. Bd. Ex. 7. The Motion informed that Respondent's counsel had a scheduling conflict on the date of the scheduled hearing. Respondent requested that the hearing be rescheduled to mid-January 2022. *Id.*

On September 30, 2021, the Department filed an Objection to Respondent's Second Request for a Continuance and a Live Proceeding. Bd. Ex. 8.

On October 4, 2021, Respondent filed a Reply to Department's Objection to Respondent's Second Request for a Continuance and Request for a Live Hearing. Bd. Ex. 9.

On October 5, 2021, the Board granted in part and denied in part Respondent's motion. The Board granted Respondent's request for a continuance and rescheduled the hearing to January 19, 2022. Bd. Ex. 10. However, the Board denied Respondent's request for a live, in person proceeding. *Id.*

On December 30, 2021, the Board issued a Notice of Rescheduled Hearing informing that the January 19, 2022 hearing had been rescheduled to February 16, 2022. Bd. Ex. 11.

On February 15, 2022, Respondent's counsel sent an email the Department outlining her objection to the admissibility and relevance of a March 18, 2015 police report detailing Respondent's arrest on that date for driving under the influence ("DUI"). Bd. Ex. 12. On that same date, the Department responded to Respondent's counsel via email, asserting that the Board was entitled to receive relevant and material documentary evidence regarding Respondent's 2015 DUI arrest and substance abuse and/or treatment history. Bd. Ex. 13. Respondent's counsel responded via email, contending that there was no evidence of any treatment for substance abuse and that it was determined that Respondent did not require any treatment. Bd. Ex. 14.

The hearing commenced on February 16, 2022 as scheduled. Respondent appeared at the hearing and was represented by her counsel. Attorney Linda Fazzina represented the Department. Additional hearing dates were required.

On February 17, 2022, the Board sent out notice that a second hearing date had been scheduled for April 20, 2022. Bd. Ex. 15.

On March 10, 2022, the Board sent out notice that the April 20, 2022 hearing date had been rescheduled to May 11, 2022. Bd. Ex. 16.

On March 11, 2022, the Board sent out notice that the May 11, 2022 hearing date had been rescheduled to April 6, 2022.

Following the close of the record on April 6, 2022, the Board conducted fact finding.

Each member of the Board involved in this decision attests that he or she was present at the hearing or has reviewed the record, and that this decision is based entirely on the record, the law, and the Board's specialized professional knowledge in evaluating the evidence. *Pet v. Department of Health Services*, 228 Conn. 651 (1994).

II

Allegations

1. In paragraph 1 of the Charges, the Department alleges that Respondent of Palm Coast, Florida, is, and has been at all times, as referenced in the Charges, the holder of Connecticut registered nurse license number 147946.
2. In paragraph 2 of the Charges, the Department alleges that at all relevant times, Respondent was practicing nursing at Bridgeport Hospital, Bridgeport, CT.
3. In paragraph 3 of the Charges, the Department alleges that on or about January 31, 2020, while working as a nurse at Bridgeport Hospital, Respondent was impaired and/or exhibited behavioral changes.
4. In paragraph 4 of the Charges, the Department alleges that on or about January 31, 2020, Respondent abused and/or utilized alcohol to excess.
5. In paragraph 5 of the Charges, the Department alleges that Respondent's abuse of and/or excess use of alcohol does, and/or may, affect her practice as a nurse.
6. In paragraph 6 of the Charges, the Department alleges that the above facts constitute grounds for disciplinary action authorized by Conn. Gen. Stat. § 20-99(b)(2), (b)(3) and/or (b)(5).

III

Findings of Fact

1. Respondent of Palm Coast, Florida, is, and has been at all times, as referenced in the Charges, the holder of Connecticut registered nurse license number 147946. Respondent (“Resp.”) Ex. A.
2. At all relevant times, Respondent was practicing nursing at Bridgeport Hospital, Bridgeport, CT. Resp. Ex. A.
3. On January 31, 2020, while working as a nurse at Bridgeport Hospital, Respondent was impaired and/or exhibited behavioral changes. Department (“Dept.”) Ex. 1, p. 3; Dept. Ex. 6, pp. 2-3, 10-12; Tr. 2/16/2022, pp. 10, 15-16, 20, 22, 24-31, 40, 42-44 (under seal), 53-54, 62 (under seal).
4. Pursuant to Conn. Gen. Stat. § 20-99(b)(5), the evidence is insufficient to establish that on or about January 31, 2020, Respondent abused and/or utilized alcohol to excess.
5. The evidence is insufficient to establish that Respondent’s practice as a nurse on January 31, 2020, was affected by alcohol.

IV

Discussion and Conclusions of Law

The Department bears the burden of proof by a preponderance of the evidence in this matter. *Jones v. Connecticut Medical Examining Board*, 309 Conn. 727, 739-740 (2013). In this case, Respondent admits to the allegations contained in paragraphs 1 and 2 of the Charges, and denies the allegations contained in paragraphs 3 through 6 of the Charges. While Respondent denies the allegations contained in paragraph 3 specifically, that she was impaired and/or exhibited behavioral changes on January 31, 2020, the Board finds that the Department sustained its burden of proof with regard to such allegations. However, the Board finds that the Department failed to sustain its burden of proof regarding Respondent’s alleged abuse or excessive use of alcohol as contained in paragraphs 4 and 5 of the Charges. Findings of Fact (“FF”) 1-5.

Conn. Gen. Stat. § 20-99 provides, in pertinent part,:

(a) The Board . . . shall have jurisdiction to hear all charges of conduct which fails to conform to the accepted standards of the nursing profession brought against persons licensed to practice nursing. After holding a hearing . . . said board, if it finds such person to be guilty, may revoke or suspend his or her license or take any of the actions set forth in section 19a-17. . . .

(b) Conduct which fails to conform to the accepted standards of the nursing profession includes, but is not limited to, the following: . . . (2) illegal conduct, incompetence or negligence in carrying out usual nursing functions; (3) physical illness or loss of motor skill, including, but not limited to deterioration through the aging process; . . . (5) abuse or excessive use of drugs, including alcohol, narcotics or chemicals; . . .

In addition to the Department's investigative report and other documentary evidence, the Department relied on the testimony of Sara Cohen, R.N., Off Shift Administrative Manager, ("OSAM"), Bridgeport Hospital and the Respondent's own testimony to prove its case.

With respect to the allegations contained in paragraph 2 of the Charges, the record establishes that on January 31, 2020, Respondent was working as a travel nurse at Bridgeport Hospital in Bridgeport, CT. On January 31, 2020, Respondent was on call for the cardiac catheterization laboratory.

With regard to the allegations contained in paragraph 3 of the Charges, the record establishes that on January 31, 2020, Respondent, while working as a travel nurse at Bridgeport Hospital, was impaired and/or exhibited behavioral changes. This allegation is not in dispute. Based on the evidence discussed below, the Department met its burden of proof with respect to the allegations contained in paragraph 3 of the Charges. Specifically, the Department proved by a preponderance of the evidence that on January 31, 2020, Respondent's conduct violated Conn. Gen. Stat. § 20-99(b)(2) in that she was impaired and/or exhibited behavioral changes due to the side effects she experienced from ingesting Benadryl. Respondent's ingestion of Benadryl while she was on call could have resulted in negligence in carrying out her usual nursing functions if not for the technical assistance of her team members.

The record establishes that on January 31, 2020, after completing her regular shift at approximately 4:00 p.m., Respondent went to "happy hour" with some co-workers. Tr. 2/16/2022, pp. 51-52. Respondent was on call while attending the "happy hour" with her co-

workers. Respondent testified that she did not order anything to drink and denied drinking any alcohol. Tr. 2/16/2022, p. 52; Tr. 4/6/2022, pp. 4, 7, 11-13, 15 (under seal). Respondent further testified that she went home early because she did not feel well. *Id.*

The record further establishes that shortly after 9 p.m. on January 31, 2020, Respondent ingested a Benadryl for purported congestion. Tr. 2/16/2022, p. 39 (under seal). Some of Benadryl's side effects are dizziness, drowsiness, and loss of coordination. Dept. Ex. 6, p. 3; Tr. 2/16/2022, pp. 39, 54, 56. Respondent testified that drowsiness, in particular, is a side effect she experiences when she ingests Benadryl. Tr. 2/16/2022, p. 57.

At approximately 9:24 p.m. that evening, Respondent received a cardiac alert and reported to the hospital to support an emergency procedure. Respondent was required to report to the hospital within 30 minutes of receiving the cardiac alert. Tr. 2/16/2022, p. 60

Respondent worked with Brenda Garcia, R.N., Dr. Shaw, the cardiac physician on call, Dr. Ranjan, a fellow, and Matt, an x-ray technician. Tr. 2/16/2022, pp. 42, 51, 53. Respondent testified that while she was changing her clothes in the hospital locker room, she started to feel worse and "a bit groggy." Dept. Ex. 1, p. 3. Respondent repeatedly told her R.N. colleague that she was really tired. Tr. 2/16/2022, p. 41. Her colleague informed the nursing manager, Diane Rydzyk, that Respondent "seemed a little off" that evening and that she needed assistance with her circulating duties. OSAM Cohen was tasked with observing Respondent's behavior during the procedure from the procedural room. Dept. Ex. 6, p. 2. Respondent later conceded that she should have alerted her team that she did not feel well, but she thought she would be fine. Dept. Ex. 1, p. 3. Given that the procedure, Ekosonic Endovascular System ("EKOS") performed to treat the patient's pulmonary embolism, was one that Respondent had not recently performed (Tr. 2/16/2022, pp. 50-51), Respondent asked Nurse Garcia to perform most of the technical tasks of this procedure. Tr. 2/16/2022, pp. 50-51; Dept. Ex. 3, pp. 22, 26 (under seal). The team completed the procedure and Respondent, and Nurse Garcia transported the patient to the ICU. *Id.*

The record establishes that Dr. Shaw reported to OSAM Cohen that Respondent "seemed off" and Dr. Ranjan reported that he possibly smelled alcohol on Respondent's breath. Tr. 2/16/2022, pp. 42-43. At 10 p.m., on January 31, 2020, one of the team members completed the hospital's Observed Behavior: Reasonable Suspicion Record form, documenting that the Respondent's speech was slow and rambling, she was drowsy, and her movements were slow.

Additionally, the report noted that Respondent “seemed unable to comprehend,” and “ was forgetful.” Dept. Ex. 6, p. 10. At 11p.m., OSAM Cohen completed the same form. She recorded that Respondent’s movements were such that she was “fumbling when she attempted to remove equipment from the supply room” and her eyes were “glassy and bloodshot.” Dept. Ex. 6, p. 11.

During cross-examination, OSAM Cohen conceded that a person’s eyes can be bloodshot or glassy for many reasons other than due to the consumption of alcoholic beverages. Tr. 2/16/2022, p. 20 (under seal). OSAM Cohen acknowledged that none of Respondent’s team members who had completed the Reasonable Suspicion Record form indicated that they had smelled alcohol on Respondent’s breath. Dept. Ex. 6, p. 12; Tr. 2/16/2022, p. 22 (under seal).

After the procedure was completed and Respondent was in the process of leaving the hospital, OSAM Cohen asked Respondent if she wanted to go to the emergency department (“ED”) for evaluation. Tr. 2/16/2022, pp. 28-29 (under seal). Respondent declined.

Respondent testified that she refused to go to the ED because she was tired, and she was still on call until 7:00 a.m. on February 1, 2020. She felt that if she were in the ED, she would not have an opportunity to get any sleep. Tr. 2/16/2022, pp. 44-45, 59-60; Dept. Ex. 3, pp. 15-27 (under seal). Respondent did not question why she was being asked to go to the ED. Tr. 2/16/2022, pp. 39, 59-60 (under seal). Respondent also testified that OSAM Cohen did not tell her that they wanted to evaluate her in the ED because they suspected that she was under the influence of alcohol. In her testimony, Respondent specifically denied that on January 31, 2020, she was ever asked to be tested for any kind of substance abuse. Tr. 2/16/2022, pp. 53-54, 62 (under seal); Tr. 4/6/2022, p. 14. Respondent left the hospital without going to the ED, even after being informed that if she did not go to the ED for evaluation she would not be permitted to work and could face suspension or termination. Dept. Ex. 3, pp. 15-27 (under seal); Tr. 2/16/2022, p. 29 (under seal).

Respondent’s impairment and physical illness while performing the EKOS procedure constituted conduct that was negligent in carrying out her usual nursing functions. Such misconduct failed to conform to the accepted standards of the nursing profession in violation of Conn. Gen. Stat. § 20-99(b)(2) and (3). Thus, the Department sustained its burden of proof with respect to the allegations contained in paragraph 3 of the Charges.

Regarding the allegations contained in paragraphs 4 and 5 of the Charges, the Department failed to establish by a preponderance of the evidence that on January 31, 2020, Respondent abused or used alcohol to excess. The record establishes that the reports of alcohol on Respondent's breath were speculative and not substantiated by any positive urine tests. Dept. Ex. 3, pp. 15-17 (under seal).

OSAM Cohen testified that she was not able to get close enough to Respondent to smell her breath (Tr. 2/16/2022, pp. 16, 30, 46)(under seal), and Respondent's team members who reported their suspicions concerning Respondent's conduct during the procedure (Tr. 2/16/2022, pp. 10, 15-16, 20, 22, 30-31, 40, 42-44)(under seal) did not testify or provide any sworn statements that they smelled alcohol on Respondent's breath on the night in question. Respondent credibly and consistently testified (Tr. 2/16/2022, pp. 52, 54, 61-62; Tr. 4/6/2022, pp. 4, 7, 11-13, 15 (under seal)) that she did not use or abuse alcohol on January 31 2020. Moreover, Respondent's contemporaneous email correspondence and written statements to her former employer and the Department's investigator fail to substantiate (Dept Ex. 3, pp. 15-17, 19-27)(under seal) any evidence that she abused or used alcohol to excess.² Dept. Ex. 4, pp. 28-30.

With respect to the allegations contained in paragraph 5 of the Charges, specifically that Respondent's use and/or abuse of alcohol does, and/or may, affect her practice as a nurse, the Department failed to sustain its burden of proof. As discussed above, the record is devoid of any evidence that on January 31, 2020, Respondent's impairment was due to consumption of alcohol.

As part the Department's investigation of this matter, Respondent was asked if she had ever participated in a substance treatment program. Respondent reported that she had never been in a substance treatment program and has never suffered from a substance abuse issue. Dept. Ex. 1, p. 4 (under seal). Subsequently, Respondent was informed that the Department would require her to receive a substance abuse evaluation to determine Respondent's ability to practice with reasonable skill and safety. *Id.*

² While there are various statements in the record (Dept. Ex. 6, pp. 2-3; Tr. 2/16/2022, pp. 24, 29-30) that Respondent purportedly told hospital staff that she had taken a sip of someone's wine to taste it and/or she drank a half glass of wine during happy hour and later took a Benadryl, Respondent adamantly and consistently denied making those statements (Tr. 2/16/2022, pp. 52, 62) and the record is devoid of any testimonial or documentary evidence to substantiate such statements.

On September 14, 2020, Respondent was evaluated by the Western Judicial Services, Inc. in Cocoa, FL. for substance abuse (Dept. Ex. 5, pp. 34-38)(under seal). Respondent submitted to a random drug test for seven substances, including alcohol. On September 14, 2020, all test results were negative. Dept. Ex. 5, p. 36 (under seal). The evaluator determined that Respondent did not meet the requirements for substance abuse treatment. Dept. Ex. 1, p. 5. Thus, the Department did not establish by a preponderance of the evidence that Respondent's conduct on January 31, 2020, violated Conn. Gen. Stat. § 20-99 (b)(5) by abusing or using to excess drugs, including alcohol, narcotics or chemicals.

The Board asked Respondent questions concerning her decision to take Benadryl when she knew she was still on call. Respondent credibly testified that in retrospect, it was a bad decision to take medication that is known to cause people to feel sedated, drowsy, sleepy or compromised in their ability to function. Tr. 4/6/2022, pp. 13, 16, 19 (under seal). When the Board inquired of Respondent why she would allow herself to perform a cardiac procedure when she was drowsy and not able to function properly, Respondent reiterated that in retrospect it was a bad decision. Tr. 4/6/2022, p. 16 (under seal). Respondent also testified that she did not take Sudafed (non-drowsy) instead of Benadryl because it gives her palpitations, and she did not have any on hand. Tr. 4/6/2022, p. 19 (under seal).

Respondent further testified that if she had it to do over again, she would not have taken the emergency call because she did not feel well and instead, she would have called her manager and asked for someone else to take the emergency call. Tr. 4/6/2022, p. 14 (under seal). Respondent testified that she has not made any other bad decisions in her nursing practice (Tr. 4/6/2022, p. 16 (under seal)) and the record is devoid of any evidence that refutes her testimony.

Based on the totality of the evidence, the Board finds that Respondent can practice nursing with reasonable skill and safety under the terms of this Order.

Order

Based on the record in this case, the above findings of fact, and conclusions of law, and pursuant to the authority vested in it by Conn. Gen. Stat. §§ 19a-17(a)(1), (2) and (5) and 20-99(b)(2), (3) and (5), the Board finds that the conduct alleged and proven warrants the disciplinary action imposed by this Order, as set forth below:

1. Respondent's license number 147946 to practice as a registered nurse in the State of Connecticut is hereby reprimanded.
2. This document has no bearing on any criminal liability without the written consent of the Director of the Medicaid Fraud Control Unit or the Bureau Chief of the Division of Criminal Justice's Statewide Prosecution Bureau.

This Order is effective on the date it is signed by the Board.

The Board hereby informs Respondent, Cindy Jean Featherston, and the Department of this decision.

Dated at Waterbury, Connecticut this _____ day of _____ 2022.

BOARD OF EXAMINERS FOR NURSING

By _____
Patricia C. Bouffard, D.N.Sc., Chair

STATE OF CONNECTICUT
BOARD OF EXAMINERS FOR NURSING

Nicole M. Holiday a/k/a Nicole Desrosiers, R.N., A.P.R.N. Petition Nos.: 2022-175¹
R.N. license No. 105959 2022-405²
A.P.R.N. license No. 005964

MEMORANDUM OF DECISION

I

Procedural Background

On March 29, 2022, the Department of Public Health (“Department”) filed a Motion for Summary Suspension (“Motion”) with the State of Connecticut Board of Examiners for Nursing (“Board”). Board (“Bd.”) Exhibit (“Ex.”) 2. Based on the allegations in the Statement of Charges and the affidavits and reports attached to the Motion, the Board found that Respondent’s continued nursing practice presented a clear and immediate danger to public health and safety and ordered, on April 6, 2022, pursuant to Connecticut General Statutes (“Conn. Gen. Stat.”) §§ 4-182 (c) and 19a17(c) that Nicole Holiday’s (“Respondent”) advanced practice registered nurse license (“A.P.R.N”) and registered nurse (“R.N”) license be summarily suspended pending a final determination by the Board of the allegations contained in the Statement of Charges (“Summary Suspension Order”). Bd. Ex. 2.

On April 6, 2022, the Department filed the Statement of Charges with the Board. Bd. Ex. 1. The Charges allege violations of Chapter 378 of the Conn. Gen. Stat.by Respondent which would subject her A.P.R.N. license number 005964 and R.N. license number 105959 to disciplinary action pursuant to Conn. Gen. Stat. §§ 19a-17, 20-99 (b)(4) and 20-99(b)(5).

On April 6, 2022, the Statement of Charges, Summary Suspension Order and Notice of Hearing were sent to Respondent by first class mail and email. The documents were sent to Respondent’s addresses of record on file with the Department, 120 Putnam Road, Apt. B3, Pomfret, CT 06259-1236, and nicolemarieholiday@gmail.com. Bd. Ex. 3.

¹ The initial Statement of Charges was filed under one Petition No. for both of Respondent’s licenses. Bd. Ex. 3.

² The Amended Statement of Charges was filed to, among other things, to open a second Petition No. in order to separate and track the activity for each of Respondent’s licenses, APRN and RN. Bd. Ex. 4.

On April 27, 2022, the Department filed a Motion to Amend the Statement of Charges, which replaced the April 6, 2022, Statement of Charges in their entirety. The Amended Statement of Charges (“Charges”) opened a second Petition Number 2022-405 in order to independently track associated disciplinary action against each of the respondent’s licenses and corrected a scrivener’s error in paragraph 15 of Count One by deleting the word “registered” that had proceeded the word “nurse” therein. Bd. Ex. 4.

On May 11, 2022, the hearing was held via video conference. Respondent did not appear at the hearing and was not represented by legal counsel. Tr. p. 3. Attorney Craig Sullivan represented the Department. Id. At the hearing, the Board granted the Department’s Motion to Amend the Charges. Tr. pp. 6-7.

At the hearing, Attorney Sullivan orally moved on the record to deem the allegations admitted insofar as Respondent had failed to file an Answer to the Charges. Tr. p. 14. The Board granted the Department’s Motion to Deem Allegations Admitted. Tr. pp. 14-15. No witnesses were called to testify at the hearing. Tr. Pp. 18-19.

Following the close of the record on May 11, 2022, the Board conducted fact finding.

Each member of the Board involved in this decision attests that he or she was present at the hearing or has reviewed the record, and that this decision is based entirely on the record, the law, and the Board’s specialized professional knowledge in evaluating the evidence. *Pet v. Department of Health Services*, 228 Conn. 651 (1994).

II

Allegations

COUNT ONE

1. In paragraph 1 of the Charges, the Department alleges that Nicole M. Holiday a/k/a Nicole Desrosiers, R.N., A.P.R.N. of Pomfret Center, Connecticut is, and has been at all times referenced in this Statement of Charges, the holder of Connecticut R.N. license number 105959 A.P.R.N.license number 005964.
2. In paragraph 2 of the Charges, the Department alleges that on or about March 17, 2021, the Board issued a Memorandum of Decision (hereinafter the “MOD”) in Petition No. 2019-445 placing Respondent’s R.N. license and her A.P.R.N. license on probation for four years.

3. In paragraph 3 of the Charges, the Department alleges that the terms of Respondent's probation under the MOD included, in part, **a.)** that the Department of Public Health (hereinafter "the Department") pre-approve Respondent's employment as a nurse during the period of probation; **b.)** that a copy of the MOD be provided to all of Respondent's employers where she is employed as a nurse during probation, and that the employer notify the Department of the receipt thereof within thirty days of the commencement of employment; **c.)** that Respondent's immediate supervisor submit employer reports throughout the probationary period, including monthly reports during the first year of probation, with said reports including documentation regarding Respondent's ability to practice nursing safely and competently; **d.)** that a copy of the MOD be provided to Respondent's therapist, and that the therapist notify the Department of the receipt thereof within thirty days of the effective date of the MOD; **e.)** that Respondent's therapist submit therapist reports throughout the probationary period, including monthly reports during the first year of probation, with said reports including documentation regarding Respondent's ability to practice nursing safely and competently; **f.)** that Respondent submit to observed, random chain of custody urine screens for alcohol and drugs at a facility approved by the Department throughout the probationary period, including at least one such screen each week during the first year of probation, and that reports thereof be submitted directly to the Department, and that all such screens be negative for the presence of alcohol and drugs, excluding the drugs that Respondent's providers prescribe; **g.)** that Respondent shall notify the testing laboratory, her therapist, the Department, and her prescriber of any drugs she is taking, and that quarterly controlled substances reports be submitted to the Department for any prescription of a controlled substance for a period of more than two consecutive weeks; and **h.)** that Respondent does not obtain for personal use, and/or use, alcohol or drugs that were not prescribed for her for a legitimate purpose, and that she shall not abuse and/or excessively use any drugs prescribed for a legitimate purpose.
4. In paragraph 4 of the Charges, the Department alleges that the MOD also provided that any finding that Respondent has violated the MOD will subject Respondent to sanctions under Conn. Gen. Stat. § 19a-1 7(a) and (c), including, but not limited to, the revocation of her license.
5. In paragraph 5 of the Charges, the Department alleges that from on or about March 17, 2021, until on or about May 19, 2021, Respondent was employed as a nurse and failed to obtain the Department's approval thereof.
6. In paragraph 6 of the Charges, the Department alleges that from on or about March 17, 2021, until on or about May 21, 2021, Respondent failed to provide her employer with a copy of the MOD.
7. In paragraph 7 of the Charges, the Department alleges that from on or about March 17, 2021, until on or about May 24, 2021, Respondent failed to cause her employer to provide notice to the Department of her employer's receipt of a copy of the MOD.

8. In paragraph 8 of the Charges, the Department alleges that from on or about March 17, 2021, until on or about May 13, 2021, Respondent failed to provide her therapist with a copy of the MOD, and Respondent failed to cause her therapist to provide notice to the Department of her therapist's receipt of a copy of the MOD.
9. In paragraph 9 of the Charges, the Department alleges that from on or about November 1, 2021, to on or about January 7, 2022, Respondent failed to cause a required employer report, for the month of October of 2021, to be submitted to the Department.
10. In paragraph 10 of the Charges, the Department alleges that on or about September 24, 2021, Respondent's urine screen tested positive for the presence of opiates that had not been prescribed to Respondent for a legitimate medical purpose.
11. In paragraph 11 of the Charges, the Department alleges that on or about January 1, 2022, to the present, Respondent failed to cause a required quarterly controlled substances report, for the quarter ending December 31, 2021, to be submitted to the Department.
12. In paragraph 12 of the Charges, the Department alleges that on or about July 12, 2021, and again from on or about February 11, 2022, to the present, Respondent failed to submit to weekly urine screens, and to cause reports of the results thereof to be submitted to the Department, as required under the MOD.
13. In paragraph 13 of the Charges, the Department alleges that from on or about September 24, 2021, to the present, Respondent abused opiates, and/or she utilized opiates to excess.
14. In paragraph 14 of the Charges, the Department alleges that the above cited facts evidence conduct of the Respondent failing to conform to the accepted standards of the nursing profession, they evidence conduct of the Respondent constituting violations of the terms of probation as set forth in the MOD, they represent a clear and immediate danger to the public health and safety if Respondent is allowed to continue to practice as a nurse, and they constitute grounds for disciplinary action pursuant to Conn. Gen. Stat. §§ 19a-17 and 20-99, including, but not necessarily limited to:
 - a. §19a-17(a),
 - b. §19a-17(c),
 - c. §20-99(b)(4), and
 - d. §20-99(b)(5).
15. In paragraph 15 of the Charges, the Department alleges that for the foregoing reasons, the Department believes that Respondent's continued practice as a nurse represents a clear and immediate danger to the public health and safety.

COUNT TWO

16. In paragraph 16 of the Charges, the Department alleges that paragraphs 1 through 13 of Count One, are incorporated herein by reference as if set forth in full.
17. In paragraph 17 of the Charges, the Department alleges that from on or about May 27, 2021, to the present, Respondent has been diagnosed with an emotional disorder or disorders, and/or a mental illness or illnesses.
18. In paragraph 18 of the Charges, the Department alleges that the above facts constitute grounds for disciplinary action pursuant to Conn. Gen. Stat. §§ 19a-17 and 20-99, including, but not necessarily limited to:
 - a. §19a-17(a),
 - b. §19a-17(c), and
 - c. §20-99(b)(4).
19. In paragraph 19 of the Charges, the Department alleges that for the foregoing reasons, the Department believes that Respondent's continued practice as a nurse represents an immediate danger to the public health and safety.

III

Findings of Fact

1. On April 6, 2022, the Charges, Summary Suspension Order and Notice of Hearing were sent to Respondent by first class mail and email. The documents were sent to Respondent's addresses of record on file with the Department, 120 Putnam Road, Apt. B3, Pomfret, CT 06259-1236, and nicolemarieholiday@gmail.com. Bd. Ex. 2, 3 and 5.
2. The first-class mail was not returned to the Department. Tr. pp. 5, 6.
3. The Department provided Respondent with reasonable and adequate written notice of the hearing and the allegations contained in the Charges. Tr. pp. 5, 6.
4. On May 11, 2022, neither Respondent nor an attorney representing Respondent appeared at the hearing. Respondent did not request a continuance of the hearing. Tr. p. 3.
5. The factual allegations contained in paragraphs 1 through 19 of the Charges are deemed admitted and true. Tr. pp. 14-15.
6. The Department proved the following facts by a preponderance of the evidence:
 - a. Nicole M. Holiday a/k/a Nicole Desrosiers, R.N., A.P.R.N. of Pomfret Center,

- Connecticut is, and has been at all times referenced in this Statement of Charges, the holder of Connecticut R.N. license number 105959 A.P.R.N. license number 005964. Dept. Ex. 16.
- b. On or about March 17, 2021, the Board issued a MOD in Petition No. 2019-445 placing Respondent's R.N. license and her A.P.R.N. license on probation for four years. Dept. Ex. 1.
 - c. The terms of Respondent's probation under the MOD included, in part, **a.)** that the Department of Public Health (hereinafter "the Department") pre-approve Respondent's employment as a nurse during the period of probation; **b.)** that a copy of the MOD be provided to all of Respondent's employers where she is employed as a nurse during probation, and that the employer notify the Department of the receipt thereof within thirty days of the commencement of employment; **c.)** that Respondent's immediate supervisor submit employer reports throughout the probationary period, including monthly reports during the first year of probation, with said reports including documentation regarding Respondent's ability to practice nursing safely and competently; **d.)** that a copy of the MOD be provided to Respondent's therapist, and that the therapist notify the Department of the receipt thereof within thirty days of the effective date of the MOD; **e.)** that Respondent's therapist submit therapist reports throughout the probationary period, including monthly reports during the first year of probation, with said reports including documentation regarding Respondent's ability to practice nursing safely and competently; **f.)** that Respondent submit to observed, random chain of custody urine screens for alcohol and drugs at a facility approved by the Department throughout the probationary period, including at least one such screen each week during the first year of probation, and that reports thereof be submitted directly to the Department, and that all such screens be negative for the presence of alcohol and drugs, excluding the drugs that Respondent's providers prescribe; **g.)** that Respondent shall notify the testing laboratory, her therapist, the Department, and her prescriber of any drugs she is taking, and that quarterly controlled substances reports be submitted to the Department for any prescription of a controlled substance for a period of more than two consecutive weeks; and **h.)** that Respondent does not obtain for personal use, and/or use, alcohol or drugs that were not prescribed for her for a legitimate purpose, and that she shall not abuse and/or excessively use any drugs prescribed for a legitimate purpose. Dept. Ex.1.
 - d. The MOD provided that any finding that Respondent has violated the MOD will subject Respondent to sanctions under Conn. Gen. Stat. § 19a-17(a) and (c), including, but not limited to, the revocation of her license. Dept. Ex. 1.
 - e. From on or about March 17, 2021, until on or about May 19, 2021, Respondent was employed as a nurse and failed to obtain the Department's approval thereof. Dept. Exs. 16 & 17.
 - f. From on or about March 17, 2021, until on or about May 21, 2021, Respondent failed to provide her employer with a copy of the MOD. Dept. Exs. 16 & 17.
 - g. From on or about March 17, 2021, until on or about May 24, 2021, Respondent failed to cause her employer to provide notice to the Department of her employer's receipt of a copy of the MOD. Dept. Exs. 16 & 17.
 - h. From on or about March 17, 2021, until on or about May 13, 2021, Respondent failed

- to provide her therapist with a copy of the MOD, and Respondent failed to cause her therapist to provide notice to the Department of her therapist's receipt of a copy of the MOD. Dept. Exs. 16 & 17.
- i. On or about November 1, 2021, to on or about January 7, 2022, Respondent failed to cause a required employer report, for the month of October of 2021, to be submitted to the Department. Dept. Ex. 16.
 - j. On or about September 24, 2021, Respondent's urine screen tested positive for the presence of opiates that had not been prescribed to Respondent for a legitimate medical purpose. Dept. Ex. 17.
 - k. On or about January 1, 2022, to the present, Respondent failed to cause a required quarterly controlled substances report, for the quarter ending December 31, 2021, to be submitted to the Department. Dept. Ex. 17.
 - l. On or about July 12, 2021, and again from on or about February 11, 2022, to the present, Respondent failed to submit to weekly urine screens, and to cause reports of the results thereof to be submitted to the Department, as required under the MOD. Dept. Ex. 17.
 - m. From on or about September 24, 2021, to the present, Respondent abused opiates, and/or she utilized opiates to excess. Dept. Ex. 17.
 - n. From on or about May 27, 2021, to the present, Respondent has been diagnosed with an emotional disorder or disorders, and/or a mental illness or illnesses. Dept. Exs. 16 & 17.
 - o. The above cited facts evidence conduct of the Respondent failing to conform to the accepted standards of the nursing profession, they evidence conduct of the Respondent constituting violations of the terms of probation as set forth in the MOD, they represent a clear and immediate danger to the public health and safety if Respondent is allowed to continue to practice as a nurse, and they constitute grounds for disciplinary action pursuant to Conn. Gen. Stat. §§ 19a-17 and 20-99, including, but not necessarily limited to: §19a-17(a), §19a-17(c), §20-99(b)(4), and §20-99(b)(5).
 - p. The Respondent's continued practice as a nurse represents a clear and immediate danger to the public health and safety.

IV

Discussion and Conclusions of Law

The Department bears the burden of proof by a preponderance of the evidence in this matter. *Jones v. Connecticut Medical Examining Board*, 309 Conn. 727, 739-740 (2013). The Department sustained its burden of proof regarding the allegations contained in the Charges.

Conn. Gen. Stat. § 20-99 provides, in pertinent part, that:

- (a) The Board . . . shall have jurisdiction to hear all charges of conduct which fails to conform to the accepted standards of the nursing profession brought against persons licensed to practice nursing. After holding a hearing . . . said board, if it finds such

person to be guilty, may revoke or suspend his or her license or take any of the actions set forth in section 19a-17

- (b) Conduct which fails to conform to the accepted standards of the nursing profession includes, but is not limited to, the following: (4) emotional disorder or mental illness; (5) abuse or excessive use of drugs, including alcohol, narcotics or chemicals.

Since Respondent did not file an Answer, the allegations are deemed admitted. *See*, Conn. Agencies Regs. § 19a-9-20. In addition, based on the sufficient and credible evidence presented, the Department established by a preponderance of the evidence that Respondent failed to comply with the terms and conditions of her four-year probation which was effective on or after March 17, 2021. Department Ex. 1. Specifically, Respondent failed to: (1) obtain preapproval of her employment, and did not request her employer to submit reports of her ability to practice nursing safely and competently; (2) retain the services of a therapist and request such therapist to submit reports to the Department directly regarding her treatment and evaluation of Respondent's progress in therapy; (3) submit to observed, random, chain of custody screens for alcohol and drugs for the entire probationary period and request that such reports be submitted directly to the Department; and (4) have her practice monitored either concurrently with the four years of probation for two years or if the practice monitoring does not take place concurrently within the initial four years, then the probationary period shall be extended for an additional two years for practice monitoring. Thus, the Board concludes, based on the sufficient and credible evidence presented, that Respondent's conduct, as alleged in paragraphs 1 through 19 of the Charges, is deemed to be admitted and true, and constitutes grounds for disciplinary action pursuant to Conn. Gen. Stat. §§ 20-99(b)(4), 20-99(b)(5), and § 19a-17.

Order

Based on the record in this case, the above findings of fact and conclusions of law, and pursuant to the statutory authority under Conn. Gen. Stat. §§ 19a-17(a), (2) and (5) and 20-99(b)(4) and 20-99(b)(5), the Board finds that the conduct in Petition Numbers 2022-175 and 2022-405 is severable and each alleged and proven count warrants the disciplinary action imposed by this Order. Thus, the Board hereby orders that Nicole Holiday's advanced practice registered nurse license number 005964 and registered nurse license number 105959 in the State of Connecticut are **REVOKED**.

This Memorandum of Decision becomes effective on the date signed by the Board.

The Board hereby informs Respondent, Nicole Holiday a/k/a Nicole Desrosiers, and the Department of this decision.

Dated at Waterbury, Connecticut this _____ day of December, 2022.

BOARD OF EXAMINERS FOR NURSING

By _____
Patricia C. Bouffard, D.N.S., Chair

STATE OF CONNECTICUT
BOARD OF EXAMINERS FOR NURSING

Tammy Piccirillo, L.P.N.
License No. 037336

Re: Reinstatement Request

MEMORANDUM OF DECISION

Procedural Background

On May 20, 2020, the Board of Examiners for Nursing (“Board”) issued a Memorandum of Decision (“Decision”) in Petition No. 2019-839 revoking Tammy Piccirillo’s (“Petitioner”) licensed practical nurse (“L.P.N.”) license. Board (“Bd.”) Exhibit (“Ex.”) 1, pp. 11-16. The Decision was based on sufficient evidence that Petitioner had a significant history of substance abuse that affected her practice as a L.P.N. *Id.*

On June 4, 2021, Petitioner filed a written request for a hearing before the Board, seeking reinstatement of her license. Bd. Ex. 1, p. 1. The Department of Public Health (“Department”) did not file an objection to Petitioner’s request.

Pursuant to Petitioner’s request, the Board issued a Notice of Hearing (“Notice”) dated November 1, 2021. Bd. Ex. 2, pp. 17-18. The hearing was initially scheduled for February 16, 2022, but on February 17, 2022, the hearing was rescheduled for April 20, 2022. Bd. Ex. 3. On March 10, 2022, the hearing was rescheduled again to May 11, 2022. Bd. Ex. 4.

On May 9, 2022, the Department moved to continue the hearing to May 11, 2022, because Petitioner’s documentation to support her reinstatement request was not current or complete. Bd. Ex. 5. The Department moved to continue the hearing to provide Petitioner sufficient time to provide updated records. *Id.*

On May 11, 2022, the Board convened the first day of hearing. Given that the Department’s motion to continue was not timely filed, the Board convened the first day of hearing on May 11, 2022. Transcript (“Tr.”) 5/11/2022, pp. 1-9. At the hearing counsel for the Department orally moved to continue the hearing and Petitioner did not object. Tr. 5/11/2022, pp. 4-5. The Board granted the continuance on the record. Tr. 5/11/2022, pp. 8-9.

On June 3, 2022, the Board issued a notice of rescheduled hearing. The hearing was continued to August 3, 2022. Bd. Ex. 6.

On August 3, 2022, the Board convened to hear Petitioner's request for reinstatement of her license. Tr. 8/3/22. At the hearing, Petitioner was present but was not represented by legal counsel. Tr. 8/3/22, p. 3. Attorney Joelle Newton represented the Department. *Id.*

Following the close of the record, the Board conducted fact finding.

Each member of the Board attests that he or she was present at the hearing or has reviewed the record, and that this decision is based entirely on the record, the law, and the Board's specialized professional knowledge in evaluating the evidence. *Pet v. Department of Health Services*, 228 Conn. 651 (1994).

Findings of Fact

Based on the testimony given and the exhibits admitted into evidence, the Board makes the following Findings of Fact:

1. Petitioner previously held Connecticut licensed practical nurse license number 037336. Bd. Ex. 1, p. 11.
2. On May 20, 2020, the Board issued a Memorandum of Decision which revoked Petitioner's L.P.N. license. Bd. Ex. 1, pp. 11-15.
3. On June 4, 2021, Petitioner filed a Notice of Application for Reinstatement. Bd. Ex. 1, p. 1.
4. On June 4, 2021, Petitioner submitted documentation in support of her request for reinstatement. Bd. Ex. 1, pp. 1-3, 4-9 (under seal). The documentation was incomplete and out of date. Bd. Ex. 5.
5. On July 26, 2022, Petitioner submitted additional documentation to support her reinstatement request. Petitioner ("Pet.") Ex. 1, 1-10.
6. On July 28, 2021, Petitioner submitted a letter dated April 15, 2021, from her physician who confirmed Petitioner's participation in a suboxone program and her consistent management of her medication. Bd. Ex. 1, p. 4 (under seal).
7. On July 28, 2021, Petitioner submitted a personal reference letter, dated June 30, 2021, from her licensed therapist. Bd. Ex. 1, p. 5 (under seal). The letter discussed Petitioner's consistent progress in managing her medication and mental health. *Id.*
8. On August 16, 2021, Petitioner filed a personal reference letter from her AA sponsor, which stated that Petitioner had been maintaining her sobriety for the past two years, has been attending meetings consistently and speaks with her sponsor on a daily basis, as required. Bd. Ex. 1, p. 9 (under seal).

9. On July 26, 2022, Petitioner submitted chain of custody drug screens, with test dates of June 16, 2021, August 9, 2021, December 8, 2021, and June 21, 2022. Pet. Ex. 1, pp. 4-10 (under seal).
10. All drug screens are negative, except for prescribed suboxone (buprenorphine-naloxone). Pet. Ex. 1, pp. 4-10 (under seal).
11. On July 26, 2022, Petitioner submitted a status update letter from her licensed therapist who confirmed that Petitioner was still engaged in treatment and consistently attends her appointments, but no longer requires participation in group therapy; she indicated that Petitioner has demonstrated solid relapse prevention skills throughout her recovery, is successfully managing her prescribed medication and has submitted negative drug screens , except for prescribed suboxone (buprenorphine-naloxone). Pet. Ex. 1, p. 3 (under seal).
12. Petitioner submitted a self-assessment letter, dated June 4, 2021, in which she acknowledges her chemical dependence and discusses her efforts to maintain her sobriety. Her letter also explains that due to her ex-husband’s death and her loss of income, she could not afford the cost of drug testing, which attributed to the loss of her license. However, she persevered. After she lost her license, she took courses in the nursing profession to keep up to date with changes in procedures and methodology. She took additional training in HIPAA, proper patient identification and documentation. She worked as a home health aide for more than two years in which she takes care of a client who needs assistance with her time management, medical appointments, case management and household tasks. She ensures that the client takes her prescribed medication and keeps her medical appointments. She valued her experience with working with this client and she has learned to be grateful and be a stronger and better person. Bd. Ex. 1, p. 1.

Discussion and Conclusions of Law

Connecticut General Statutes (“Conn. Gen. Stat.”) § 19a-17(e) provides, in pertinent part, that the Board “may reinstate a license that has been suspended or revoked if, after a hearing, such board . . . is satisfied that the practitioner . . . is able to practice with reasonable skill and safety to patients, customers or the public in general. As a condition of reinstatement, the board . . . may impose disciplinary or corrective measures authorized under this section.”

Petitioner has the burden of satisfying the Board that she is able to practice nursing with reasonable skill and safety to patients, customers or the public in general. *Jones v. Connecticut Medical Examining Board*, 309 Conn. 727, 739-740 (2013). The Board finds that Petitioner has presented sufficient evidence to satisfy her burden. Findings of Fact (“FF”) 4-12.

Prior to the hearing, Petitioner was informed that she would be required to provide evidence at the hearing that documented the “outcomes of [her] efforts toward recovery” over an extended period of time. Bd. Ex. 2; Tr. 5/11/2022, pp. 5-6. Petitioner was also advised that such evidence should include the following:

1. Documentary or testimonial evidence from a licensed **therapist** documenting a lengthy period of drug/alcohol free status documented by reports of therapy, your emotional health, and your ability to administer safe nursing care, including the administration of controlled substances;
2. **personal references** stipulating, but not limited to, the following: your drug/alcohol free status, emotional health, and work habits;
3. documentary or testimonial evidence from **current and past employers** (since revocation of your license) documenting your ability to carry out assigned duties responsibly and accurately and your potential for functioning safely and effectively as a nurse;
4. copies of **random, legally defensible screens** for drugs and alcohol conducted by your therapist and/or physician which supports your drug/alcohol free status.
5. documentation of Petitioner’s participation in **support groups** and **support of a sponsor**, as well as the outcome of your participation in such support groups;
6. documentation from your therapist and/or physician which includes a **list of current medications** prescribed by her health care providers, including a need for such medications and an assessment of a continued need for such medications.

Id.

Prior to the May 11, 2022, hearing, Petitioner submitted documentation in support of her request for reinstatement. Bd. Ex. 1, pp. 1-3, 4-9 (under seal). The documentation was incomplete and out of date. FF 4. On July 26, 2022, Petitioner submitted additional documentation to support her reinstatement request. FF 5.

On July 28, 2021, Petitioner submitted a letter dated April 15, 2021, from her physician who confirmed Petitioner’s participation in a suboxone program and her consistent management of her medication. FF 6.

On July 28, 2021, Petitioner submitted a personal reference letter, dated June 30, 2021, from her licensed therapist. FF 7. The letter discussed Petitioner’s consistent progress in managing her medication and mental health. *Id.*

On August 16, 2021, Petitioner filed a personal reference letter from her AA sponsor whose letter stated that Petitioner had been maintaining her sobriety for the past two years, has been attending meetings consistently and speaks with her sponsor on a daily basis, as required. FF 8.

On July 26, 2022, Petitioner submitted chain of custody drug screens, with test dates of June 16, 2021, August 9, 2021, December 8, 2021, and June 21, 2022. FF 9. All drug screens are negative, except for prescribed suboxone (buprenorphine-naloxone). FF 10.

On July 26, 2022, Petitioner submitted a status update letter from her licensed therapist who confirmed that Petitioner was still engaged in treatment and consistently attends her appointments, but no longer requires participation in group therapy; she has demonstrated solid relapse prevention skills throughout her recovery, is successfully managing her prescribed medication and has submitted negative drug screens, except for prescribed suboxone (buprenorphine-naloxone). FF 11.

Petitioner submitted a self-assessment letter, dated June 4, 2021, in which she acknowledges her chemical dependence and discusses her efforts to maintain her sobriety. Her letter also explains that due to her ex-husband's death and her loss of income, she could not afford the cost of drug testing, which attributed to the loss of her license. However, she has persevered. After she lost her license, she took courses in the nursing profession to keep up to date with changes in procedures and methodology. She took additional training in HIPAA, proper patient identification and documentation. She worked as a home health aide for more than two years in which she takes care of a client who needs assistance with her ADL(s), time management, medical appointments, case management and household tasks. She ensures that the client takes her prescribed medication and keeps her medical appointments. She valued her experience with working with this client and she has learned to be grateful and how to be a stronger and better person. FF 12.

At the August 3, 2022, hearing, Petitioner testified that she is currently working at three jobs, including private home health care. She testified that initially she did not accept full responsibility for the loss of her license, offering a long list of excuses for her substance abuse; but she has learned to accept responsibility for her current situation and is willing to do whatever is required to succeed. She also testified that nursing is very important to her and that she does not want to change careers because she always wanted to be a nurse. She further testified that she has a sponsor and a sobriety counselor and is compliant with her therapy. She has been

working for one of the three employers for over three years. Tr. 8/3/2022, p. 11. She enjoys attending her support group meetings because she also helps other people who are experiencing similar issues with sobriety. She assured the Board that she is committed to her sobriety and is fully engaged in her recovery. Tr. 8/3/2022, pp. 11-13, 16-19. The Department also supports reinstatement of Petitioner's license. Tr. 8/3/2022, p. 20.

As noted in the Findings of Fact and foregoing discussion, the Board finds that Petitioner has presented relevant and credible evidence to sustain her burden of satisfying the Board that she is able to return to the practice of nursing with reasonable skill and safety, under the terms of the Order described below. Pursuant to Conn. Gen. Stat. § 19a-17(e), as a condition of reinstatement, the Board may impose disciplinary or corrective measures.

Order

Pursuant to Conn. Gen. Stat. §§ 19a-17 and 20-99, the Board hereby orders the following:

1. Petitioner Tammy Piccirillo's L.P.N. license number 037336 is hereby reinstated and placed on probation for two years under the following terms and conditions:
 - A. Petitioner shall not be employed as a L.P.N. for a personnel provider service, assisted living services agency, homemaker-home health aide agency, or home health care agency, and shall not be self-employed as a L.P.N. during the entire probationary period.
 - B. Petitioner shall not administer, count or have access to controlled substances, or have responsibility for such activities in the course of nursing duties during the first six months of working as a L.P.N. during the probationary period.
 - C. Petitioner shall provide a copy of this Memorandum of Decision ("Decision") to any and all employers if employed as a L.P.N. during the probationary period. The Department shall be notified in writing by any employer(s), within 30 days of the commencement of employment, as to the receipt of a copy of this Decision.
 - D. If employed as a L.P.N., Petitioner shall cause employer reports to be submitted to the Department by her immediate supervisor during the entire probationary period. Employer reports shall be submitted quarterly for the first 18 months of the probationary period and monthly for the remaining six months of probation. Employer reports shall be submitted commencing with the report due on the first business day of the month following employment as a L.P.N.

- E. The employer reports cited in paragraph 1D above shall include documentation of Petitioner's ability to practice nursing safely and competently. Employer reports shall be submitted directly to the Department at the address cited in Paragraph 1P below.
- F. Should Petitioner's employment as a L.P.N. be involuntarily terminated or suspended, Petitioner and her employer shall notify the Department within 72 hours of such termination or suspension.
- G. If Petitioner pursues further training in any subject area that is regulated by the Department, Petitioner shall provide a copy of this Decision to the educational institution or, if not an institution, to Petitioner's instructor. Such institution or instructor shall notify the Department in writing of receipt of a copy of this Decision within 15 days of receipt. Said notification shall be submitted directly to the Department at the address cited in paragraph 1P below.
- H. At her expense, Petitioner shall continue to engage in group or individual therapy and counseling with a licensed or certified therapist, approved by the Department, for the entire probationary period, and she shall attend AA, NA, and/or Nurses to Nurses support group meetings at least eight to ten times a month during the entire probationary period.
- I. Petitioner shall provide a copy of this Decision to her therapist. The Department shall be notified in writing by her therapist, within 30 days of the effective date of this Decision, as to receipt of a copy of this Decision.
- J. Petitioner shall request her therapist to submit evaluation reports directly to the Department during the entire probationary period. Therapist reports shall be submitted quarterly for the first 18 months of the probationary period and monthly for the last six months of the probationary period.
- K. The therapist reports cited in Paragraph 1J above shall include documentation of dates of treatment, an evaluation of Petitioner's progress, including alcohol and drug free status, and her ability to practice nursing safely and competently. Therapist reports shall be submitted directly to the Department at the address cited in Paragraph 1P below.

L. Observed random urine screens

- (1) At her expense, Petitioner shall submit to observed random chain of custody urine screens for alcohol and drugs for the entire probationary period, at a testing facility approved by the Board, after consultation with the Department, as ordered by her therapist, and/or personal physician, and/or employer. Alcohol/drug screening may also be required at the request of the Board to ensure compliance with this Order. Random alcohol/drug screens shall be legally defensible in that specimen donor and chain of custody can be identified throughout the screening process.
- (2) Petitioner shall be responsible for notifying the laboratory, her therapist, the Board, the Department and her prescribing practitioner of any drug(s) she is taking. For any prescription of a controlled substance(s) for more than two consecutive weeks, Petitioner shall request the provider prescribing the controlled substance(s) to submit quarterly reports to the Department until such time as the controlled substance(s) are no longer prescribed. The reports shall include the following:
 - a. A list of controlled substances prescribed by this provider;
 - b. A list of controlled substance(s) prescribed by other providers;
 - c. An evaluation of Petitioner's need for the controlled substances;
 - d. An assessment of Petitioner's continued need for the controlled substance(s).
- (3) There must be at least one such observed random alcohol/drug screen quarterly for the first 18 months of the probationary period and once per week during the remaining six months of the probationary period.
- (4) Random alcohol/drug screens shall be negative for the presence of alcohol and drugs. All positive *drug* screen results shall be confirmed by the Gas Chromatograph Mass Spectrometer (GC/MS) testing method. All positive *alcohol* screen results shall be confirmed by the urine Ethyl Glucuronide (EtG) testing method. Chain of custody documentation must accompany all laboratory reports and/or the laboratory reports must indicate that chain of custody procedures have been followed.

- (5) Random alcohol/drug screens must include testing for the following substances:

Amphetamines	Methadone
Barbiturates	Tramadol
Benzodiazepines	Opiates (Metabolites)
Cannabinoids (THC Metabolites)	Phencyclidine (PCP)
Cocaine	Propoxyphene
Meperidine (Demerol)	Ethanol (alcohol)

Screens for additional substances, such as Fentanyl, may also be required, if requested by the Board.

- (6) Laboratory reports of random alcohol and drug screens shall be submitted to the Department, at the address cited in Paragraph 1P below, by Petitioner's therapist, personal physician or the testing laboratory.
- M. Petitioner shall not obtain for personal use and/or use alcohol or any drug that has not been prescribed for her for a legitimate purpose by a licensed health care practitioner authorized to prescribe medications. Petitioner shall not abuse and/or excessively use any drugs that are prescribed for a legitimate medical purpose.
- N. Petitioner is hereby advised that the ingestion of poppy seeds may produce a positive drug screen result indicating the presence of opiates/morphine and that the ingestion of mouthwash may produce a positive result indicating the presence of alcohol. For that reason, any food substance containing poppy seeds, and mouthwash should be avoided during the probationary period. In the event that a drug/alcohol screen is positive for opiates/morphine and/or alcohol, the ingestion of poppy seeds and/or mouthwash shall not constitute a defense to such positive screen.
- O. The Department must be informed in writing prior to any change of address.
- P. All communications, payments if required, correspondence, and reports are to be addressed to:

Practitioner Monitoring and Compliance Unit
Department of Public Health
Healthcare Quality and Safety Branch
410 Capitol Avenue, MS #12HSR
P. O. Box 340308
Hartford CT 06134-0308

2. Any deviation from the terms of probation, without prior written approval by the Board shall constitute a violation of probation, which will be cause for an immediate hearing on charges of violating this Order. Any finding that Petitioner has violated this Order will subject Petitioner to sanctions under Conn. Gen. Stat. §§ 19a-17(a) and (c), including but not limited to, the revocation of her license. Any extension of time or grace period for reporting granted by the Board shall not be a waiver or preclude the Board's right to take subsequent action. The Board shall not be required to grant future extensions of time or grace periods. Notice of revocation or other disciplinary action shall be sent to Petitioner's address of record (most current address reported to the Practitioner Licensing and Investigations Section of the Healthcare Quality and Safety Branch of the Department).

3. This Order becomes effective on the date of signature.

The Board hereby informs Petitioner, Tammy Piccirillo, and the Department of this decision.

Dated at Waterbury, Connecticut this _____ day of December 2022.

BOARD OF EXAMINERS FOR NURSING

by _____
Patricia Bouffard, D.N.Sc., Chairperson

**STATE OF CONNECTICUT
BOARD OF EXAMINERS FOR NURSING**

Jennifer Scanlon, R.N.
License No. 108744

Petition No. 2021-298

MEMORANDUM OF DECISION

I

Procedural Background

On October 1, 2021, the Department of Public Health ("Department") filed a Statement of Charges with the Board of Examiners for Nursing ("Board"). Board ("Bd.") Exhibit ("Ex.") 1. The Charges allege violations of Chapter 378 of the Connecticut General Statutes ("Conn. Gen. Stat.") by Jennifer Scanlon ("Respondent"), that would subject Respondent's registered nurse ("R.N.") license no. 108744 to disciplinary action pursuant to Conn. Gen. Stat. §§ 19a-17 and 20-99(b)(2), 20-99(b)(5) and/or 20-99(b)(6).

On that same date, the Department filed a Motion for Summary Suspension Order ("Motion") regarding Respondent's practice. Bd. Ex. 2. On October 20, 2021, based on the allegations in the Statement of Charges and the affidavits and reports accompanying the Motion, the Board found that Respondent's continued nursing practice presented a clear and immediate danger to public health and safety and ordered, pursuant to Conn. Gen. Stat. §§ 4-182(c) and 19a-17(c), that Respondent's license be summarily suspended pending a final determination by the Board of the allegations contained in the Statement of Charges ("Summary Suspension Order"). Bd. Ex. 3.

On October 21, 2021, the Statement of Charges, Notice of Hearing ("Notice") and Summary Suspension Order were mailed to Respondent by first-class mail to her address of record on file with the Department, 219 South Broad Street, Unit N202, Meriden, Connecticut 06450. The correspondence was also mailed to 53 Parker Street, E201, Wallingford, Connecticut 06492. Bd. Ex. 4. On that same date, the correspondence was also emailed to Respondent's email address of record on file with the Department, msjenniferscanlon79@gmail.com. *Id.*

The hearing was scheduled to convene on November 17, 2021. *Id.*

On November 11, 2021, Respondent requested a continuance of the hearing in order to retain an attorney. Bd. Ex. 5. The Department had no objection to Respondent's request since her license was summarily suspended. *Id.* On November 12, 2021, the Board granted Respondent's request for a continuance. Bd. Ex. 6. The hearing was continued to March 16, 2022. *Id.*

On February 22, 2022, the Department informed the parties that the March 16, 2022, hearing was rescheduled to April 20, 2022. Bd. Ex. 7.

On March 23, 2022, the Department informed the parties that the Board had cancelled the April 20, 2022, hearing, and that the alternative dates to reschedule were April 6, May 11, or May 18, 2022. Bd. Ex. 8.

On March 25, 2022, the Department sent a notice to the parties by first class mail and email informing that the hearing was rescheduled from April 6, 2022, to May 11, 2022. There were no objections from either of the parties. Bd. Ex. 9.

On March 16, 2022, the Department filed a Motion to Amend the Statement of Charges. Bd. Ex. 10. The motion sought to amend the Statement of Charges to revise paragraphs seven and eight and to add paragraphs nine, ten and eleven. Tr. pp. 8-9. The Amended Statement of Charges was attached to the Motion to Amend the Statement of Charges as Attachment B ("Charges"). Bd. Ex. 11.

The hearing was held on May 11, 2022. At the hearing, the Board granted the Department's Motion to Amend the Statement of Charges. Transcript ("Tr.") 5/11/2022, pp. 15-16. Respondent was present at the hearing but was not represented by legal counsel. Tr. 5/11/2022, p. 3. Attorney Linda Fazzina represented the Department. *Id.*

Because the Respondent had not filed an Answer to the Charges within 14 days from the date of the Notice and had not reviewed the Amended Statement of Charges, Respondent orally answered the Charges on the record. Tr. 5/11/2022, pp. 10-14.

Following the close of the record, the Board conducted fact finding.

Each member of the Board involved in this decision attests that he or she was present at the hearing or has reviewed the record and that this decision is based entirely on the record, the law, and the Board's specialized professional knowledge in evaluating the evidence. *Pet v. Department of Health Services*, 228 Conn. 651 (1994).

II

Allegations

Count One

1. In paragraph 1 of the Charges, the Department alleges that Respondent of Meriden, Connecticut, is, and has been at all times, as referenced in the Charges, the holder of Connecticut R.N. license number 108744.
2. In paragraph 2 of the Charges, the Department alleges that during approximately February 2021, while working as a registered nurse at The Summit in Plantsville, Connecticut, Respondent:
 - a. diverted Baclofen for her personal use;
 - b. failed to document completely, properly and/or accurately medical or hospital records; and/or,
 - c. falsified one or more Controlled Substance Disposition Records (“CSDR”).
3. In paragraph 3 of the Charges, the Department alleges that during approximately February 2021, Respondent abused or utilized Baclofen to excess.
4. In paragraph 4 of the Charges, the Department alleges that Respondent’s abuse and/or excess use of Baclofen does, and/or may, affect Respondent’s practice as a registered nurse.
5. In paragraph 5 of the Charges, the Department alleges that the above facts constitute grounds for disciplinary action pursuant to Conn. Gen. Stat. § 20-99(b), including, but not limited to Conn. Gen. Stat. §§ 20-99(b)(2), 20-99(b)(5) and/or 20-99(b)(6).

Count Two

6. In paragraph 6 of the Charges, the Department alleges that paragraph 1 is incorporated herein by reference as if set forth in full.
7. In paragraph 7 of the Charges, the Department alleges that on or about June 17, 2020, while working as a registered nurse at the State of Connecticut Department of Correction, Garner Correctional Institution (“Garner”), Respondent was unable to complete her medication pass; evaluate or verify whether she gave medications to one or more inmates; and/or follow instructions. In addition, Respondent exhibited drowsiness, confusion, shakiness or unclear speech and/or fell asleep while on duty.

8. In paragraph 8 of the Charges, the Department alleges that on or about June 20, 2020, while working as a registered nurse at Garner, Respondent:
 - a. diverted one or more pharmacy items, including insulin; syringes; one or more pills and/or blister pack(s) of inmate medication;
 - b. injected herself, while on duty, with insulin assigned for inmate use; and/or
 - c. appeared disheveled, disoriented and/or impaired while on duty.
9. In paragraph 9 of the Charges, the Department alleges that on or about June 20, 2020, Respondent abused and/or utilized insulin to excess.
10. In paragraph 10 of the Charges, Respondent's abuse and/or excessive use of insulin does, and/or may, affect her practice as a registered nurse.
11. In paragraph 11 of the Charges, the Department alleges that Respondent failed to conform to the accepted standards of the nursing profession and/or violated professional boundaries when Respondent formed an inappropriate personal relationship with a Garner inmate, during approximately 2020. Said inappropriate relationship continued while the Garner inmate was on parole, including in approximately September or October 2020.
12. In paragraph 12 of the Charges, the Department alleges that the above facts constitute grounds for disciplinary action pursuant to the General Statutes of Connecticut § 20-99(b), including, but not limited to § 20-99(b)(2) and/or § 20-99(b)(5).

III

Findings of Fact

1. Respondent of Meriden, Connecticut, is, and has been at all times, as referenced in the Charges, the holder of Connecticut R.N. license number 108744. Tr. 5/11/2022, p. 11.
2. During approximately February 2021, while working as a registered nurse at The Summit in Plantsville, Connecticut, Respondent:
 - a. diverted Baclofen for her personal use;
 - b. failed to document completely, properly and/or accurately medical or hospital records; and/or,
 - c. falsified one or more Controlled Substance Disposition Records ("CSDR").

Id.; Department ("Dept.") Ex. 1, pp. 1-2, 4; Dept. Ex. 2, pp. 3-7.
3. During approximately February 2021, Respondent abused or utilized Baclofen to excess. *Id.*
4. Respondent's abuse and/or excessive use of Baclofen does, and/or may, affect Respondent's practice as a registered nurse. Tr. 5/11/2022, p. 12

Count Two

6. On or about June 17, 2020, while working as a registered nurse at Garner, Respondent was unable to complete her medication pass, evaluate or verify whether she gave medications to one or more inmates, and/or follow instructions. In addition, Respondent exhibited drowsiness, confusion, shakiness, or unclear speech and/or fell asleep while on duty. Dept. Ex. 1, p. 2-3; Dept. Ex. 3, pp. 8, 17-19, 22-25 (under seal).
7. On or about June 20, 2020, while working as a registered nurse at Garner, Respondent:
 - a. diverted one or more pharmacy items, including insulin, syringes, and one or more pills and/or blister pack(s) of inmate medication;
 - b. injected herself, while on duty, with insulin assigned for inmate use; and/or
 - c. appeared disheveled, disoriented, and/or impaired while on duty.
Tr. 5/11/2022, pp. 13-14; Dept. Ex. 1, pp. 2-3; Dept. Ex. 3, pp. 5, 8, 9 (under seal).
8. On or about June 20, 2020, Respondent abused and/or utilized insulin to excess. Tr. 5/11/2022, p. 13; Tr. 5/11/2022, pp. 17-21 (under seal); Dept. Ex. 1, pp. 2-3.
9. Respondent's abuse and/or excessive use of insulin does, and/or may, affect her practice as a registered nurse. Tr. 5/11/2022, p. 14; Tr. 5/11/2022, pp. 17-21 (under seal).
10. Respondent failed to conform to the accepted standards of the nursing profession and/or violated professional boundaries when Respondent renewed an inappropriate personal relationship with a former Garner inmate in 2020. Said inappropriate relationship continued while the Garner inmate was on parole, including in approximately September and/or October 2020. Dept. Ex. 1, pp. 1-4; Dept. Ex. 2, pp. 1-3; Dept. Ex. 3, pp. 9, 10, 11, 13 (under seal); Dept. Ex. 4, pp. 1-10; Tr. 5/11/2022, pp. 11-14; Tr. 5/11/2022, pp. 4-11 (under seal).

IV

Discussion and Conclusions of Law

The Department bears the burden of proof by a preponderance of the evidence in this matter. *Jones v. Connecticut Medical Examining Board*, 309 Conn. 727, 739-740 (2013).

The Department sustained its burden of proof with regard to all of the allegations contained in the Charges. Findings of Fact ("FF") 1-10.

Conn. Gen. Stat. § 20-99 provides, in pertinent part:

(a) The Board . . . shall have jurisdiction to hear all charges of conduct which fails to conform to the accepted standards of the nursing profession brought against persons licensed to practice nursing. After holding a hearing . . . said board, if it finds such

person to be guilty, may revoke or suspend his or her license or take any of the actions set forth in section 19a-17. . . .

(b) Conduct which fails to conform to the accepted standards of the nursing profession includes, but is not limited to, the following: . . . (2) illegal conduct, incompetence or negligence in carrying out usual nursing functions; . . . (5) abuse or excessive use of drugs, including alcohol, narcotics or chemicals; (6) fraud or material deception in the course of professional services or activities.

Respondent admitted all allegations in the Charges, except the allegations contained in paragraphs 2c and 11. However, despite Respondent's denial of those specific Charges, the Department established by a preponderance of the evidence that Respondent's relationship with the Garner inmate violated professional boundaries and/or her conduct failed to conform to the accepted standards of the nursing profession in one or more ways, as discussed below.

With respect to the allegations contained in paragraphs 2, 3 and 4 of the Charges, the Department established by a preponderance of the evidence that on February 19, 2021, at approximately 6:05 a.m., an eyewitness, Eva Raspet, R.N., Nursing Supervisor employed at The Summit, observed Respondent popping large white tablets into her own personal orange pill bottle while Respondent was talking on the telephone with a resident's family member. Dept. Ex. 1, pp. 1-2. According to her written statement (Dept. Ex. 2, p. 10), Nurse Raspet was behind Respondent. When she looked over her shoulder, she observed Respondent remove the patient information contained on the blister card and hid the blister card under some papers. *Id.* Nurse Raspet later discovered that the Baclofen blister card had only four tablets remaining in it. *Id.* Respondent had diverted 26 of the Baclofen tablets for her own personal use. Dept. Ex. 2, p. 1. Nurse Raspet confronted Respondent about her conduct, but Respondent walked away without responding, pretending to be working.

Despite Respondent's denial that she had diverted Baclofen from the blister card and removed the patient information from the blister card, Nurse Raspet informed Respondent that she had seen her rip the name off the blister card and take 26 of the 30 pills from the blister card. Nurse Raspet told Respondent that her shift was finished and asked her to punch out and go home. Dept. Ex. 2, pp. 2, 10.

On February 19, 2021, Respondent's diversion was verified by checking the signed delivery sheets of the Baclofen tablets. FF 2.

Subsequently, on March 15, 2021, Respondent admitted to a Drug Control Agent from the Department of Consumer Protection, Drug Control Division, that on February 19, 2021, she

diverted Baclofen 20 mg. tablets from The Summit for her own personal use. FF 2, 3.

Respondent also contacted the staff at The Summit by email and admitted that she had diverted the tablets for her own personal use. Dept. Ex. 1, p. 2.

On March 19, 2021, Respondent provided a written statement by email to Drug Control Agent Scott Stoppa in which she admitted that she had diverted the Baclofen tablets on February 19, 2021, purportedly to relieve the pain she was experiencing in her lower legs. Dept. Ex. 1, p. 11; Dept. Ex. 2, pp. 1-3. Respondent also admitted that she had made a horrible mistake. Dept. Ex. 2, p. 3.

Specifically, Respondent's diversion of the Baclofen tablets for her own personal use and her material deception regarding her diversion of the Baclofen tablets violated Conn. Gen. Stat. §§ 20-99 (2). Respondent's actions constituted illegal conduct, incompetence and negligence in carrying out her usual nursing functions. In addition, her behavior demonstrated abuse or excessive use of drugs, including alcohol, narcotics or chemicals and evidenced fraud or material deception in the course of her professional services or activities. Moreover, the Department established by a preponderance of the evidence that Respondent's abuse and/or excessive use of Baclofen does, and/or may, affect Respondent's practice as a registered nurse. FF 4. Thus, the Department sustained its burden of proof with respect to the allegations contained in paragraphs 2, 3 and 4 of the Charges.

With respect to the allegations contained in paragraphs 7 through 10, the Department sustained its burden of proof. The record establishes that on June 17, 2020, while working at Garner, Respondent was unable to complete her medication pass, evaluate or verify whether she gave medications to one or more inmates, and was unable to follow instructions. FF 6. The record also establishes, through the contemporaneous statements and testimony of eyewitnesses that Respondent appeared sweaty, shaky, drowsy, confused, nervous, and tired. *Id.* Respondent was unable to complete her medication pass to the inmates, and she was unable to recall to whom she had given medication. Respondent also did not speak clearly, and she fell asleep while on duty. *Id.* The Department established by a preponderance of the evidence that Respondent's conduct on June 17, 2020, violated Conn. Gen. Stat. §§ 20-99(b)(2) and (5).

On June 20, 2020, Respondent diverted one or more pharmacy items, including insulin, syringes, and one or more pills of medication prescribed for the inmates. FF 7. The record establishes that Respondent injected herself, while on duty, with insulin assigned for inmate use

and appeared disheveled, disoriented, and/or was impaired. Respondent could not recall what had happened. The breakroom of the medical area was in disarray—open insulin syringes were on the floor and peanut butter was smeared all over the room, including on the appliances, floors, and door frames as well as all over Respondent's body. *Id.* After the staff members were searched, Respondent surrendered three bottles of state issued insulin, 13 syringes, 2 bottles of her own prescribed medication and a single pill that could not be identified. Respondent also had blister packs of inmate medication in her personal bag which was a violation of the protocols and rules at Garner. She also had difficulty explaining why she had the blister packs in her possession. She appeared sedated to her coworkers. FF 7-9.

With respect to the allegations contained in paragraph 10 of the Charges, the record establishes that on October 3, 2020, Respondent was a passenger in a U Haul truck that she had rented in her name on October 2, 2020, for the former Garner inmate's use. Respondent was sitting in the middle of the front seat when the former inmate (Delmont Staples) drove the truck through the entrance of a convenience store, removing the store's door from its frame. Dept. Ex. 4, pp. 4-5. Subsequently the former inmate's accomplice (Brian Stroh), the inmate's friend and a passenger in the vehicle, entered the store and burglarized it. FF 10. According to the store owner's statement, at least 50 cartons of cigarettes and about 300 loose cigarettes were stolen. When the former inmate and his accomplice were arrested, the police found a plastic bag containing multiple cartons of cigarettes. Dept. Ex. 4, pp. 1- 4.

In the accomplice's sworn written statement to the Torrington police, he described the burglary and admitted that he and the former inmate stole the cigarettes to get money to buy crack cocaine. He claimed that before they burglarized the convenience store in Torrington, the former inmate and Respondent were already high on crack cocaine when they picked him up in Waterbury. Dept. Ex. 4, p. 4. The accomplice referred to Respondent as the former inmate's girlfriend. The former inmate's friend stated that he and the former inmate sold some of the cigarettes and bought more crack cocaine. He also stated that Respondent smoked crack cocaine with the two of them. Dept. Ex. 4, p. 4. Later that afternoon, the former inmate and his accomplice were arrested after they were involved in a police chase and crash with the U Haul truck. Subsequently, based on the accomplice's sworn written statement, the police determined that Respondent had ample opportunities not to be involved with the former inmate and his criminal activities, but instead accompanied the inmate on October 3, 2020, when he and his

friend burglarized the convenience store. Dept. Ex. 4, p. 5. On October 26, 2020, an application for a warrant for Respondent's arrest was submitted to the Superior Court. Dept. Ex. 4, pp. 4-5. Respondent was charged with conspiracy to commit larceny, conspiracy to commit burglary in the 3rd degree, and conspiracy to commit criminal mischief in the 1st degree. *Id.*

The record also establishes that on October 10, 2020, the former Garner inmate called Respondent via a collect call from the New Haven Correctional Institution. Respondent accepted the charges. The recorded conversation between the former inmate and Respondent included Respondent telling the inmate that she had been in contact with his mother and that she loved him and was going to be his wife. FF 10.

In her testimony, Respondent denied that she met the former inmate while working at Garner. Tr. 5/11/2022, p. 17 (under seal). Rather, Respondent testified that she and the inmate grew up together and attended the same high school. She testified that although she knew he has been in and out of prison for most of his life (Tr. 5/11/2022, p. 25) (under seal), she did not know he was on parole when he committed the burglary on October 1, 2020. Tr. 5/11/2022, p. 22 (under seal). Respondent claimed she renewed her relationship with the former inmate in September 2020 when he offered to help her move from Massachusetts to Connecticut. Tr. 5/11/2022, p. 30. Subsequently, the inmate stole personal items from her home and committed burglaries with her vehicle which he took without her permission. Tr. 5/11/202, pp. 21-22 (under seal).

Respondent also testified that she did not find out that the former inmate was on parole and that he had committed burglaries with her vehicle until October 1, 2020, when the local police pulled her and the inmate over while she was driving her vehicle. The police impounded her car. Dept. Ex. 1, p. 3; Dept. Ex. 4, p. 4.

Respondent also testified that she was "leading the inmate on" when she told him that she loved him and was going to be his wife because she was trying to get him to return the personal items he had stolen from her house. Tr. 5/11/2022, pp. 28-29 (under seal). Although Respondent claimed she was misleading him intentionally, she waited another two months before ending her relationship with him. Tr. 5/11/2022, pp. 25-26 (under seal).

The Department established by a preponderance of the evidence that Respondent's practice of nursing fell below the accepted standards of the nursing profession and/or violated professional boundaries, in one or more ways, including, but not limited to practicing nursing in

a negligent and incompetent manner, diversion of Baclofen from The Summit, and diversion of insulin that was prescribed for the prison inmates at Garner. Respondent demonstrated poor judgment regarding her relationship with a former inmate who was on parole. The Board finds that Respondent demonstrated incompetence, an inability to exercise good judgment professionally and clinically, and that her unsafe nursing practice at Garner put the inmates at risk. Other than her testimony, Respondent offered no written documentation to support her testimony that she was in treatment, participated in an IOP, and has had random negative drug tests. Tr. 5/11/2022, pp. 37-38. The record is devoid of evidence that Respondent is able to practice with reasonable skill and safety. Thus, the Board concludes that Respondent's conduct, as alleged in the Charges and proven by a preponderance of the evidence constitutes grounds for disciplinary action pursuant to Conn. Gen. Stat. §§ 20-99(b)(2), (5) and (6), and § 19a-17.

Order

Based upon the record in this case, the above findings of fact, and the conclusions of law, and pursuant to the authority vested in it by Conn. Gen. Stat. §§ 19a-17 and 20-99(b), the Board finds that the misconduct alleged and proven in Petition No. 2021-298 is severable and each proven Count of misconduct warrants the disciplinary action imposed by this order. The Board orders that Jennifer Scanlon's license number 108744 to practice as a R.N. in the State of Connecticut is hereby revoked.

This Order is effective on the date it is signed by the Board.

The Board hereby informs Respondent, Jennifer Scanlon, and the Department of this decision.

Dated at Waterbury, Connecticut this day of December 2022.

BOARD OF EXAMINERS FOR NURSING

By _____
Patricia C. Bouffard, D.N.Sc., Chair

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
HEALTHCARE QUALITY AND SAFETY BRANCH**

SUMMARY SUSPENSION COVER SHEET

In re: Karen Crosby, RN

Petition Number: 2022-1149

1. Karen Crosby (“respondent”) graduated from Los Angeles Valley College and was licensed to practice nursing in 1984.
2. On or about July 21, 2021, the Connecticut Board of Examiners for Nursing ordered a Consent Order in Petition Number 2020-684 (“Order”) based, in part, upon respondent’s emotional disorders and/or mental illnesses and abuse of alcohol, Xanax, Ambien, morphine and/or opiates. The Order required respondent, in part, to submit to random observed urine screens which shall be negative for the presence of drugs and alcohol.
3. On or about September 21, 2022, respondent abused and/or utilized to excess lorazepam.
4. For the foregoing reasons, the Department believes that respondent’s ability to practice as a registered nurse represents a clear and immediate danger to the public health and safety.

The Department respectfully requests that the Connecticut Board of Examiners for Nursing summarily suspend respondent’s nursing license until a full hearing on the merits can be held.

CONFIDENTIALITY NOTICE: This document and all attachments may contain information that is confidential or privileged. Please do not disseminate, distribute or copy the contents or discuss with parties who are not directly involved in this petition.

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
HEALTHCARE QUALITY AND SAFETY BRANCH**

In re: Karen Crosby, RN

Petition Number: 2022-1149

MOTION FOR SUMMARY SUSPENSION

The Department of Public Health ("Department") moves in accordance with Connecticut General Statutes §§4-182(c) and 19a-17(c) the Connecticut Board of Examiners for Nursing to summarily suspend Karen Crosby's registered nursing license. This motion is based on the attached Statement of Charges, affidavit, documents, report and the Department's information and belief that Karen Crosby's ability to practice nursing represents a clear and immediate danger to the public health and safety.

Dated at Hartford, Connecticut this 2nd day of December, 2022.



Christian D. Andresen, MPH, Section Chief
Practitioner Licensing and Investigations Section
Healthcare Quality and Safety Branch

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
HEALTHCARE QUALITY AND SAFETY BRANCH**

In re: Karen Crosby, RN

Petition Number: 2022-1149

STATEMENT OF CHARGES

Pursuant to Connecticut General Statutes §§19a-10 and 19a-14, the Department of Public Health ("Department") brings the following charges against Karen Crosby:

1. Karen Crosby of West Hartford, Connecticut ("respondent") is, and has been at all times referenced in this Statement of Charges, the holder of Connecticut registered nurse license number R38165.
2. On or about July 21, 2021, the Connecticut Board of Examiners for Nursing ordered a Consent Order in Petition Number 2020-684 ("Order") based, in part, upon respondent's emotional disorders and/or mental illnesses and abuse of alcohol, Xanax, Ambien, morphine and/or opiates. The Order required respondent, in part, to submit to random observed urine screens which shall be negative for the presence of drugs and alcohol.
3. On or about September 21, 2022, respondent abused and/or utilized to excess lorazepam.
4. On or about September 23, 2022, respondent urine tested positive for lorazepam.
5. Respondent's abuse and/or excessive use lorazepam to excess does, and/or may, affect her practice as a nurse.
6. Respondent's conduct as described above constitutes violations of the probationary terms required by the Order and subjects her license to revocation or other disciplinary action authorized by Connecticut General Statutes §§19a-17, 20-99(b) and/or 20-99(b)(5).

THEREFORE, the Department prays:

The Connecticut Board of Examiners for Nursing, as authorized by Connecticut General Statutes §§20-99(b) and 19a-17, revoke, or order other disciplinary action against respondent's nursing license as it deems appropriate and consistent with law.

Dated at Hartford, Connecticut this 2nd day of December, 2022.



Christian D. Andresen, MPH, Section Chief
Practitioner Licensing and Investigations Section
Healthcare Quality and Safety Branch

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
HEALTHCARE QUALITY AND SAFETY BRANCH**

In re: Karen Crosby, RN

Petition Number: 2022-1149

SUMMARY SUSPENSION ORDER

WHEREAS, the Department of Public Health moved for an order of summary suspension in this matter and having submitted an affidavit, documents and reports in support of its motion.

WHEREAS, said affidavit, documents and reports allege facts which show violations of Connecticut General Statutes §20-99 and which imperatively require emergency action in that the public health, safety or welfare of the citizens of the State of Connecticut is in clear and immediate danger.

NOW, THEREFORE, pursuant to Connecticut General Statutes §§ 4-182(c) and 19a-17(c), it is hereby **ORDERED**, by vote of the Connecticut Board of Examiners for Nursing:

1. Karen Crosby's registered nurse license number R38165 is summarily suspended pending a final determination by the Connecticut Board of Examiners for Nursing regarding the allegations contained in the Statement of Charges.
2. A hearing in this matter is scheduled for the _____ of _____, 2023, at ____ a.m. via Microsoft Teams.

Dated at _____, Connecticut this _____ day of _____, 2022.

Connecticut Board of Examiners for Nursing

SUMMARY SUSPENSION COVER SHEET

In re: John E. Rodriguez, R.N.

Petition No. 2022-851

1. Respondent is, and has been since August 13, 2012, the holder of Connecticut registered nurse license number 107550.
2. At all times relevant to the charges set forth herein, respondent practiced as a registered nurse at Stamford Hospital, Stamford, Connecticut.
3. On or about May 31, 2022, the respondent reported to work impaired.
4. On or about May 31, 2022 and/or June 1, 2022, the respondent reported to coworkers that he had been experiencing sleep deprivation.
5. On or about May 31, 2022 and/or June 1, 2022, the respondent reported to coworkers that he was experiencing hallucinations while at work.
6. On or about May 31, 2022 and/or June 1, 2022, while at work, the respondent left his patient assignment and his unit without informing anyone of his absence, he remained absent from his unit for approximately three hours and fifty minutes, and he was found to be asleep in his car in his employer's parking lot.
7. On or about June 1, 2022, the respondent submitted a urine sample which, upon screening, tested positive for cocaine.
8. On or about June 16, 2022, the respondent admitted to having used cocaine on or about June 6, 2022.
9. From on or about May 31, 2022, and/or dates prior thereto, to on or about June 6, 2022, and/or dates subsequent thereto, the respondent abused and/or used drugs to excess.
10. The above cited facts evidence conduct of the respondent failing to conform to the accepted standards of the nursing profession, and they represent a clear and immediate danger to the public health and safety if respondent is allowed to continue to practice, and they constitute grounds for disciplinary action pursuant to Conn. Gen. Stat. §§ 19a-17 and 20-99, including, but not necessarily limited to:
 - a. §19a-17(a),
 - b. §19a-17(c),
 - c. §20-99(b)(2), and
 - d. §20-99(b)(5).
11. For the foregoing reasons, the Department believes that respondent's continued practice as a registered nurse represents a clear and immediate danger to the public health and

safety. The Department respectfully requests that this Board summarily suspend respondent's license until a full hearing on the merits can be held.

CONFIDENTIALITY NOTICE: This document and all attachments may contain information that is confidential or privileged. Please do not disseminate, distribute, or copy the contents or discuss with parties who are not directly involved in this petition. Thank you.

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
HEALTHCARE QUALITY AND SAFETY BRANCH**

In re: John E. Rodriguez, R.N.

Petition No. 2022-851

MOTION FOR SUMMARY SUSPENSION

The Department of Public Health (hereinafter "the Department") hereby moves, in accordance with the Connecticut General Statutes §§4-182(c) and 19a-17(c), that the Connecticut Board of Examiners for Nursing summarily suspend the license of John E. Rodriguez, R.N. to practice as a registered nurse in Connecticut. This motion is based on the attached Statement of Charges, Affidavit and on the Department's information and belief that the continued practice as a nurse represents a clear and immediate danger to the public health and safety.

Dated at Hartford, Connecticut this 14th day of December 2022.

Christian Andresen

Christian D. Andresen, MPH, Section Chief
Practitioner Licensing and Investigations Section
Healthcare Quality and Safety Branch

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
HEALTHCARE QUALITY AND SAFETY BRANCH**

In re: John E. Rodriguez, R.N.

Petition No. 2022-851

STATEMENT OF CHARGES

Pursuant to the Connecticut General Statutes, §§19a-10 and 19a-14, the Department of Public Health (hereinafter "the Department") brings the following charges against John E. Rodriguez, R.N.:

COUNT ONE

1. John E. Rodriguez, R.N., of Stamford, Connecticut (hereinafter "respondent") is, and has been since August 13, 2012, the holder of Connecticut registered nursing license number 107550.
2. At all times relevant to the charges set forth herein, respondent practiced as a registered nurse at Stamford Hospital, Stamford, Connecticut.
3. On or about May 31, 2022, the respondent reported to work impaired.
4. On or about May 31, 2022 and/or June 1, 2022, the respondent reported to coworkers that he had been experiencing sleep deprivation.
5. On or about May 31, 2022 and/or June 1, 2022, the respondent reported to coworkers that he was experiencing hallucinations while at work.
6. On or about May 31, 2022 and/or June 1, 2022, while at work, the respondent left his patient assignment and his unit without informing anyone of his absence, he remained absent from his unit for approximately three hours and fifty minutes, and he was found to be asleep in his car in his employer's parking lot.
7. On or about June 1, 2022, the respondent submitted a urine sample which, upon screening, tested positive for cocaine.
8. On or about June 16, 2022, the respondent admitted to having used cocaine on or about June 6, 2022.
9. From on or about May 31, 2022, and/or dates prior thereto, to on or about June 6, 2022, and/or dates subsequent thereto, the respondent abused and/or used drugs to excess.
10. The above cited facts evidence conduct of the respondent failing to conform to the accepted standards of the nursing profession, and they represent a clear and immediate danger to the public health and safety if respondent is allowed to continue to practice, and they constitute

grounds for disciplinary action pursuant to Conn. Gen. Stat. §§ 19a-17 and 20-99, including, but not necessarily limited to:

- a. §19a-17(a),
- b. §19a-17(c),
- c. §20-99(b)(2), and
- d. §20-99(b)(5).

11. For the foregoing reasons, the Department believes that respondent's continued practice as a registered nurse represents a clear and immediate danger to the public health and safety.

THEREFORE, the Department prays that:

The Connecticut Board of Examiners for Nursing, as authorized by the Connecticut General Statutes, §§ 20-99(b) and 19a-17, summarily suspend respondent's license to practice as a registered nurse until a full hearing on the merits can be held, and that it revoke or order other disciplinary action against the registered nurse license of John E. Rodriguez, R.N. as it deems appropriate and consistent with law.

Dated at Hartford, Connecticut this 14th day of December 2022.

Christian Andresen

Christian D. Andresen, MPH, Section Chief
Practitioner Licensing and Investigations Section
Healthcare Quality and Safety Branch

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
HEALTHCARE QUALITY AND SAFETY BRANCH**

In re: John E. Rodriguez, R.N.

Petition No. 2022-851

SUMMARY SUSPENSION ORDER

WHEREAS, the Department of Public Health having moved for an order of summary suspension in this matter, and having submitted an investigative report and a duly verified affidavit in support of its motion; and

WHEREAS, said investigative report and affidavit allege facts which show violations of Conn. Gen. Stat. § 20-99 (b) (2) and (5); and which constitute grounds for disciplinary action pursuant to Conn. Gen. Stat. § 19a-17 (a) and (c); and which imperatively require emergency action in that the public health, safety, or welfare of the citizens of the State of Connecticut is in clear and immediate danger.

NOW, THEREFORE, pursuant to §§ 4-182(c) and 19a-17(c) of the Connecticut General Statutes, it is hereby **ORDERED**, by vote of the Board of Examiners for Nursing (hereinafter "the Board"):

1. That license number 107550 of John E. Rodriguez, R.N. to practice as a registered nurse in the State of Connecticut is hereby summarily suspended pending a final determination by the Board regarding the allegations contained in the Statement of Charges, and
2. That said license shall be immediately surrendered to the Department of Public Health Hearing Office, 410 Capitol Avenue, MS#13PHO, P.O. Box 340308, Hartford, CT 06134-0308 upon notification of this Order, and
3. That a hearing in this matter is scheduled for the _____ of _____ 2022, at _____ (AM/PM) in _____ .

Dated at Hartford, Connecticut this _____ day of _____ 2022.

Patricia Bouffard, R.N., Chairperson
Board of Examiners for Nursing

SUMMARY SUSPENSION COVER SHEET

In re: Nicole R. Solinski, L.P.N.

Petition No. 2022-1019

1. Nicole R. Solinski of Norwich, Connecticut (“respondent”) graduated from Lorenzo Walker Institute of Technology, and she was issued license number 034879 to practice as a licensed practical nurse by endorsement on February 8, 2010. Respondent is or has been licensed as a nurse in Florida.
2. On or about December 31, 2011, respondent’s nursing license expired, and respondent subsequently continued to practice nursing. In or about November 2014, her nursing license was reinstated pursuant to a Reinstatement Consent Order in Petition No. 2014-759 that reprimanded respondent’s license and assessed a civil penalty of three hundred and sixty dollars (\$360.00).
3. From approximately in or about November 2020 to the present, respondent has and/or had one or more emotional disorders or mental illnesses (“illnesses”). On or about June 17, 2022 and/or in or about December 2020, respondent abused or used to excess fentanyl. Respondent’s illnesses and/or respondent’s abuse or excess use of fentanyl does, and/or may, affect her nursing practice.
4. For the foregoing reasons, the Department believes that respondent’s continued practice as a licensed practical nurse represents a clear and immediate danger to the public health and safety. The Department respectfully requests that the Board of Examiners for Nursing summarily suspend respondent’s license until a full hearing on the merits can be held.

CONFIDENTIALITY NOTICE: This document and all attachments may contain information that is confidential or privileged. Please do not disseminate, distribute or copy the contents or discuss with parties who are not directly involved in this petition. Thank you.

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
HEALTHCARE QUALITY AND SAFETY BRANCH**

In re: Nicole R. Solinski, L.P.N.

Petition No. 2022-1019

MOTION FOR SUMMARY SUSPENSION

The Department of Public Health ("the Department") hereby moves in accordance with the Connecticut General Statutes §§4-182(c) and 19a-17(c) that the Connecticut Board of Examiners for Nursing summarily suspend the license of Nicole R. Solinski to practice as a licensed practical nurse in Connecticut. This motion is based on the attached Statement of Charges, affidavit, documents, and reports and on the Department's information and belief that the continued practice of Nicole R. Solinski represents a clear and immediate danger to the public health and safety.

Dated at Hartford, Connecticut this 14th day of December, 2022.

Christian Andresen

Christian D. Andresen, MPH, Section Chief
Practitioner Licensing and Investigations Section
Healthcare Quality and Safety Branch

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
HEALTHCARE QUALITY AND SAFETY BRANCH**

In re: Nicole R. Solinski, L.P.N.

Petition No. 2022-1019

STATEMENT OF CHARGES

Pursuant to Connecticut General Statutes §§19a-10 and 19a-14, the Department of Public Health ("the Department") brings the following charges against Nicole R. Solinski:

1. Nicole R. Solinski of Norwich, Connecticut ("respondent") is, and has been at all times referenced in this Statement of Charges, the holder of Connecticut licensed practical nurse license number 034879.
2. From approximately in or about November 2020 to the present, respondent has and/or had one or more emotional disorders or mental illnesses ("illnesses").
3. On or about June 17, 2022 and/or in or about December 2020, respondent abused or used to excess fentanyl.
4. Respondent's illnesses and/or respondent's abuse or excess use of fentanyl does, and/or may, affect her nursing practice.
5. In or about October 2020, while practicing nursing at a medical office in Norwich, Connecticut, respondent was drowsy, sleeping and/or impaired on one or more occasions.
6. The above facts constitute grounds for disciplinary action pursuant to Connecticut General Statutes §20-99(b) including but not limited to:
 - a. §20-99(b)(2);
 - b. §20-99(b)(4); and/or
 - c. §20-99(b)(5).

THEREFORE, the Department prays that:

The Connecticut Board of Examiners for Nursing, as authorized by Connecticut General Statutes §§20-99(b) and 19a-17, revoke or order other disciplinary action against the license of Nicole R. Solinski as it deems appropriate and consistent with law.

Dated at Hartford, Connecticut this 14th day of December, 2022.

Christian Andresen

Christian D. Andresen, MPH, Section Chief
Practitioner Licensing and Investigations Section
Healthcare Quality and Safety Branch

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
HEALTHCARE QUALITY AND SAFETY BRANCH**

In re: Nicole R. Solinski, L.P.N.

Petition No. 2022-1019

SUMMARY SUSPENSION ORDER

WHEREAS, the Department of Public Health having moved for an order of summary suspension in this matter and having submitted documents and reports in support of its motion; and

WHEREAS, said affidavit, documents and reports allege facts which show violations of Connecticut General Statutes §20-99 and which imperatively require emergency action in that the public health, safety or welfare of the citizens of the State of Connecticut is in clear and immediate danger.

NOW, THEREFORE, pursuant to Connecticut General Statutes §§4-182(c) and 19a-17(c), it is hereby **ORDERED**, by vote of the Board of Examiners for Nursing (“the Board”):

1. That license number 034879 of Nicole R. Solinski to practice as a licensed practical nurse in the State of Connecticut is hereby summarily suspended pending a final determination by the Board regarding the allegations contained in the Statement of Charges, and
2. That a hearing in this matter is scheduled for the _____ of _____, 2023, at ____ a.m. The hearing will be held remotely via Microsoft Teams.

Dated at Hartford, Connecticut this _____ day of _____, 2022.

Connecticut Board of Examiners for Nursing

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
HEALTHCARE QUALITY AND SAFETY BRANCH**

PREHEARING REVIEW COVER SHEET

In re: Patricia Taylor, LPN

Petition Number: 2022-82

1. Patricia Taylor (“respondent”) graduated from Bullard-Havens Technical High School and was licensed to practice as a nurse in 1978. She has not been previously disciplined.

2. The Department issued a Statement of Charges with the following allegations:

On or about May 12, 2017, respondent abused or used alcohol to excess during which time she was involved in a motor vehicle collision.

On or about August 23, 2017, respondent was convicted of illegally operating a motor vehicle under the influence of alcohol or drugs.

On or about December 4, 2021, respondent was practicing nursing at Anthology of Farmington in Farmington, Connecticut during which time her conduct failed to conform to the accepted standards of the nursing profession, in one or more of the following ways, in that she:

- a. failed to timely administer medications to one or more patients;
- b. failed to maintain appropriate medical records; and/or,
- c. spoke to inappropriately and/or unprofessionally to other staff members.

3. The Department and respondent respectfully request the Board to review the attached documents and provide a recommendation.

CONFIDENTIALITY NOTICE: The confidentiality of the attached documents is required under Federal and State law. All recipients must maintain strict confidentiality. All forms of disclosure, whether oral, written, or electronic, are strictly prohibited.

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
HEALTHCARE QUALITY AND SAFETY BRANCH**

In re: Gina L. Candelori-Bertola, R.N.

Petition No. 2021-1210

SUMMARY SUSPENSION ORDER

WHEREAS, the Department of Public Health having moved for an order of summary suspension in this matter, and having submitted a duly verified affidavit in support of its motion; and

WHEREAS, said affidavit alleges facts which show violations of Conn. Gen. Stat. § 20-99 (b) (4) and (5); and which constitute grounds for disciplinary action pursuant to Conn. Gen. Stat. § 19a-17 (a) and (c); and which imperatively require emergency action in that the public health, safety, or welfare of the citizens of the State of Connecticut is in clear and immediate danger.

NOW, THEREFORE, pursuant to §§ 4-182(c) and 19a-17(c) of the Connecticut General Statutes, it is hereby **ORDERED**, by vote of the Board of Examiners for Nursing (hereinafter "the Board"):

1. That license number 064041 of Gina L. Candelori-Bertola, R.N. to practice as a registered nurse in the State of Connecticut is hereby summarily suspended pending a final determination by the Board regarding the allegations contained in the Statement of Charges, and
2. That said license shall be immediately surrendered to the Department of Public Health Hearing Office, 410 Capitol Avenue, MS#13PHO, P.O. Box 340308, Hartford, CT 06134-0308 upon notification of this Order, and
3. That a hearing in this matter is scheduled for the 21st of December 2022, at 9:00 AM (AM/PM) in Hearing will be held remotely via Microsoft TEAMS

Dated at ^{Waterbury}~~Hartford~~, Connecticut this 16th day of November 2022.
_{PLB}

Patricia C Bouffard D.N.S.
Patricia Bouffard, R.N., Chairperson
Board of Examiners for Nursing

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
HEALTHCARE QUALITY AND SAFETY BRANCH**

In re: Gina L. Candelori-Bertola, R.N.

Petition No. 2021-1210

MOTION FOR SUMMARY SUSPENSION

The Department of Public Health (hereinafter "the Department") hereby moves, in accordance with the Connecticut General Statutes §§4-182(c) and 19a-17(c), that the Connecticut Board of Examiners for Nursing summarily suspend the license of Gina L. Candelori-Bertola, R.N. to practice as a registered nurse in Connecticut. This motion is based on the attached Statement of Charges, Affidavit and on the Department's information and belief that the continued practice as a nurse represents a clear and immediate danger to the public health and safety.

Dated at Hartford, Connecticut this 3rd day of November 2022.



Christian D. Andresen, MPH, Section Chief
Practitioner Licensing and Investigations Section
Healthcare Quality and Safety Branch

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
HEALTHCARE QUALITY AND SAFETY BRANCH**

In re: Gina L. Candelori-Bertola, R.N.

Petition No. 2021-1210

STATEMENT OF CHARGES

Pursuant to the Connecticut General Statutes, §§19a-10 and 19a-14, the Department of Public Health (hereinafter "the Department") brings the following charges against Gina L. Candelori-Bertola, R.N.:

COUNT ONE

1. Gina L. Candelori-Bertola, R.N. of Bloomfield, Connecticut (hereinafter "respondent") is, and has been since August 1, 2000, the holder of Connecticut registered nursing license number 064041.
2. From on or about October 19, 2020 to the present, respondent abused, and/or utilized to excess, drugs and/or narcotics including, but not necessarily limited to, cocaine and opioids.
3. The above cited facts evidence conduct of the respondent failing to conform to the accepted standards of the nursing profession, and they represent a clear and immediate danger to the public health and safety if respondent is allowed to continue to practice, and they constitute grounds for disciplinary action pursuant to Conn. Gen. Stat. §§ 19a-17 and 20-99, including, but not necessarily limited to:
 - a. §19a-17(a),
 - b. §19a-17(c), and
 - c. §20-99(b)(5).
4. For the foregoing reasons, the Department believes that respondent's continued practice as a registered nurse represents a clear and immediate danger to the public health and safety.

COUNT TWO

5. Paragraph one of Count One is incorporated herein by reference as if set forth in full.
6. From on or about April 21, 2021, and from on or about an undetermined date precedent thereto, respondent suffered from an emotional disorder or disorders, and/or a mental illness or illnesses.

7. The above facts constitute grounds for disciplinary action pursuant to Conn. Gen. Stat. § 19a-17, including, but not necessarily limited to:

- a. §19a-17(a),
- b. §19a-17(c), and
- c. §20-99(b)(4).

8. For the foregoing reasons, the Department believes that respondent's continued practice as a registered nurse represents a clear and immediate danger to the public health and safety.

THEREFORE, the Department prays that:

The Connecticut Board of Examiners for Nursing, as authorized by the Connecticut General Statutes, §§ 20-99(b) and 19a-17, summarily suspend respondent's license to practice as a registered nurse until a full hearing on the merits can be held, and that it revoke or order other disciplinary action against the registered nurse license of Gina L. Candelori-Bertola, R.N. as it deems appropriate and consistent with law.

Dated at Hartford, Connecticut this 7th day of November 2022.



Christian D. Andresen, MPH, Section Chief
Practitioner Licensing and Investigations Section
Healthcare Quality and Safety Branch

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
HEALTHCARE QUALITY AND SAFETY BRANCH**

In re: Margaret Dunnan, R.N.

Petition No. 2021-1098

SUMMARY SUSPENSION ORDER

WHEREAS, the Department of Public Health having moved for an order of summary suspension in this matter and having submitted duly verified affidavits in support of its motion; and

WHEREAS, said affidavits allege facts which show violations of §20-99(b) of the Connecticut General Statutes, and which imperatively require emergency action in that the public health, safety or welfare of the citizens of the State of Connecticut is in clear and immediate danger.

NOW, THEREFORE, pursuant to §4-182(c) and §19a-17(c) of the Connecticut General Statutes, it is hereby **ORDERED**, by vote of the Board of Examiners for Nursing:

1. That license number 098886 of Margaret Dunnan to practice nursing in the State of Connecticut is hereby summarily suspended pending a final determination by the Board of Examiners for Nursing regarding the allegations contained in the Statement of Charges, and
2. That a hearing in this matter is scheduled for the 21st of December 2022, at 9:00 AM (AM/PM) in (location) Hearing will be held remotely via Microsoft TEAMS

Dated at Hartford, Connecticut this 16th day of November, 2022.

Patricia C. Bull-d, D.N.S.
Board of Examiners for Nursing

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
HEALTHCARE QUALITY AND SAFETY BRANCH**

In re: Margaret Dunnan, R.N.

Petition No. 2021-1098

MOTION FOR SUMMARY SUSPENSION

The Department of Public Health (hereinafter "the Department") hereby moves in accordance with the General Statutes of Connecticut §§4-182(c) and 19a-17(c) that the Connecticut Board of Examiners for Nursing summarily suspend the license of Margaret Dunnan to practice nursing in Connecticut. This motion is based on the attached Statement of Charges and on the Department's information and belief that the continued practice of nursing represents a clear and immediate danger to the public health and safety.

Dated at Hartford, Connecticut this 10th day of November 2022.



Christian D. Andresen, MPH, Section Chief
Healthcare Quality and Safety Branch

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
HEALTHCARE QUALITY AND SAFETY BRANCH**

In re: Margaret Dunnan, R.N.

Petition No. 2021-1098

STATEMENT OF CHARGES

Pursuant to the General Statutes of Connecticut, §§19a-10 and 19a-14, the Department of Public Health (hereinafter "the Department") brings the following charges against Margaret Dunnan:

1. Margaret Dunnan of Bolton, Connecticut (hereinafter "respondent") is, and has been at all times referenced in this Statement of Charges, the holder of Connecticut registered nurse license number 098886.
2. From approximately February 2022, respondent has or had one or more emotional disorders and/or mental illnesses that does, and/or may, affect her practice as a nurse.
3. Respondent abused and/or used to excess alcohol on or about one or more of the following dates:
 - a. September 2021;
 - b. February 2022;
 - c. July 2022; and/or
 - d. September 2022.
4. Respondent's abuse and/or utilization to excess of controlled substances does and/or may affect her practice as a nurse.
5. The above facts constitute grounds for disciplinary action pursuant to Connecticut General Statutes §20-99(b), including, but not limited to §20-99(b)(4) and §20-99(b)(5).

THEREFORE, the Department prays that:

The Connecticut Board of Examiners for Nursing, as authorized by the General Statutes of Connecticut, §§20-99(b) and 19a-17, revoke or order other disciplinary action against the license of Margaret Dunnan as it deems appropriate and consistent with law.

Dated at Hartford, Connecticut this 10th day of November 2022.



Christian D. Andresen, MPH, Section Chief
Practitioner Licensing & Investigations Section
Healthcare Quality and Safety Branch

STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH

Manisha Juthani, MD
Commissioner



Ned Lamont
Governor
Susan Bysiewicz
Lt. Governor

BOARD OF EXAMINERS FOR NURSING

In re: Candace Staines, RN

Petition No. 2022-470

SUMMARY SUSPENSION ORDER

WHEREAS, the Department of Public Health having moved for an order of summary suspension in this matter and having submitted duly verified affidavits in support of its motion; and,

WHEREAS, said affidavits allege facts which show violations of §20-99(b) of the Connecticut General Statutes, and which imperatively require emergency action in that the public health, safety or welfare of the citizens of the State of Connecticut is in clear and immediate danger.

NOW, THEREFORE, pursuant to §4-182(c) and §19a-17(c) of the Connecticut General Statutes, it is hereby **ORDERED**, by vote of the Board of Examiners for Nursing:

1. That license number 180371 of Candace Staines to practice as a registered nurse in the State of Connecticut is hereby summarily suspended pending a final determination by the Board of Examiners for Nursing regarding the allegations contained in the Statement of Charges, and
2. That a hearing in this matter is scheduled for the 6th day of July 2022, at 9:00 a.m. The hearing will be held remotely via Microsoft TEAMS.

Dated at Waterbury, Connecticut this 15th day of June, 2022.

Patricia C. Bouffard, D.N.Sc., RN
Patricia C. Bouffard, D.N.Sc., RN, Chair
Connecticut Board of Examiners for Nursing



Phone: (860) 509-7566 • Fax: (860) 707-1904
Telecommunications Relay Service 7-1-1
410 Capitol Avenue, P.O. Box 340308
Hartford, Connecticut 06134-0308
www.ct.gov/dph



**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
HEALTHCARE QUALITY AND SAFETY BRANCH**

In re: Candace Staines, RN

Petition No. 2022-470

STATEMENT OF CHARGES

Pursuant to Connecticut General Statutes §§19a-10 and 19a-14, the Department of Public Health ("Department") brings the following charges against Candace Staines:

1. Candace Staines of Summit, New Jersey ("respondent") is, and has been at all times referenced in this Statement of Charges, the holder of Connecticut registered nurse license number 180371.
2. On or about December 27, 2021, the New Jersey State Board of Nursing ("New Jersey Board") suspended respondent's New Jersey license to practice nursing based, in part, on respondent's failure to comply with the New Jersey Board's designated intervention program, the Recovery and Monitoring Program.
3. On or about September 24, 2019, respondent abused or used to excess codeine.
4. On or about October 30, 2019, respondent abused or used to excess alcohol.
5. On or about February 14, 2020, respondent abused or used to excess Ativan.
6. Respondent's abuse of codeine, alcohol, and/or Ativan and/or failure to comply with the New Jersey Board's designated intervention program, does, and/or may, affect her practice of nursing.
7. Respondent failed to notify the Department of the New Jersey disciplinary action within thirty (30) days of its effective date as required by Connecticut General Statutes §19a-12e(e).
8. The above-described facts constitute grounds for disciplinary action pursuant to Connecticut General Statutes §§19a-17(f), 19a-12e(e), 20-99(b), including but not limited to 20-99(b)(2) and/or §20-99(b)(5).

THEREFORE, the Department prays:

The Connecticut Board of Examiners for Nursing, as authorized by Connecticut General Statutes §§20-99(b) and 19a-17, revoke, or order other disciplinary action against respondent's nursing license as it deems appropriate and consistent with law.

Dated at Hartford, Connecticut this 13th day of June, 2022.



Christian D. Andresen, MPH, CPH, Section Chief
Practitioner Licensing and Investigations Section
Healthcare Quality and Safety Branch

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
HEALTHCARE QUALITY AND SAFETY BRANCH**

In re: Candace Staines, RN

Petition No. 2022-470

MOTION FOR SUMMARY SUSPENSION

The Department of Public Health ("Department") moves in accordance with Connecticut General Statutes §§4-182(c) and 19a-17(c) the Connecticut Board of Examiners for Nursing to summarily suspend Candace Staines's registered nursing license. This motion is based on the attached Statement of Charges, documents, reports and on the Department's information and belief that Candace Staines's continued nursing practice of represents a clear and immediate danger to the public health and safety.

Dated at Hartford, Connecticut this 13th day of June, 2022.



Christian D. Andresen, MPH, CPH, Section Chief
Practitioner Licensing and Investigations Section
Healthcare Quality and Safety Branch

Tracking Number: 9489009000276139125382

Status

 **Delivered, Left with Individual**

August 8, 2022 at 2:42 pm
SUMMIT, NJ 07901

Your item was delivered to an individual at the address at 2:42 pm on August 8, 2022 in SUMMIT, NJ 07901.

USPS Tracking Plus[®] Available 

Get Updates 

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Text & Email Updates 

Tracking History 

August 8, 2022, 2:42 pm

Delivered, Left with Individual
SUMMIT, NJ 07901

Your item was delivered to an individual at the address at 2:42 pm on August 8, 2022 in SUMMIT, NJ 07901.

August 8, 2022, 7:00 am

Out for Delivery
SUMMIT, NJ 07901

August 8, 2022, 6:49 am

Arrived at Post Office
SUMMIT, NJ 07901

August 7, 2022

In Transit to Next Facility

August 6, 2022, 4:53 pm

Departed USPS Regional Facility
KEARNY NJ DISTRIBUTION CENTER

August 6, 2022, 2:48 pm

Arrived at USPS Regional Facility
KEARNY NJ DISTRIBUTION CENTER

August 6, 2022, 6:41 am

Departed USPS Regional Facility
HARTFORD CT DISTRIBUTION CENTER

August 5, 2022, 11:56 pm

Arrived at USPS Regional Origin Facility
HARTFORD CT DISTRIBUTION CENTER

August 5, 2022, 10:41 pm

Accepted at USPS Origin Facility
HARTFORD, CT 06106

August 5, 2022

Pre-Shipment Info Sent to USPS, USPS Awaiting Item

**STATE OF CONNECTICUT
CONNECTICUT BOARD OF EXAMINERS FOR NURSING**

Danielle Dragon

Certified Mail 9489 0090 0027 6312 5780 59

RE: Danielle Dragon LPN – License Reinstatement Request

NOTICE OF HEARING

Pursuant to the General Statutes of Connecticut Section 19a-17, Subsection (d), you are hereby notified to appear before the Connecticut Board of Examiners for Nursing for a hearing to determine whether your licensed practical nurse license may be reinstated. The hearing will be held on **December 21, 2022 at 9:00 a.m.** The hearing will be held remotely during the meeting of the Board of Examiners for Nursing. The link to connect to the hearing will be provided by email 3-5 days prior to the hearing.

At the aforementioned hearing you may be represented by legal counsel at your own expense or you may present evidence on your own behalf. You will have the burden of satisfying the Board of your ability to practice nursing with reasonable skill and safety. Evidence of the outcomes of your efforts toward recovery, which demonstrate maintenance of recovery over a lengthy period of time, especially in relationship to length of time of substance abuse, is to be presented to the Board. The Board will require you at that time, to present current evidence regarding:

- 1) Documentary or testimonial evidence from a licensed **therapist** documenting a lengthy period of drug/alcohol free status documented by reports of therapy, your emotional health, and your ability to administer safe nursing care, including the administration of controlled substances.
- 2) **Personal references** stipulating, but not limited to, the following: your drug/alcohol free status, emotional health, and work habits.
- 3) Documentary or testimonial evidence from **current and past employers** (since revocation of your license) documenting your ability to responsibly and accurately carry out assigned duties and your potential for functioning safely and effectively as a nurse.
- 4) Copies of **random, legally defensible screens** for drugs and alcohol conducted by your therapist and/or physician which support your drug/alcohol free status.
- 5) Documentation of participation in support groups and support of a sponsor, as well as the outcome of your participation in support groups.
- 6) Documentation from your therapist and/or physician which includes a **list of current medications** prescribed by all providers, an evaluation of your need for these medications and an assessment of your continued need for these medications.

In addition, please be prepared to present, at the hearing, any additional information relevant to your current ability to administer safe nursing care.

In preparation for this hearing you must, no later than December 5, 2022, provide the information specified in the attached Notice for Submissions.

The Board may hold a fact-finding meeting immediately following the close of the record.

Dated at Hartford, Connecticut, this 29th day of September 2022.

FOR: Connecticut Board of Examiners for Nursing

/s/ Jeffrey A. Kardys

Jeffrey A. Kardys, Administrative Hearings Specialist
Department of Public Health
410 Capitol Avenue, MS #13PHO
Hartford, CT 06106
jeffrey.kardys@ct.gov

c: Joelle Newton, Staff Attorney, DPH

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
HEALTHCARE QUALITY AND SAFETY BRANCH**

In re: Jacquelyn O'Connor, L.P.N

Petition No. 2020-845

STATEMENT OF CHARGES

Pursuant to the General Statutes of Connecticut, §§19a-10 and 19a-14, the Department of Public Health (hereinafter "the Department") brings the following charges against Jacquelyn O'Connor, L.P.N.:

1. Jacquelyn O'Connor of Milford, Connecticut (hereinafter "respondent") is, and has been at all times referenced in this Statement of Charges, the holder of Connecticut practical nurse license number 040670.
2. From on or about May 16, 2018 to on or about November 25, 2019 respondent practiced nursing at the Center for Discovery (hereinafter "the Center"), a facility specializing in the treatment of eating disorders, located in Fairfield, Connecticut. During the course of her employment, respondent provided care and treatment to Patient #1, a then 19-year old female patient with multiple behavioral, emotional, and/or physical impairments.
3. Throughout 2020, respondent provided care for Patient #1 from respondent's home in Milford, Connecticut. Respondent's care for Patient #1 failed to conform to the accepted standards of the nursing profession when she:
 - a. maintained an improper personal relationship with Patient #1;
 - b. provided nursing care to Patient #1 while also acting as her healthcare representative;
 - c. allowed Patient #1 to reside with her and her family;
 - d. slept in the same bed as Patient #1;
 - e. spoke to Patient #1 in a loud, hostile, and/or threatening nature;
 - f. forcefully and/or violently removed Patient #1 from their shared residence; and/or
 - g. used threatening language to coerce Patient #1 into taking unprescribed medication.
4. On various occasions in 2020, respondent's care for Patient #1 exceeded the scope of her practical nurse license when she:
 - a. provided care without the direction of a registered nurse;
 - b. administered medication over the prescribed dose;
 - c. improperly withheld prescribed medication; and/or
 - d. administered prescription medication without authorization from a physician.

5. On or about July 31, 2020, respondent falsified one or more medical records.
6. The above facts constitute grounds for disciplinary action pursuant to the General Statutes of Connecticut, §20-99(b), including but not limited to §20-99(b)(2) and/or §20-99(b)(6).

THEREFORE, the Department prays that:

The Connecticut Board of Examiners for Nursing, as authorized by the General Statutes of Connecticut, §§20-99(b) and 19a-17, revoke or order other disciplinary action against the license of Jacquelyn O'Connor as it deems appropriate and consistent with law.

Dated at Hartford, Connecticut this 15th day of March 2022.



Christian D. Andresen, MPH, CPH, Section Chief
Practitioner Licensing & Investigations Section
Healthcare Quality and Safety Branch

/

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH**


In Re: DPH V JACQUELYN JEAN O'CONNOR, LPN
Petition No. 2020-845

RESPONDENT'S ANSWER TO STATEMENT OF CHARGES DATED MARCH 15, 2022

1. Admit.
2. Denied. Respondent was employed part time for two days a week from 5-16-18 to 7-3-19 thereafter she only worked on-call.
3. Denied. Patient was a renter in respondent's home from 1-1-2020 to 3-11-2020 only. She provided nursing care to patient #1 only when patient #1 was a resident of Center for Discovery.
4. Denied. No nursing care was provided to patient #1 in 2020.
5. Denied.
6. Denied.

THE RESPONDENT,
JACQUELYN JEAN O'CONNOR, LPN

BY /s/


ELLEN M. COSTELLO
DEL SOLE & DEL SOLE, L.L.P.
46 SOUTH WHITTLESEY AVENUE
WALLINGFORD, CT 06492
TEL: 203-284-8000
FAX: 203-284-9800
JURIS NO. 101674
ELLENC@DELSOLEDELSOLE.COM

CERTIFICATION

I hereby certify that a copy of the foregoing has been mailed postage prepaid and/or sent via electronic mail and/or via facsimile on this, the sixth day of June 2022 to the following:

VIA EMAIL: ADEN.BAUME@CT.GOV

Aden T. Baume, Staff Attorney
Department of Public Health
410 Capitol Avenue, MS# 12 HSR
P.O. Box 340308
Hartford, CT 06134-0308

VIA EMAIL: PHHO.DPH@CT.GOV

Johanna Wallace
Department of Public Health
410 Capitol Avenue, MS# 12 HSR
P.O. Box 340308
Hartford, CT 06134-0308

VIA EMAIL: JEFFREY.KARDYS@CT.GOV

Jeffrey A. Kardys, Administrative Hearings Specialist
Legal Office/Public Health Hearing Office
State of Connecticut
Department of Public Health
410 Capitol Avenue, MS 13PHO
P.O. Box 340308
Hartford, CT 06134-0308


/s/ Ellen M. Costello
Ellen M. Costello

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH**

In Re: DPH V JACQUELYN JEAN O'CONNOR, LPN
Petition No. 2020-845

RESPONDENT'S MOTION FOR HEARING CONTINUANCE

The Respondent in the above captioned matter hereby seeks a continuance of her hearing from June 15, 2022, to July 6, 2022. The Department has indicated that they may object as they are ready to proceed.

The undersigned simply is not prepared to go forward on June 15, 2022. As the Board is aware the undersigned has had a number of involved hearings before the Board in the past couple of months along with a very busy trial practice.

In this matter a subpoena has been issued to Google regarding emails from the Petitioner, and the information obtained from Google will be used to cross-examine the Petitioner Porter. Although requested to appear on June 10, 2022, they have indicated ten more days, the Respondent needs additional time to obtain this information. The undersigned is still attempting to schedule necessary witnesses, obtain statements from witnesses and potentially obtain other emails and text messages between the parties. Additionally, the undersigned is attempting to sort the text messages exchanged between the parties which the department has submitted, some are undated or untimed, taken out of context and cut and pasted and rebut those messages with the entire text message threads and screenshots or text messages which are well over a hundred pages. This is a very time consuming and laborious process but necessary for cross examination of the Department's witnesses and for the Board's understanding and consideration of this case.

Based upon the Department's witness list and those anticipated by the Respondent, the Respondent expects this hearing will take 11 to 12 hours. The Respondent has suggested the Department propose a Consent Order, they declined. The Respondent suggested that the parties engage in Pre-Hearing Review in order to potentially reach an agreement short of such a long hearing, the Department has declined.

This matter has been pending for two years. The Department has not requested a summary suspension, there appears to be no

urgency for this hearing other than after two years the Department has decided it is ready for the hearing.

The Respondent respectfully requests that the Board grant this short continuance in order for the Respondent to prepare.

THE RESPONDENT,
JACQUELYN JEAN O'CONNOR, LPN

BY /s/ 

ELLEN M. COSTELLO
DEL SOLE & DEL SOLE, L.L.P.
46 SOUTH WHITTLESEY AVENUE
WALLINGFORD, CT 06492
TEL: 203-284-8000
FAX: 203-284-9800
JURIS NO. 101674
ELLENC@DELSOLEDELSOLE.COM

CERTIFICATION

I hereby certify that a copy of the foregoing has been mailed postage prepaid and/or sent via electronic mail and/or via facsimile on this, the 8th day of June 2022 to the following:

VIA EMAIL: ADEN.BAUME@CT.GOV

Aden T. Baume, Staff Attorney
Department of Public Health
410 Capitol Avenue, MS# 12 HSR
P.O. Box 340308
Hartford, CT 06134-0308

VIA EMAIL: PHHO.DPH@CT.GOV

Johanna Wallace
Department of Public Health
410 Capitol Avenue, MS# 12 HSR
P.O. Box 340308
Hartford, CT 06134-0308

VIA EMAIL: JEFFREY.KARDYS@CT.GOV

Jeffrey A. Kardys, Administrative Hearings Specialist
Legal Office/Public Health Hearing Office
State of Connecticut
Department of Public Health
410 Capitol Avenue, MS 13PHO
P.O. Box 340308
Hartford, CT 06134-0308

/s/


Ellen M. Costello

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
HEALTHCARE QUALITY AND SAFETY BRANCH**

In re: Jacquelyn O'Connor, L.P.N

Petition No. 2020-845

June 9, 2022

**DEPARTMENT'S OBJECTION TO RESPONDENT'S
MOTION FOR HEARING CONTINUANCE**

On June 8, Jacquelyn O'Connor, L.P.N., ("respondent") moved for a continuance of the hearing currently scheduled in this matter before the Board of Examiners for Nursing ("the Board") from June 15, 2022, to July 6, 2022. Respondent argues that respondent's counsel has not properly prepared for the hearing due to her heavy caseload, that her June 8, 2022 subpoena and deposition notice to Google was issued too close to the hearing date for Google to respond, and that sorting evidence already obtained is too time consuming and laborious. Further, respondent goes on to protest the Department's position regarding confidential settlement negotiations. The Department of Public Health ("the Department") objects to continuing the date of the hearing from June 15, 2022, to July 6, 2022 for the following reasons.

1. Respondent has had ample time to secure evidence and witness availability.

The notice of hearing in this matter was issued on March 31, 2022, ten weeks prior to the date of Respondent's Motion and ten weeks prior to respondent's issuance of a subpoena and Notice of Deposition. These ten weeks represent more than enough time to schedule any witness, secure any evidence, and prepare any documents. Further, respondent was represented by counsel not only for the entirety of these ten weeks but for the year that proceeded it.

Additionally, respondent failed to identify any particular conflict in scheduling, only alluding to respondent's counsel being very busy. While the Department is sympathetic to heavy

caseloads, placing the burden upon the Board to accommodate counsel's assumed caseload does not serve the interest of the Board's mission and goals. The solution to a caseload which exceeds one's capacity should not be to demand that others slow down. Simply put, being generally too busy to prepare for a hearing that has been scheduled for two and a half months is not a basis for a continuance.

2. Respondent's late-filed subpoena and deposition notice request non-existent data from a non-party.

Respondent wishes to delay proceedings in an attempt to discover the owner of an email address from Google via subpoena and deposition. The procedures and due process afforded to the respondent are governed by the Uniform Administrative Procedures Act. (UAPA). The Department is unaware of any provision in the UAPA that allows for the taking of depositions in this forum. However, even if that were not the case, Google could not possibly have the information respondent is demanding.

Rather, at best and if Google were to respond substantially at all, the only information Google could conceivably have would be relegated to what an anonymous person has inputted into a form on a web browser. Even if Google could provide the geographic location of the computer upon which that web-browser was accessed, which is outside the scope of respondents subpoena, this geographic information says nothing as to the person behind the keyboard. Further, even if Google could provide an accurate account of the identity of an individual who created an account, it could not possibly know who controls that account at any given time.

But, in any event, it is unlikely that Google would respond at all, either to a subpoena for information outside of its possession or to a deposition in a forum where no depositions are provided. More likely, this endeavor represents a thinly veiled attempt to circumvent the Board's filing deadline, which respondent missed.

3. The attempt to secure additional evidence and to schedule witnesses comes after the deadline to file evidence and witness disclosure.

The filing deadline for this matter was set by the Notice of Hearing dated March 30, 2022 for June 1, 2022. Per this Notice of Hearing, respondent was provided due process and a fair and full opportunity under the UAPA to submit evidence. Assuming respondent waited until the Hearing Notice to begin compiling exhibits and scheduling witnesses, there were 64 days in which to accomplish this task. Instead, the filing deadline passed without respondent filing a single paper.

Then, one week after the deadline passed, respondent issues a subpoena and notices a deposition, and moves for a continuance. In this motion, respondent fails to identify any procedural grounds for late filing or good cause for the late submissions. Absent either of these, it is unclear what respondent plans to do with any documents obtained or generated after the deadline to file.

As a matter of public policy, respondent should not be allowed to evade the process created under UAPA. Due process was afforded the respondent, and any attempt to circumvent that process when inconvenient to her would evince a lack of respect for this process, and to all respondents who duly comply with this process. Either deadlines are deadlines, or they are not. To delay proceedings to secure documents which cannot be submitted makes little sense.

Despite her counsel's apparently burdensome caseload, respondent has had ample time to consider potential conflicts, manage her schedule, arrange witnesses, compile documents, secure evidence and to properly prepare. That she did none of this within the generous time provided should not slow down or otherwise impede the Board's mission. This is not an incidence of an un-represented respondent who is unfamiliar with legal proceedings. Respondent has been represented for more than a year. Accordingly, the hearing currently scheduled for June 15, 2022 should proceed.

Respectfully submitted,

THE DEPARTMENT OF PUBLIC HEALTH

Aden T. Baume

Aden T. Baume, Staff Attorney
Office of Legal Compliance

CERTIFICATION

I certify that on this 9th day of June, 2022, a copy of the foregoing was sent by email to Attorney Ellen Costello (ellenc@delsoledelsole.com) and to Jeffrey A. Kardys (jeffrey.kardys@ct.gov), Administrative Hearings Specialist in the Department's Public Health Hearing Office.

Aden T. Baume

Aden T. Baume, Staff Attorney
Office of Legal Compliance

STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH

Manisha Juthani, MD
Commissioner



Ned Lamont
Governor
Susan Bysiewicz
Lt. Governor

BOARD OF EXAMINERS FOR NURSING

June 13, 2022

Ellen M. Costello, Esq.
Del Sole & Sel Sole, LLP
46 South Whittlesey Avenue
Wallingford CT 06492-4102

VIA EMAIL (ellenc@delsoledelsole.com)

Aden Baume, Staff Attorney
Department of Public Health
410 Capitol Avenue, MS #12LEG
PO Box 340308
Hartford, CT 06134-0308

VIA EMAIL ONLY

RE: Jacquelyn O'Connor, LPN - Petition No. 2020-845

RULING ON REQUEST FOR CONTINUANCE

On June 8, 2022 respondent filed a motion for continuance of the hearing in the referenced matter scheduled for June 15, 2022. The Department of Public Health filed an objection on June 9, 2022.

Respondent's motion is **GRANTED**.

The hearing is rescheduled to **Wednesday, August 3, 2022, at 9:00 a.m.** The hearing will be held by video conference during the meeting of the Board of Examiners for Nursing.

FOR: BOARD OF EXAMINERS FOR NURSING

BY: /s/ Jeffrey A. Kardys

Jeffrey A. Kardys, Administrative Hearings Specialist/Board Liaison
Department of Public Health
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Affirmative Action/Equal Opportunity Employer



Notice for Submissions

The hearing in the matter of **Jacqueline O'Connor, LPN** has been scheduled for **August 3, 2022** and will be conducted remotely through Microsoft Teams/teleconference.

On or before **July 13, 2022**, you must provide the following by electronic mail response to the hearing office at poho.dph@ct.gov

1. Electronically Pre-filed exhibits – Exhibits should be pre-marked for identification (i.e. Department exhibit 1, Respondent exhibit A), page numbered, and properly redacted.
Parties and/or counsel should stipulate to any exhibits and facts not in dispute, and provide any objections to proposed exhibits. All exhibits also must be sent to the opposing party or counsel.
2. Witness List – identify any persons expected to be called to testify. Be sure to notify your witnesses that they will be required to remain available and in attendance for the full duration of the hearing. (This will eliminate the difficulty of trying to reach witnesses again for rebuttal or additional examination later in the hearing). Witness lists also must be sent to the opposing party or counsel.
3. Photo Identification: a copy of a government-issued photo identification of the parties and witnesses.
4. Electronic Mail (“e-mail”) addresses for parties, counsel and witnesses. All e-mail addresses must be current and able to receive all notices relating to this matter.
5. Cellphone numbers for all parties, counsel, and witnesses at which they can be reached and respond to text message during the hearing (in the event a connection is lost).
6. A statement whether executive session may be required to receive testimony containing personal protected information, and if so, what that information may be (treatment records, patient records, therapy reports). Parties or counsel should identify any witnesses listed in response to #2 above who may provide testimony relating to personal protected information requiring executive session.
7. A statement whether an interpreter will be needed for the proceeding.

This is a formal public hearing. It will be video recorded and posted on the DPH website for public viewing. All hearing participants should appear in proper attire, in proper surroundings, and remove any potential distractions.

In preparation, please make sure all of your devices are fully functioning and properly charged. All participants are required to have video and audio functions on when testifying or speaking. Our office will contact you again 3 to 5 calendar days prior to the hearing to provide you with any further instructions and a Microsoft Teams link / phone number and code to enter the hearing.

Should you have any question please contact the hearing office at poho.dph@ct.gov.

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
HEALTHCARE QUALITY AND SAFETY BRANCH**

In re: Jacquelyn O'Connor, L.P.N

Petition No. 2020-845

August 2, 2022

**DEPARTMENT'S OBJECTION TO RESPONDENT'S
OFFERED EXHIBITS**

On March 30, 2022, the Connecticut Board of Examiners for Nursing ("Board") ordered a hearing to be held in the above captioned matter for June 15, 2022 and set a deadline for June 1, 2022 for the filing of exhibits. On June 8, 2022, Jacquelyn O'Connor, L.P.N., ("respondent") moved for a continuance of that hearing, arguing that counsel has not properly prepared for the hearing due to a heavy caseload, among other reasons. The hearing was continued to August 3rd 2022 and the deadline to file exhibits extended to July 13, 2022. On July 26 respondent submitted a batch of exhibits with an index, identifying 17 exhibits, ("first packet") and then on August 2, 2022 submitted an additional packet identifying 55 exhibits ("second packet"). The Department of Public Health ("Department") objects to respondent's first packet of offered exhibits and objects to respondent's second packet of offered exhibits.

1. The respondent's offered exhibits come after the deadline to file and must be excluded.

The original Notice of Hearing provided 10 weeks of notice for respondent to prepare and submit exhibits, from March 30 to June 1. After then failing to meet the first deadline, the Board extended that deadline an additional 6 weeks to July 13. These 16 weeks, all the while represented by counsel, represent more than enough time to secure any evidence, prepare any document, and communicate these documents to all interested parties. Instead, respondent

again failed to meet this second deadline, and submitted 176 pages of documents one week prior to the hearing, and an additional 98 pages less than 24 hours prior to the hearing.

Respondent provided no reason to show good cause for the late submissions and filed no request for an extension of time to file. 176 pages of documents submitted within a week of the hearing and 98 additional documents submitted within a day of the hearing provides too little time for the Department and the Board to properly analyze the contents of either packet.

The Board properly ordered deadlines for the filing of exhibits. These deadlines provide for due process and are designed to prevent this very occurrence. The procedures and due process afforded to the respondent are governed by the Uniform Administrative Procedures Act. (UAPA). As a matter of policy, respondent should not be allowed to evade the process created under UAPA. Respondent has identified no procedural basis to file exhibits after the deadline to do so, requested no extension of time to file, and identified no good cause for the offered exhibit's tardiness. Due process was afforded the respondent, and respondent's current and repeated attempts to circumvent that process when inconvenient to her must not be allowed.

2. The offered exhibits are irrelevant, immaterial, and/or repetitive and must be excluded.

As respondent provided insufficient time to fully analyze the contents of either packet, a more detailed objection will be stated orally on the record. However, section 4-178 of the Uniform Administrative Procedures Act provides for the exclusion of irrelevant, immaterial, or repetitive exhibits. Many of the proffered exhibits are missing, irrelevant, illegible, contain duplicative documents, are unmarked and unpaginated. Allowing these haphazard submissions to enter as exhibits would only add to the confusion in an already complicated case. As mentioned earlier, since respondent failed to provide sufficient time to fully analyze the contents of either packet, a more detailed objection will be stated orally on the record.

For the preceding reasons, the Department objects to the first packet of offered exhibits, and objects to the second packet of offered exhibits.

Respectfully submitted,

THE DEPARTMENT OF PUBLIC HEALTH

Aden T. Baume

Aden T. Baume, Staff Attorney
Office of Legal Compliance

CERTIFICATION

I certify that on this 2nd day of August, 2022, a copy of the foregoing was sent by email to Attorney Ellen Costello (ellenc@delsoledelsole.com) and to Jeffrey A. Kardys (jeffrey.kardys@ct.gov), Administrative Hearings Specialist in the Department's Public Health Hearing Office.

Aden T. Baume

Aden T. Baume, Staff Attorney
Office of Legal Compliance

STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH



Manisha Juthani, MD
Commissioner

Ned Lamont
Governor
Susan Bysiewicz
Lt. Governor

BOARD OF EXAMINERS FOR NURSING

August 16, 2022

Ellen M. Costello, Esq.
Del Sole & Sel Sole, LLP
46 South Whittlesey Avenue
Wallingford CT 06492-4102

VIA EMAIL ONLY(ellenc@delsoledelsole.com)

Aden Baume, Staff Attorney
Department of Public Health
410 Capitol Avenue, MS #12LEG
PO Box 340308
Hartford, CT 06134-0308

VIA EMAIL ONLY

RE: Jacquelyn O'Connor, LPN - Petition No. 2020-845

RULING ON REQUEST FOR CONTINUANCE

During a hearing in the referenced matter on August 3, 2022, the Board of Examiners for ordered a continuance to October 19, 2022.

The hearing will be held by video conference during the meeting of the Board of Examiners for Nursing.

Respondent shall submit her exhibits no later than September 9, 2022. The exhibits shall be properly labeled and paginated, and shall be filed electronically at phho.dph@ct.gov.

FOR: BOARD OF EXAMINERS FOR NURSING

BY:

/s/ Jeffrey A. Kardys

Jeffrey A. Kardys, Administrative Hearings Specialist/Board Liaison
Department of Public Health
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Affirmative Action/Equal Opportunity Employer



Notice for Submissions

The hearing in the matter of **Jacqueline O'Connor, LPN** has been scheduled for **August 3, 2022** and will be conducted remotely through Microsoft Teams/teleconference.

On or before **July 13, 2022**, you must provide the following by electronic mail response to the hearing office at poho.dph@ct.gov

1. Electronically Pre-filed exhibits – Exhibits should be pre-marked for identification (i.e. Department exhibit 1, Respondent exhibit A), page numbered, and properly redacted.
Parties and/or counsel should stipulate to any exhibits and facts not in dispute, and provide any objections to proposed exhibits. All exhibits also must be sent to the opposing party or counsel.
2. Witness List – identify any persons expected to be called to testify. Be sure to notify your witnesses that they will be required to remain available and in attendance for the full duration of the hearing. (This will eliminate the difficulty of trying to reach witnesses again for rebuttal or additional examination later in the hearing). Witness lists also must be sent to the opposing party or counsel.
3. Photo Identification: a copy of a government-issued photo identification of the parties and witnesses.
4. Electronic Mail (“e-mail”) addresses for parties, counsel and witnesses. All e-mail addresses must be current and able to receive all notices relating to this matter.
5. Cellphone numbers for all parties, counsel, and witnesses at which they can be reached and respond to text message during the hearing (in the event a connection is lost).
6. A statement whether executive session may be required to receive testimony containing personal protected information, and if so, what that information may be (treatment records, patient records, therapy reports). Parties or counsel should identify any witnesses listed in response to #2 above who may provide testimony relating to personal protected information requiring executive session.
7. A statement whether an interpreter will be needed for the proceeding.

This is a formal public hearing. It will be video recorded and posted on the DPH website for public viewing. All hearing participants should appear in proper attire, in proper surroundings, and remove any potential distractions.

In preparation, please make sure all of your devices are fully functioning and properly charged. All participants are required to have video and audio functions on when testifying or speaking. Our office will contact you again 3 to 5 calendar days prior to the hearing to provide you with any further instructions and a Microsoft Teams link / phone number and code to enter the hearing.

Should you have any question please contact the hearing office at poho.dph@ct.gov.

BOARD OF EXAMINERS FOR NURSING

October 20, 2022

Ellen M. Costello, Esq.
Del Sole & Sel Sole, LLP
46 South Whittlesey Avenue
Wallingford CT 06492-4102

VIA EMAIL ONLY(ellenc@delsoledelsole.com)

Aden Baume, Staff Attorney
Department of Public Health
410 Capitol Avenue, MS #12LEG
PO Box 340308
Hartford, CT 06134-0308

VIA EMAIL ONLY

RE: Jacquelyn O'Connor, LPN - Petition No. 2020-845

NOTICE OF CONTINUANCE

During a hearing in the referenced matter on October 19, 2022, the Board of Examiners for ordered a continuance to November 16, 2022.

The hearing will be held by video conference during the meeting of the Board of Examiners for Nursing.

FOR: BOARD OF EXAMINERS FOR NURSING

BY: /s/ *Jeffrey A. Kardys* _____

Jeffrey A. Kardys, Administrative Hearings Specialist/Board Liaison
Department of Public Health
410 Capitol Avenue, MS #13PHO
PO Box 340308
Hartford, CT 06134-0308
Tel. (860) 509-7566 FAX (860) 707-1904

Notice for Submissions

The hearing in the matter of **Jacqueline O'Connor, LPN** has been scheduled for **August 3, 2022** and will be conducted remotely through Microsoft Teams/teleconference.

On or before **July 13, 2022**, you must provide the following by electronic mail response to the hearing office at poho.dph@ct.gov

1. Electronically Pre-filed exhibits – Exhibits should be pre-marked for identification (i.e. Department exhibit 1, Respondent exhibit A), page numbered, and properly redacted.
Parties and/or counsel should stipulate to any exhibits and facts not in dispute, and provide any objections to proposed exhibits. All exhibits also must be sent to the opposing party or counsel.
2. Witness List – identify any persons expected to be called to testify. Be sure to notify your witnesses that they will be required to remain available and in attendance for the full duration of the hearing. (This will eliminate the difficulty of trying to reach witnesses again for rebuttal or additional examination later in the hearing). Witness lists also must be sent to the opposing party or counsel.
3. Photo Identification: a copy of a government-issued photo identification of the parties and witnesses.
4. Electronic Mail (“e-mail”) addresses for parties, counsel and witnesses. All e-mail addresses must be current and able to receive all notices relating to this matter.
5. Cellphone numbers for all parties, counsel, and witnesses at which they can be reached and respond to text message during the hearing (in the event a connection is lost).
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In preparation, please make sure all of your devices are fully functioning and properly charged. All participants are required to have video and audio functions on when testifying or speaking. Our office will contact you again 3 to 5 calendar days prior to the hearing to provide you with any further instructions and a Microsoft Teams link / phone number and code to enter the hearing.

Should you have any question please contact the hearing office at poho.dph@ct.gov.

**STATE OF CONNECTICUT
CONNECTICUT BOARD OF EXAMINERS FOR NURSING**

Brian Pervis
c/o Christina Canales, Esq.
Morrison Mahoney LLP
One Constitution Plaza, 10th Floor
Hartford, CT 06103

VIA EMAIL (CCanales@morrisonmahoney.com)
and Certified Mail 9489 0090 0027 6132 5785 16

RE: Brian Pervis, RN, APRN- Petition Nos. 2020-487 and 2022-338

NOTICE OF HEARING

By authority of the General Statutes of Connecticut, Section 4-177, you are hereby notified to appear before the Board of Examiners for Nursing for a hearing on the attached Charges against you at 9:00 AM on **December 21, 2022**. The hearing will be held by video conference during the meeting of the Board of Examiners for Nursing. The link to connect to the hearing will be provided by email 3-5 days prior to the hearing.

These Charges are being brought against you under the provisions of the Sections 19a-9, 19a-10 and 20-99(b) of the Connecticut General Statutes. The hearing will be conducted in accordance with Chapter 54 of the General Statutes of Connecticut and Section 19a-9-1, et seq., of the Regulations of Connecticut State Agencies (Public Health Code).

At the hearing you will have the opportunity to present your evidence, including witnesses and documents. It will be your responsibility to provide the hearing connection link to any witnesses you may call.

Filing an Answer; Failure to File Answer:

You are required to file an answer to the attached Charges with the Department of Public Health within 14 days from the date of this Notice of Hearing. Please note: failure to file an Answer could result in the allegations being found to be true as stated, and the possibility that you will not be permitted to submit any evidence concerning the allegations.

Representation by an Attorney:

At the aforementioned hearing you may be represented by an attorney and present evidence on your behalf. Although you may represent yourself (pro se), you are urged to obtain the services of an attorney.

Documents:

If you intend to introduce documents into evidence, **YOU MUST COMPLY WITH THE FOLLOWING REQUIREMENTS:**

Exhibits should be pre-marked for identification (i.e. Department exhibit 1, Respondent exhibit A), page numbered, and properly redacted.

The following information shall be redacted.

- (1) Date of birth
- (2) Mother's maiden name
- (3) Motor vehicle operator's license number
- (4) Social Security Number
- (5) Other government-issued identification number
- (6) Health insurance identification number
- (7) Financial account number
- (8) Security code or personal identification number (PIN)

Order Re: Filings

In preparation for this hearing you must, no later than December 2, 2022, provide the information specified in the attached Notice for Submissions.

All communications to the Board shall be submitted in this fashion. The Department or Respondent shall provide a copy of each document filed to Respondent or Department as the case may be and certify such to the Board.

Failure to Appear:

If you fail to appear at the hearing, upon proof that due notice was served upon you to appear, the Board may proceed in the same manner as though you were present in person. **The Board may hold a fact-finding meeting immediately following the close of the record.**

Please call 860-509-7566 as soon as possible if you have any questions about the hearing schedule.

Dated at Hartford, Connecticut this 29th day of September 2022.

For the Connecticut Board of Examiners for Nursing

/s/ Jeffrey A. Kardys

Jeffrey A. Kardys, Administrative Hearings Specialist

c: Christian Andresen, Section Chief, Practitioner Licensing and Investigations
Linda Fazzina, Staff Attorney, Office of Legal Compliance

The Department of Public Health is an equal opportunity provider and employer.

*If you require aid/accommodation to participate fully and fairly,
please contact the Public Health Hearing Office at 860-509-7566.*

Notice for Submissions

The hearing in the matter of **Brian Pervis, RN, APRN**. has been scheduled for **December 21, 2022** and will be conducted remotely through Microsoft Teams/teleconference.

On or before **December 2, 2022**, you must provide the following by electronic mail response to the Department of Public Health, Public Health Hearing Office at phho.dph@ct.gov.

1. Electronically Pre-filed exhibits – Exhibits should be pre-marked for identification (i.e. Department exhibit 1, Respondent exhibit A), page numbered, and properly redacted. *Parties and/or counsel should stipulate to any exhibits and facts not in dispute, and provide any objections to proposed exhibits.* All exhibits also must be sent to the opposing party or counsel.
2. Witness List – identify any persons expected to be called to testify. Be sure to notify your witnesses that they will be required to remain available and in attendance for the full duration of the hearing. (This will eliminate the difficulty of trying to reach witnesses again for rebuttal or additional examination later in the hearing). Witness lists also must be sent to the opposing party or counsel.
3. Photo Identification: a copy of a government-issued photo identification of the parties and witnesses.
4. Electronic Mail (“e-mail”) addresses for parties, counsel and witnesses. All e-mail addresses must be current and able to receive all notices relating to this matter.
5. Cellphone numbers for all parties, counsel, and witnesses at which they can be reached and respond to text message during the hearing (in the event a connection is lost).
6. A statement whether executive session may be required to receive testimony containing personal protected information, and if so, what that information may be (treatment records, patient records, therapy reports). Parties or counsel should identify any witnesses listed in response to #2 above who may provide testimony relating to personal protected information requiring executive session.
7. A statement whether an interpreter will be needed for the proceeding.

This is a formal public hearing. It will be video recorded and posted on the DPH website for public viewing. All hearing participants should appear in proper attire, in proper surroundings, and remove any potential distractions.

In preparation, please make sure all of your devices are fully functioning and properly charged. All participants are required to have video and audio functions on when testifying or speaking. Our office will contact you again 3 to 5 calendar days prior to the hearing to provide you with any further instructions and a Microsoft Teams link / phone number and code to enter the hearing.

Should you have any question please contact the hearing office at phho.dph@ct.gov.

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
HEALTHCARE QUALITY AND SAFETY BRANCH**

In re: Brian D. Pervis, RN, APRN

Petition Nos. 2020-487 and 2022-338

STATEMENT OF CHARGES

Pursuant to Connecticut General Statutes §§19a-10 and 19a-14, the Department of Public Health ("the Department") brings the following charges against Brian D. Pervis:

1. Brian D. Pervis of Middlebury, Connecticut ("respondent") is, and has been at all times referenced in this Statement of Charges, the holder of Connecticut registered nurse license number 089229 and Connecticut advanced practice registered nurse license number 005745.
2. In or about October 2017 and/or at various times between approximately March 2018 and November 2019, respondent:
 - a. searched the Connecticut Prescription Monitoring and Reporting System ("CPMRS") multiple times and accessed the controlled substance prescription records for one or more family member, although he did not have a patient-provider relationship with them;
 - b. failed to properly safeguard his CPMRS log-in credentials and/or improperly allowed his mother to use his CPMRS log-in credentials to access controlled substance prescription records for one or more family members; and/or
 - c. inappropriately accessed medical records for one or more family members and/or without permission to view protected health information.
3. The above facts constitute grounds for disciplinary action pursuant to Connecticut General Statutes §20-99(b), including but not limited to §§20-99(b)(2) and/or 20-99(b)(6).

THEREFORE, the Department prays that:

The Connecticut Board of Examiners for Nursing, as authorized by Connecticut General Statutes §§20-99(b) and 19a-17, revoke or order other disciplinary action against the nursing licenses of Brian D. Pervis as it deems appropriate and consistent with law.

Dated at Hartford, Connecticut this 28th day of July, 2022.



Christian D. Andresen, MPH, CPH, Section Chief
Practitioner Licensing & Investigations Section
Healthcare Quality and Safety Branch

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
HEALTHCARE QUALITY AND SAFETY BRANCH**

In re: Brian D. Pervis, RN, APRN

Petition Nos. 2020-487 and 2022-338

ANSWER TO STATEMENT OF CHARGES DATED JULY 28, 2022

1. The respondent admits that he is, and at all relevant times was, the holder of a Connecticut registered nurse license number 089229 and Connecticut advanced practice registered nurse license number 005745.

2 (a). Paragraph 2 (a) is denied.

2 (b). The respondent denies that he allowed or in any way permitted his mother to use his CPMRS log-in credentials to access controlled substance prescription records for one or more family members. The respondent admits that between March, 2018 and November, 2019, his password for CPMRS was saved on a company computer to which employees of his practice, including his mother, had access; but denies having any knowledge of the unauthorized use of his CPMRS log-in credentials until notified by the State of Connecticut Department of Consumer Protection. The respondent has put additional safeguards in place to protect his CPMRS log-in credentials and prevent the unauthorized use of CPMRS. He has provided additional training to the employees of his practice and now has his CPMRS log-in credentials password protected.

2 (c). Paragraph 2 (c) is denied.

3. Paragraph 3 is denied.

THE RESPONDENT
BRIAN PERVIS,

/s/ Christina Canales

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