

AGENDA
BOARD OF EXAMINERS FOR NURSING
Department of Public Health
410 Capitol Avenue, Hartford, CT
December 15, 2021 - 8:30 AM

Chair Updates
Additional Agenda Items and Reordering of Agenda
Open Forum
National Council of State Boards of Nursing - Update

MEMORANDUM OF DECISION

- *Pamela Franklin, RN* *Petition No. 2020-1211*
- *Meagan Frederick, LPN* *Petition No. 2021-206*
- *Alexis Young, LPN* *Petition No. 2020-331*

MOTION TO WITHDRAW STATEMENT OF CHARGES

- *Martine Pyram, RN, APRN* *Petition Nos. 2021-70; 2021-17* *Staff Attorney Joelle Newton*
- *Pamela Faulkner, R.N.* *Petition No. 2021-377* *Staff Attorney Aden Baume*

MOTION FOR SUMMARY SUSPENSION

- *Amanda Shanley a/k/a Amanda V. Hart, R.N. - Petition No 2021-1051* *Staff Attorney Craig Sullivan*

CONSENT ORDERS

- *Tiona Stewart, L.P.N.* *Petition No. 2017-1275* *Staff Attorney Linda Fazzina*
- *Susan Dunigan, RN;* *Petition No. 2020-244* *Staff Attorney Linda Fazzina*

HEARINGS

- *Stone Academy - West Haven Campus Day Program*
- *Michael Presnick, RN* *Petition No. 2017-1071* *Staff Attorney Diane Wilan*
- *Mary Kelley, RN* *Petition No. 2019-1199* *Staff Attorney Linda Fazzina*
- *Adwoa A. Darko, LPN* *Petition No. 2020-351* *Staff Attorney Joelle Newton*
- *Ashley Lambert, LPN* *Petition No. 2021-931* *Staff Attorney Diane Wilan*

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

Pamela Franklin, R.N.
License No. 087089

Petition No. 2020-1211

MEMORANDUM OF DECISION

I

Procedural Background

On April 7, 2021, the Department of Public Health ("Department") filed a Statement of Charges ("Charges") with the Board of Examiners for Nursing ("Board"). The Charges allege violations of Chapter 378 of the Connecticut General Statutes ("Conn. Gen. Stat.") by Pamela Franklin, R.N. ("Respondent") which would subject Respondent's registered nurse license 087089 to disciplinary action pursuant to Conn. Gen. Stat. §§ 19a-17 and 20-99(b)(4) and 20-99(b)(5). Board ("Bd.") Exhibit ("Ex.") 1.

On April 7, 2021, the Department also filed a Motion for Summary Suspension Order ("Motion") with the Board. Bd. Ex. 2. Based on the allegations in the Charges, affidavits and the 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 April 21, 2021, 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 April 23, 2021, the Summary Suspension Order, Charges, and a Notice of Hearing ("Notice") were transmitted to Respondent's email address of record at pamelaf06@yahoo.com.¹ Bd. Ex. 4. The Notice informed the parties that the hearing was scheduled for May 19, 2021.

The hearing was held on May 19, 2021. Respondent was neither present nor represented by counsel during the hearing. Tr. p. 3. Attorney Linda Fazzina represented the Department. *Id.*

¹On May 27, 2020, in accordance with the Governor's Executive Order No. 7B, Executive No. 7K, and Executive Order No. 7M, the Commissioner of the Department of Public Health ordered Conn. Agencies Regs. § 19a-9-18 be modified to permit delivery of hearing notices to be sent to Respondents solely by email and to deem such notice to be effective and sufficient if sent to the Respondent's last known email address of record on file with the Department.

Respondent did not file an Answer to the Charges. Tr. pp. 5-6.

At the hearing, the Department moved orally on the record to deem the allegations admitted. Tr. p. 6.

Given that the record is devoid of any evidence that Respondent did not receive the Notice that had been sent via Respondent's email address of record on file with the Department, the Board granted the Department's motion to deem the allegations admitted. Tr. pp. 6-7.

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 New Britain, Connecticut is, and has been at all times, as referenced in the Charges, the holder of Connecticut registered nurse license number 087089.
2. In paragraph 2 of the Charges, the Department alleges that from approximately November 2020 to the present, Respondent has and/or had one or more emotional disorders or mental illnesses that does, and/or may, affect her practice as a nurse.
3. In paragraph 3 of the Charges, the Department alleges that in or about November 2020, Respondent abused or utilized alcohol to excess.
4. In paragraph 4 of the Charges, the Department alleges that Respondent's abuse of alcohol does, and/or 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)(4) and/or 20-99(b)(5).

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III

Findings of Fact

1. On April 23, 2021, the Summary Suspension Order, Charges and Notice were sent to Respondent's email address of record on file with the Department. The record is devoid of any evidence that the email was not delivered. Respondent had reasonable and adequate written notice of the hearing and the allegations contained in the Charges.
2. Respondent did not appear at the hearing and was not represented by legal counsel. Tr. p. 3.
3. Respondent did not request a continuance.
4. Respondent did not file an Answer to the Charges. Tr. pp. 5-6.
5. The factual allegations contained in paragraphs 1 through 4 of the Charges are deemed admitted and true. Tr. pp. 6-7.

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:

(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,

Pursuant to Conn. Gen. Stat. §§ 20-99(b)(4) and (5), the Board is authorized to discipline the license of a nurse who fails to conform to the accepted standards of practice of the nursing profession, including, but not limited to emotional disorder or mental illness; and/or abuse or excessive use of drugs, including alcohol.

Since Respondent did not file an Answer, the allegations are deemed admitted.
See, Conn. Agencies Regs. § 19a-9-20.

The record establishes that on November 16, 2020, Respondent notified the Department in writing that she was “no longer fit to hold her nursing license” due to her mental breakdowns, physical illnesses, and alcoholism. Dept. Ex. 1, p. 1-2, 5 (under seal). Respondent also stated in writing that she had been suffering with such disorders since 2017. Dept. Ex. 1, p. 1 (under seal). Thus, the Department has established by a preponderance of the evidence that Respondent’s self-reported emotional disorder(s), mental illness(es) and excessive use of alcohol affect her ability to practice nursing safely. Dept. Ex. 1, p. 1-2, 5 (under seal).

Moreover, the record is devoid of any medical records documenting Respondent’s treatment for such illnesses. Therefore, the Department has established by a preponderance of the evidence that Respondent’s emotional disorder(s), mental illness(es) and abuse of alcohol does, and/or may, affect her ability to practice as a registered nurse.

Thus, the Board concludes that Respondent’s conduct as deemed to be admitted and true constitutes grounds for disciplinary action pursuant to Conn. Gen. Stat. §§ 20-99(b)(4) and 20-99(b)(5) and 19a-17.

Order

Based on the record in this case, the above findings of fact and conclusions of law, the Board orders that Pamela Franklin’s R.N. license number 087089 is **revoked**.

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

The Board hereby informs Respondent, Pamela Franklin, and the Department of this Decision.

Dated at Waterbury, Connecticut this _____ day of December 2021.

BOARD OF EXAMINERS FOR NURSING

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

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

Meghan Frederick, L.P.N.
License No. 037253

Petition No. 2021-206

MEMORANDUM OF DECISION

I

Procedural Background

On June 24, 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 Meghan Frederick, L.P.N. ("Respondent") which would subject Respondent's L.P.N. license number 037253 to disciplinary action pursuant to Conn. Gen. Stat. §§ 19a-17 and 20-99(b). Bd. Ex. 1.

On July 21, 2021, the Department filed a Motion for Summary Suspension Order ("Motion") with the Board. Bd. Ex. 2.

Based on the allegations in the 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. Accordingly, on July 21, 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. 2.

On July 22, 2021, the Summary Suspension Order, Charges, and a Notice of Hearing ("Notice") were transmitted to Respondent's email address of record with the Department at mfrederick62808@gmail.com.¹ Bd. Ex. 5.² The Notice informed that a hearing would be held on August 11, 2021. Bd. Ex. 5.

¹ On May 27, 2020, in accordance with the Governor's Executive Order No. 7B, Executive No. 7K, and Executive Order No. 7M, the Commissioner of the Department ordered that Conn. Agencies Regs. § 19a-9-18 be amended to permit delivery of hearing notices to be sent to Respondents solely by email and to deem such notice to be effective and sufficient if sent to the Respondent's last known email address of record on file with the Department.

² In the record, the DPH licensee database printout shows Respondent's last known email address of record as mfrederick62808@gmail.com. Bd. Ex. 6.

The hearing was held on August 11, 2021. Respondent was neither present nor represented by counsel during the hearing. Tr. p. 3. Attorney Joelle Newton represented the Department.

At the hearing, the Department moved orally on the record to deem the allegations admitted. Transcript (“Tr.”) p. 7. The Board granted the Department’s motion. Tr. pp. 7-8.

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 Dayville, Connecticut, is, and has been at all times, as referenced in the Charges, the holder of Connecticut licensed practical nurse license number 037253.
2. In paragraph 2 of the Charges, the Department alleges that from approximately 2021 through the present, Respondent has or had emotional disorders and/or mental illnesses (“diagnoses”).
3. In paragraph 3 of the Charges, the Department alleges that on multiple occasions from January 27, 2021 through March 7, 2021, Respondent abused and/or utilized alcohol, Flexeril, marijuana and/or oxycodone to excess.
4. In paragraph 4 of the Charges, the Department alleges that Respondent’s diagnoses and/or abuse and/or utilization of alcohol, Flexeril, marijuana and/or oxycodone to excess does, and/or may, affect her practice as a L.P.N.
5. In paragraph 5 of the Charges, the Department alleges that Respondent’s conduct as described above subjects her license to revocation or other disciplinary action authorized by Conn. Gen. Stat. §§ 19a-17 and 20-99(b), including but not limited to 20-99(b)(4) and/or 20-99(b)(5).

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III

Findings of Fact

1. On July 22, 2021, the Summary Suspension Order, Charges, and Notice were emailed to Respondent's email address of record with the Department. Bd. Ex. 5
2. Respondent had reasonable and adequate written notice of the hearing and the allegations contained in the Charges. Tr. pp. 6-7.
3. Respondent did not appear at the hearing and did not request a continuance. Tr. p. 3.
4. The factual allegations contained in paragraphs 1 through 4 of the Charges are deemed admitted and true. Tr. pp. 7-8.

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: . . . (4) emotional disorder or mental illness; (5) abuse or excessive use of drugs, including alcohol, narcotics, or chemicals; . . .

Specifically, under Conn. Gen. Stat. §§ 20-99(b), the Board is authorized to hear all charges of conduct which fails to conform to the accepted standards of the nursing profession. Further, the Board is authorized to discipline the license of a nurse who fails to conform to the accepted standards of practice of the nursing profession, including, but not limited to, emotional disorder or mental illness and/or abuse or excessive use of drugs, including alcohol, narcotics, or chemicals.

The Respondent did not file an Answer. Moreover, the Board granted the Department's motion to deem the allegations admitted. Thus, the allegations are deemed admitted. *See*, Conn. Agencies Regs. § 19a-9-20. Therefore, the Department has established by a preponderance of the evidence that Respondent's multiple diagnoses and/or abuse or excessive use of alcohol, Flexeril, marijuana and/or oxycodone does, and/or may affect her ability to practice. Department ("Dept.") Ex. 1, pp. 1-3 (under seal); Dept. Ex. 2, pp. 1-2 (under seal); Dept. Ex. 3, pp. 1-26 (under seal).

The record establishes that on January 27 and January 28, 2021, Respondent was hospitalized for a drug overdose and alcohol intoxication. Dept. Ex. 1, p. 1 (under seal). In February 2021, Respondent was refrained from practice. Dept. Ex. 1, p. 2 (under seal). After suffering a relapse during outpatient treatment in March 2021, Respondent was readmitted to the same hospital where she was hospitalized in January 2021. Respondent tested positive for alcohol and marijuana. *Id.*

In May 2021, Respondent informed the Department that she did not intend to return to medicine at that time. Dept. Ex. 1, p. 3 (under seal).

The Department established by a preponderance of the evidence that from January 2021 through March 2021, Respondent abused and/or utilized alcohol, Flexeril, marijuana and/or oxycodone to excess and that Respondent's substance use and/or abuse does, and/or may, affect her practice as a L.P.N. Since May 2021, Respondent has not been in contact with the Department. Thus, the Department cannot ensure that Respondent can practice with skill and safety at this time. Dept. Ex. 1, p. 3 (under seal).

The Board concludes that Respondent's conduct as deemed admitted and true constitutes grounds for disciplinary action pursuant to Conn. Gen. Stat. §§ 20-99(b)(4) and 20-99(b)(5), and 19a-17.

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Order

Based on the record in this case, the above findings of fact, and conclusions of law, the Board orders that Meghan Frederick's L.P.N. license number 037253 is **revoked**.

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

The Board hereby informs Respondent, Meghan Frederick, and the Department of this Decision.

Dated at Waterbury, Connecticut this _____ day of December 2021.

BOARD OF EXAMINERS FOR NURSING

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

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

Alexis Young, L.P.N.
License No. 038071

Petition No. 2020-331

MEMORANDUM OF DECISION

I

Procedural Background

On November 3, 2020, the Department of Public Health ("Department") filed a Statement of Charges ("Charges") with the Board of Examiners for Nursing ("Board"). The Charges allege violations of Chapter 378 of the Connecticut General Statutes ("Conn. Gen. Stat.") by Alexis Young ("Respondent") which would subject Respondent's licensed practical nurse ("L.P.N.") license number 038071 to disciplinary action pursuant to Conn. Gen. Stat. §§ 19a-17 and 20-99(b). Board ("Bd.") Exhibit ("Ex.") 1.

On February 23, 2021, the Charges, and a Notice of Hearing ("Notice") were transmitted to Respondent at (alexisyoung@optonline.net)¹, Respondent's email address of record with the Department.²

The hearing was held on April 21, 2021. Respondent was at the hearing and was not represented by counsel. Transcript ("Tr.") p. 3. Attorney Joelle Newton represented the Department. Since Respondent had not filed a written Answer to the Charges before the hearing, she answered the Charges orally on the record. Tr. pp. 6-8.

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).

¹ At the hearing and on the record, Respondent gave the Board an updated email address, which is AlexisBtFly@gmail.com. The Board amended the Charges to include this address update. Tr. p. 6.

² On May 27, 2020, in accordance with the Governor's Executive Order No. 7B, Executive No. 7K, or Executive Order No. 7M, the Commissioner of the Department ordered that Conn. Agencies Regs. § 19a-9-18 was modified to permit delivery of notices of hearing to be sent solely by email and to deem such notice to be effective and sufficient if sent to the party's last known email address of record on file with the Department.

II

Allegations

1. In paragraph 1 of the Charges, the Department alleges that Alexis Young of Charlotte, North Carolina ³ is, and has been at all times, as referenced in the Charges, the holder of Connecticut L.P.N. license number 038071.
2. In paragraph 2 of the Charges, the Department alleges that at all relevant times, Respondent was practicing nursing at St. Joseph's Center in Trumbull, Connecticut.
3. In paragraph 3 of the Charges, the Department alleges that on multiple occasions in 2019 and 2020, while working as a L.P.N., Respondent:
 - a. failed to completely, properly and/or accurately document medical records;
 - b. failed to properly waste controlled substances and/or,
 - c. altered and/or falsified one or more Controlled Substance Disposition Records ("CSDR")
4. In paragraph 4 of the Charges, the Department alleges that the above-described 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. Alexis Young of Charlotte, North Carolina, 28212,⁴ is, and has been at all times, as referenced in the Charges, the holder of Connecticut L.P.N. license number 038071.
2. At all relevant times, Respondent was practicing nursing at St. Joseph's Center in Trumbull, Connecticut.
3. On multiple occasions in 2019 and 2020, while working as a L.P.N., Respondent failed to completely, properly and/or accurately document medical records.
4. On multiple occasions in 2019 and specifically on January 13, 2020, January 24, 2020, January 26, 2020, and January 29, 2020, Respondent, while working as a L.P.N., failed to waste controlled substances properly.

³ At the hearing and one the record, Respondent gave the Board her new home address, which is A300 Runaway Bay Drive, Apartment L, Charlotte, N.C. 28212. Tr. p. 6.

⁴ At the hearing and on the record, Respondent gave the Board her new home address, which is A300 Runaway Bay Drive, Apartment L, Charlotte, N.C. 28212. Tr. p. 6.

5. On August 20, 2019, August 26, 2019, August 27, 2019, August 28, 2019, August 29, 2019, September 26, 2019, November 18, 2019, November 19, 2019, December 5, 2019, December 10, 2019; and, on January 13, 2020, January 20, 2020, January 24, 2020, January 26, 2020, and January 29, 2020, while working as a L.P.N., Respondent **altered** one or more CSDRs. Dept. Ex. 1; Dept. Ex. 2, pp. 10-21, 23-24; Tr. pp. 25-40
6. There is insufficient evidence to establish that on multiple occasions while working as a L.P.N., Respondent **falsified** the CSDR forms.

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;

Specifically, under Conn. Gen. Stat. §§ 20-99(b)(2), the Board is authorized to discipline the license of a nurse who “fails to conform to the accepted standards of practice of the nursing profession, including, but not limited to illegal conduct, incompetence or negligence in carrying out usual nursing functions.” The Department sustained its burden of proof with respect to all of the allegations contained in paragraphs 1 through 3a and 3b of the Charges. Although the Board found that Respondent altered one or more CSDR forms, the Board could not find, as alleged in paragraph **3c**, that the Department established by a preponderance of the evidence that Respondent falsified one or more CSDR forms. Findings of Fact (“FF”) 1-6.

With respect to the allegations contained in paragraphs 1 and 2 of the Charges, the record establishes, and Respondent admits that she is, and has been at all times, as referenced in the

Charges, the holder of Connecticut L.P.N. license number 038071; and, at all relevant times, she was practicing nursing at St. Joseph's Center in Trumbull, Connecticut. The record also establishes that Respondent practiced nursing at St. Joseph's from October 2014 until February 18, 2020. Dept. Ex. 1, p. 3. Therefore, the Department sustained its burden of proof with respect to the allegations contained in paragraphs 1 and 2 of the Charges.

With regard to the allegations contained in paragraph 3a of the Charges, the record establishes that on multiple occasions in 2019 and 2020, Respondent, while working as a L.P.N., failed to document medical records completely, properly and/or accurately. FF 3.

The Department initiated an investigation of Respondent after she made errors in documenting-controlled substances on January 30, 2020. As a result of those documentation errors, Respondent's Assistant Director of Nursing Services ("ADNS"), Sheila Johnson, initiated an audit of Respondent's electronic medication administration records ("EMAR") and CSDR forms. The audit spanned a six-month period of time. As a result of the findings of her audit, ADNS Johnson contacted DCP about her concerns. Zoe Glaras, Drug Control Agent for the Drug Control Division of the Connecticut Department of Consumer Protection ("DCP"), was the agent assigned to investigate ADNS Johnson's complaint about Respondent's errors in documenting-controlled substances. On February 4, 2020, Agent Glaras responded to ADNS's complaint and obtained some preliminary information concerning Respondent's documentation issues.

At the hearing, Agent Glaras testified that she investigated Respondent's documentation practices by reviewing the pertinent CSDR forms and interviewing ADNS Johnson and some other staff members, including Respondent. Agent Glaras further testified that Respondent admitted that she altered the quantity of capsules remaining on the CSDR form from January 26, 2020 to January 30, 2020 to correct the discrepancy she found between the number of capsules in one of her resident's blister packs and the number shown on the CSDR form. Respondent allegedly informed Ms. Glaras that her 11:00pm to 7:00 am shift on January 29, 2020 was "unusually very busy and overwhelming." Tr. p. 31. Respondent admitted that she made an error because she thought she had administered the medication to her resident. However, she did not document such administration for more than five hours after it was done. Tr. p. 32. When she discovered an "extra capsule," in her resident's blister pack, instead of reporting the discrepancy to her supervisor, Respondent altered the CSDR form and improperly discarded the

extra capsule because she could not reconcile the number of capsules on the form with the number of capsules in the blister pack. Respondent's explanation was that she was too busy to document the form at the actual time of the administration of the medication. Dept. Ex. 2, pp. 8-9. Respondent's response regarding why she made such documentation errors was generally the same, that "she was busy and made mistakes." Dept. Ex. 2, p. 9.

As an explanation for her documentation errors, Respondent also complained to Agent Glaras that the facility was under-staffed, lacked necessary supplies, such as diapers, and had computers that were inadequate and slow. She also complained that often she was required to care for up to 50 residents per shift who were patients on wings B and C. Dept. Ex. 2, p. 3, Tr. p. 78.

Regarding the allegations contained in paragraph 3b of the Charges, the record further establishes that on multiple occasions in 2019; and, specifically on January 13, 2020, January 24, 2020, January 26, 2020, and January 29, 2020, Respondent, while working as a L.P.N., failed to waste controlled substances properly. FF 4.

On January 13, 2020, the record evidences that Respondent did not document the time of her removal of resident MD's oxycodone 5 mg tablet on the CSDR form and the dose was not wasted until the end of her shift. Dept. Ex. 1, p. 2. In addition, on January 24, 2020, the record establishes that Respondent removed two extra tablets of resident MD's Tramadol 50mg tablets at 12:55 am and 7:05 a.m. and documented their removal as errors instead of wasted. Those tablets were held until the end of her shift for destruction instead of being wasted when they were removed from the blister pack in error. *Id.*

With respect to the allegations contained in paragraph 3c of the Charges regarding altering the CSDR forms, the record establishes that on August 20, 2019, August 26, 2019, August 27, 2019, August 28, 2019, August 29, 2019, September 26, 2019, November 18, 2019, November 19, 2019, December 5, 2019, December 10, 2019; and, on January 13, 2020, January 20, 2020, January 24, 2020, January 26, 2020, and January 29, 2020, Respondent, while working as a L.P.N., altered one or more CSDRs. FF 5.

However, with respect to the allegations contained in paragraph 3c pertaining to falsification of the CSDR forms, there is insufficient evidence to establish that Respondent, on multiple occasions while working as a L.P.N., falsified the CSDR forms.

Order

Based on the record in this case, the above findings of fact and conclusions of law, the Board hereby orders, with respect to Alexis Young's L.P.N. license number 038071, the following:

1. Respondent's license shall be placed on probation for three months from the date the Order is signed by the Board, under the following terms and conditions. If any of the conditions of probation are not met, Respondent's L.P.N. license may be subject to disciplinary action pursuant to Conn. Gen. Stat. § 19a-17.
 - A. During the period of probation, the Department shall pre-approve Respondent's employment and/or change of employment within the nursing profession.
 - B. Respondent shall provide a copy of this Order 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 30 days of the commencement of employment, as to receipt of a copy of this Decision.
 - C. During the probationary period Respondent, at her expense, shall successfully complete a course, pre-approved by the Department, in medication administration and documentation, including waste documentation and a concentration on controlled substances. Respondent shall provide proof to the satisfaction of the Department of her successful completion of the course within 30 days of completion.
 - D. If employed as a nurse, Respondent shall cause employer reports to be submitted to the Department, by her immediate supervisor during the three-month probationary period. Employer reports shall be submitted during the first and last month of the probationary period.
 - E. The employer reports cited in Paragraph D above shall include documentation of Respondent's ability to practice nursing safely and competently. Employer reports shall be submitted directly to the Department at the address cited in Paragraph I below.

- F. Should Respondent's employment as a nurse be involuntarily terminated or suspended, Respondent and her employer shall notify the Department within 72 hours of such termination or suspension.
- G. If Respondent pursues further training in any subject area that is regulated by the Department, Respondent shall provide a copy of this Decision to the educational institution or, if not an institution, to Respondent's instructor. Such institution or instructor shall notify the Department in writing as to 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 I below.
- H. The Department must be informed in writing prior to any change of address.
- I. All communications, payments if required, correspondence, and reports are to be addressed to:

Lavita Sookram, RN, Nurse Consultant
Practitioner Monitoring and Compliance Unit
Department of Public Health
Division of Health Systems Regulation
Board of Examiners for Nursing
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 Respondent has violated this Order will subject Respondent 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 Respondent'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 document has no bearing on any criminal liability without the written consent of the Director of 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, Alexis Young, and the Department of this Decision.

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

The Board hereby informs Respondent, Alexis Young, and the Department of this Decision.

Dated at Waterbury, Connecticut this _____ day of December 2021.

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**

Re: Martine Pyram, APRN, RN

Petition No. 2021-70

Petition No. 2021-71

December 6, 2021

MOTION TO WITHDRAW STATEMENT OF CHARGES

The Department of Public Health moves the Connecticut Board of Examiners for Nursing to withdraw the Statement of Charges in the above-reference matter because respondent passed away on December 1, 2021.

Respectfully submitted,

THE DEPARTMENT OF PUBLIC HEALTH



Joelle C. Newton, Staff Attorney
Office of Legal Compliance

ORDER

The foregoing motion having been duly considered by The Connecticut Board of Examiners for Nursing is hereby GRANTED/DENIED.

Dated at Waterbury, Connecticut this _____ day of _____, 2021.

Connecticut Board of Examiners for Nursing

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

In re: Pamela Faulkner, R.N.

Petition No. 2021-377

MOTION TO WITHDRAW STATEMENT OF CHARGES

The Department of Public Health (hereinafter "the Department") hereby moves the Board of Examiners for Nursing (hereinafter "the Board") for an Order granting this Motion to Withdraw. As grounds for this Motion, the Department states that on November 23, 2021, respondent signed a Voluntary Surrender of License Affidavit. A copy of respondent's Affidavit is attached hereto marked as Attachment "A." The Department has accepted respondent's Affidavit and license.

Respondent has voluntarily given up her right to practice as a registered nurse in Connecticut with the Department's approval. For this reason, the Department believes that continued prosecution of this case is unnecessary, and that it is in the interests of administrative economy to terminate these proceedings at this time.

Dated this 1st day of December, 2021 at Hartford, Connecticut.

Aden T. Baume

Aden Baume, Staff Attorney
Office of Legal Compliance
Healthcare Quality and Safety Branch

ORDER

The foregoing motion having been duly considered by the Connecticut Board of Examiners for Nursing, it is hereby GRANTED / DENIED.

Dated this _____ day of _____, 2021 at Waterbury, Connecticut.

Board of Examiners for Nursing

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

Re: Pamela Faulkner, R.N.
License No.: 160760

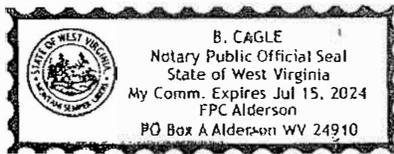
Petition No. 2021-377

VOLUNTARY SURRENDER

Pamela Faulkner, being duly sworn, deposes and says:

1. I am over the age of majority and understand the obligations of an oath.
2. I make this affidavit on the basis of personal knowledge.
3. I am licensed by the Department of Public Health (hereinafter "the Department") to practice as a registered nurse. I presently hold license number 160760.
4. I hereby voluntarily surrender my license to practice as a registered nurse in the State of Connecticut as provided pursuant to Section 19a-17(d) of the General Statutes.
5. I agree and acknowledge that if I seek a new license or to reinstate my license at any time in the future, the allegations contained in Petition Number 2021-377 shall be deemed true. I further agree and acknowledge that any such application must be made to the Department which shall have discretion as to whether said license shall be issued or reinstated and, if so, whether said license shall be subject to conditions as provided pursuant to Section 19a-14(a)(6) of the General Statutes.
6. I hereby waive any right to a hearing I may have regarding any request that my license be reinstated or that a new license be issued and also waive any right that I may have to appeal or otherwise challenge the disposition of any such request.
7. I agree and acknowledge that this affidavit and the case file in Petition Number 2021-377 are public documents, and I am executing this affidavit in settlement of the allegations contained in the above-referenced petition.
8. I agree and acknowledge that, upon execution of this document by the Department, the Department will present this document to the Board and will move to withdraw the Statement of Charges in Petition No. 2021-377. I understand that this document is not effective unless and until the Department has executed it, and the Board either grants the Department's Motion to Withdraw or the charges are dismissed.
12. I agree and acknowledge that I have the right to consult with an attorney prior to signing this affidavit.

13. I agree and acknowledge that 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.
14. I agree and acknowledge that the purpose of this agreement is to resolve the pending matter against my license and is not intended to affect any claim of civil liability that might be brought against me.
15. If applicable, I agree to comply with the provision of Section 19a-14-44 Regulations Connecticut State Agencies.



Pamela Faulkner R.N.
 Pamela Faulkner, R.N.

Subscribed and sworn to before me this 23 day of November 2021.

B. Cagle
 Notary Public
 Commissioner of Superior Court

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

November 29, 2021
 Date

SUMMARY SUSPENSION COVER SHEET

In re: Amanda Shanley a/k/a Amanda V. Hart, R.N.

Petition No. 2021-1051

1. Respondent has been licensed as a registered nurse in Connecticut since September 23, 2009.
2. On or about July 21, 2021, the Connecticut Board of Examiners for Nursing (hereinafter the "Board") issued a Memorandum of Decision (hereinafter the "MOD") in Petition No. 2020-552 placing respondent's license on probation for four years.
3. The MOD required respondent, in part, to a.) submit to observed, random chain of custody urine screens for alcohol and drugs and it required that all such screens be negative for the presence of alcohol and drugs, excluding the drugs that respondent's providers prescribe; and b.) engage in therapy and counseling for chemical dependency with a licensed or certified therapist, approved by the Department, during the entire probationary period.
4. The MOD provided that if any of the conditions of probation are not met, respondent's registered nurse license may be subject to disciplinary action pursuant to Conn. Gen. Stat. § 19a-17, and that any finding that respondent had violated the MOD would subject respondent to sanctions under Conn. Gen. Stat. § 19a-17(a) and (c), including but not limited to, the revocation of her license.
5. On or about July 19, 2021, respondent's urine screen was dilute; on or about July 21, 2021, the Department requested that respondent be re-tested; respondent's re-tested urine screen tested positive for the presence of alcohol.
6. On or about October 4, 2021, respondent's urine screen tested positive for the presence of alcohol.
7. On or about October 14, 2021, respondent informed the Department that she had relapsed and that she had consumed alcohol.
8. On or about November 17, 2021, respondent's urine screen tested positive for the presence of alcohol.
9. From on or about May 8, 2020 to the present, respondent has or had an emotional disorder and/or mental illness.
10. 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, 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).

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: Amanda Shanley a/k/a Amanda V. Hart, R.N.

Petition No. 2021-1051

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 Amanda Shanley a/k/a Amanda V. Hart, R.N. to practice as a registered nurse in Connecticut. This motion is based on the attached Statement of Charges, Affidavits and on the Department's information and belief that the continued practice as a registered nurse represents a clear and immediate danger to the public health and safety.

Dated at Hartford, Connecticut this 30th day of November 2021.



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: Amanda Shanley a/k/a Amanda V. Hart, R.N.

Petition No. 2021-1051

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 Amanda Shanley a/k/a Amanda V. Hart, R.N.:

COUNT ONE

1. Amanda Shanley a/k/a Amanda V. Hart, R.N. of Glastonbury, Connecticut (hereinafter "respondent") is, and has been at all times referenced in this Statement of Charges, the holder of Connecticut registered nurse license number 090939.
2. On or about July 21, 2021, the Connecticut Board of Examiners for Nursing (hereinafter the "Board") issued a Memorandum of Decision (hereinafter the "MOD") in Petition No. 2020-552 placing respondent's license on probation for four years.
3. The MOD required respondent, in part, to a.) submit to observed, random chain of custody urine screens for alcohol and drugs and it required that all such screens be negative for the presence of alcohol and drugs, excluding the drugs that respondent's providers prescribe; and b.) engage in therapy and counseling for chemical dependency with a licensed or certified therapist, approved by the Department, during the entire probationary period.
4. The MOD provided that if any of the conditions of probation are not met, respondent's registered nurse license may be subject to disciplinary action pursuant to Conn. Gen. Stat. § 19a-17; and that any finding that respondent had violated the MOD would subject respondent to sanctions under Conn. Gen. Stat. §§ 19a-17(a) and (c), including but not limited to, the revocation of her license.
5. On or about July 19, 2021, respondent's urine screen was dilute; on or about July 21, 2021, the Department requested that respondent be re-tested; respondent's re-tested urine screen tested positive for the presence of alcohol.
6. On or about October 4, 2021, respondent's urine screen tested positive for the presence of alcohol.
7. On or about October 14, 2021, respondent informed the Department that she had relapsed and that she had consumed alcohol.

8. On or about November 17, 2021, respondent's urine screen tested positive for the presence of alcohol.

9. Respondent's above cited conduct constitutes violations of the terms of probation as set forth in the MOD, it represents a clear and immediate danger to the public health and safety if respondent is allowed to continue to practice, and it constitutes 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).

10. 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

11. Paragraphs one through eight of Count One are incorporated herein by reference as if set forth in full.

12. From on or about May 8, 2020 to the present, respondent has or had an emotional disorder and/or mental illness.

13. 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),
- c. §20-99(b)(4), and
- d. §20-99(b)(5).

14. 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 General Statutes of Connecticut, §§ 20-99(b) and 19a-17, summarily suspend respondent's license until a full hearing on the merits can be held, and that it revoke or order other disciplinary action against the license of Amanda Shanley a/k/a Amanda V. Hart, R.N. as it deems appropriate and consistent with law.

Dated at Hartford, Connecticut this 30th day of November 2021.

A handwritten signature in blue ink that reads "Christian D. Andresen". The signature is written in a cursive style.

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

CONSENT ORDER COVER SHEET

In re: Tiona Stewart, L.P.N.

Petition No. 2017-1275

1. Tiona Stewart of Stratford, Connecticut (hereinafter "respondent") graduated from Stone Academy in 2013 and was issued license number 038404 to practice as a licensed practical nurse on November 6, 2013.
2. Respondent has not previously been disciplined.
3. The Department's Practitioner Licensing and Investigations Section opened this petition after receiving information that respondent was arrested for forging time slips.
4. From approximately September 2016 through February 2017, while working as nurse through a staffing agency, respondent submitted forged time slips and received compensation for hours she did not work. From approximately October 2016 through November 2016, respondent misappropriated and/or attempted to misappropriate patient property.
5. On or about August 6, 2018, respondent was convicted of five counts of larceny 4th degree and sentenced to one year jail, execution suspended, probation three years in connection with the forged time sheets. On or about May 14, 2019, respondent was convicted of two counts of larceny 6th degree and one count of larceny 4th degree and sentenced to one year jail, execution suspended, probation one year in connection with the misappropriation of patient property.
6. The proposed Consent Order provides for a reprimand and a two-year probationary period that includes quarterly employer reports as well as coursework in professional ethics, pre-approved by the Department. Respondent may not be self-employed or work for a personnel provider service, assisted living or homecare agency during the probationary period.
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: Tiona Stewart, L.P.N.

Petition No. 2017-1275

CONSENT ORDER

WHEREAS, Tiona Stewart (hereinafter "respondent") of Stratford, Connecticut has been issued license number 038404 to practice as a licensed practical nurse by the Connecticut Department of Public Health (hereinafter "the Department") pursuant to Chapter 378 of the General Statutes of Connecticut, as amended; and,

WHEREAS, respondent hereby admits and acknowledges that:

1. During the course of approximately September 2016 through February 2017, while working as a temporary nursing employee through AAA Nursing Care for St. Vincent's Special Needs Services, respondent submitted forged timesheets and received compensation for hours she did not work.
2. During the course of approximately October 2016 through November 2016, respondent misappropriated and/or attempted to misappropriate patient property.
3. In or around August 6, 2018, respondent was convicted of five counts of larceny 4th degree, and sentenced to one year jail, execution suspended, probation three years in connection with the forged timesheets.
4. In or around May 14, 2019, respondent was convicted of two counts of larceny 6th degree, and one count of larceny 4th degree, and sentenced to one year jail, execution suspended, probation one year in connection with the misappropriation of patient property.

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

WHEREAS, respondent, in consideration of this Consent Order, has chosen not to contest the above-admitted violation(s) or allegation(s) at a hearing before the 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-17 and §20-99(a) 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 038404 to practice as a nurse in the State of Connecticut is hereby reprimanded.
4. Respondent's license shall be placed on probation for two (2) years, subject to the following terms and conditions:
 - A. Within the first six (6) months of the probationary period, respondent shall attend and successfully complete coursework in Professional Ethics, pre-approved by the Department. Within fifteen (15) days of the completion of such coursework,

respondent shall provide the Department with proof, to the Department's satisfaction, of the successful completion of such coursework. Said probation shall terminate upon the Department's satisfaction of the successful completion of coursework required under this paragraph 4A.

- B. Respondent shall be responsible for the provision of written reports directly to the Department from respondent's nursing supervisor (i.e., Director of Nursing) quarterly for the probationary period. 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 any 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 4H 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.
- C. 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.
- D. Respondent shall notify the Department in writing of any change of employment within fifteen (15) days of such change.
- E. Respondent shall notify the Department of any change in respondent's home or business address within fifteen (15) days of such change.

- F. 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.
- G. 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.
- H. All correspondence and reports shall be addressed to:

Lavita Sookram, R.N., Nurse Consultant
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. Respondent shall pay all costs necessary to comply with this Consent Order.
- 6. 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.
- 7. 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.

8. 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.
9. Respondent understands this Consent Order is a matter of public record.
10. Respondent understands and agrees that this Consent Order shall be deemed as evidence of the above-admitted violations/above 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 §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.
11. 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.

12. In the event respondent does not practice as a licensed practical nurse for periods of 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 period, 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.
13. 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 period, respondent shall not be responsible for complying with the terms of probation of this Consent Order, and such time period 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. 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 4 above.

14. 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.
15. 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.
16. 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.

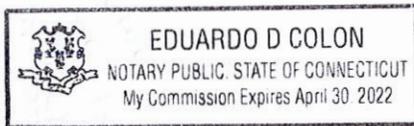
17. This Consent Order is a revocable offer of settlement, which may be modified by mutual agreement or withdrawn by the Department at any time prior to its being executed by the last signatory.
18. Respondent has consulted with her attorney prior to signing this document.
19. The execution of this document 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.
20. 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, Tiona Stewart, 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.



Tiona Stewart

Subscribed and sworn to before me this 16th day of November, 2021.





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 23rd day of November, 2021, it is hereby accepted.



Christian D. Andresen, MPH, Section Chief
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 _____, 2021, it is hereby ordered and accepted.

BY: _____
Connecticut Board of Examiners for Nursing

CONSENT ORDER COVER SHEET

In re: Susan M. Dunigan, R.N.

Petition No. 2020-244

1. Susan M. Dunigan of Shelton, Connecticut (hereinafter "respondent") was issued license number E49878 to practice as a registered nurse on March 30, 1978. Respondent also holds an advanced practice registered nurse ("APRN") license which is not the subject of this petition.
2. Respondent graduated from the University of Bridgeport, Bridgeport, Connecticut in 1986.
3. Respondent has no disciplinary history.
4. The Department's Practitioner Licensing and Investigations Section opened this petition involving respondent's registered nursing license after receiving a complaint from a nursing supervisor for Shelton, Connecticut public schools.
5. The Department alleges, that while respondent was working as a registered nurse at Elizabeth Shelton Elementary School during the 2019-2021 school year, respondent failed to: appropriately or timely address a report from a teacher on February 20, 2020 that a student had lice; appropriately address incomplete or noncompliant immunization records for one or more students; ensure that each enrolled student had the health assessment required by Connecticut General Statutes §10-206 in the student's chart; conduct and/or document the results of vision or audiometric screenings required by Connecticut General Statutes §10-214 in one or more student's charts; and/or in connection with the administration of medication to one or more students: respondent administered medication without the written order of an authorized prescriber; administered medication without the authorization of a guardian or parent; failed to completely, properly or accurately document the administration of medication; and failed to maintain a proper count of medication.
6. The proposed Consent Order provides for a reprimand and a one-year probationary period that includes quarterly employer reports as well as coursework in documentation, medication administration and time management, pre-approved by the Department. Respondent may not be self-employed or work for a personnel provider service during the probationary period; however, she may be employed by a homemaker-home health aide agency or home health care agency, at the Department's discretion and with written pre-approval from the Department. In addition, respondent agrees not to practice as an APRN during the probationary period. Respondent further agrees that she will not practice as an APRN until she receives written notification from the Department that she has successfully completed the terms of probation.
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: Susan M. Dunigan, R.N.

Petition No. 2020-244

CONSENT ORDER

WHEREAS, Susan M. Dunigan (hereinafter "respondent") of Shelton, Connecticut has been issued license number E49878 to practice as a registered nurse and license number 004511 to practice as an advanced practice registered nurse ("APRN") by the Connecticut 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. From in or about September 2017 through February 2020, respondent was practicing as a registered nurse while employed as a school nurse at Elizabeth Shelton Elementary School in Shelton, Connecticut.
2. On or about February 20, 2020, respondent failed to appropriately and/or timely address a report from a teacher that a student had lice.
3. During the 2019-2020 school year, respondent failed to:
 - (a) appropriately address incomplete and/or non-compliant immunization records for one or more students;
 - (b) ensure that each enrolled student had a health assessment required pursuant to Connecticut General Statutes §10-206 in the student's medical chart;

- (c) conduct and/or document the results of vision and/or audiometric screenings required pursuant to Connecticut General Statutes §10-214 in one or more student's medical chart; and/or
 - (d) completely, properly and/or accurately document medical records for one or more students.
4. On numerous occasions during the 2019-2020 school year, in connection with the administration of medication to one or more students, respondent:
- (a) administered medication without the written order of an authorized prescriber;
 - (b) administered medication without the authorization of a student's parent or guardian;
 - (c) failed to completely, properly and/or accurately document the administration of medication; and/or
 - (d) failed to maintain a proper count of medication.
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).

WHEREAS, respondent, in consideration of this Consent Order, has chosen not to contest the above allegations of wrongdoing 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-9, 19a-10, and 20-99(a) of the General Statutes of Connecticut.

NOW THEREFORE, pursuant to §19a-17 and §20-99(a) 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 shall comply with all federal and state statutes and regulations applicable to respondent's profession.
3. Respondent's license number E49878 to practice as a registered nurse in the State of Connecticut is hereby reprimanded.
4. Respondent's Connecticut registered nurse license number E49878 is hereby placed on probation for one year, subject to the following terms and conditions:
 - A. Respondent shall provide a copy of this Consent Order to all current and future employers for the duration of probation.
 - B. Respondent agrees not to practice as an APRN during the term of probation.
Respondent further agrees that she will not practice as an APRN until she receives written notification from the Department that she has successfully completed the probationary terms and conditions required by this Consent Order.
 - C. Respondent shall be responsible for the provision of quarterly written reports directly to the Department from respondent's nursing supervisor (i.e., Director of Nursing, Local or Regional Board of Education Nursing Supervisor) if practicing as a registered nurse.
Respondent shall provide a copy of this Consent Order to any and all employers if employed as a registered 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 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 4I 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 attend and successfully complete coursework, pre-approved by the Department, in documentation standards, medication administration, and time management. Each course must be at least 3.0 continuing education units and must be successfully completed within the first ninety (90) days of the probationary period. 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. 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. Respondent may be employed by a homemaker – home health aide agency or home health care agency at the Department's discretion and with written pre-approval from the Department.
- 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. All correspondence and reports shall be addressed to:

Lavita Sookram, R.N., Nurse Consultant
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. Respondent shall pay all costs necessary to comply with this Consent Order.
6. 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.
7. 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.
8. 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.
9. Respondent understands this Consent Order is a matter of public record.
10. Respondent understands and agrees that the Department's allegations as contained 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 §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.
11. 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 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.

12. In the event respondent does not practice as a registered nurse for periods of 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 period, respondent shall not be responsible for complying with the terms of probation of this Consent Order. In the event respondent resumes practicing as a registered nurse, respondent shall provide the Department with thirty (30) days prior written notice. Respondent shall not return to the practice of a registered nurse 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 as a registered nurse.

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

13. 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 period, respondent shall not be responsible for complying with the terms of probation of this Consent Order, and such time period 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. 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 4 above.
14. 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.
15. 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.

16. 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.
17. 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.
18. Respondent has consulted with her attorney prior to signing this document.
19. 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.

20. 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, Susan M. Dunigan, 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.

Susan M. Dunigan
Susan M. Dunigan

Subscribed and sworn to before me this 1 day of December, 2021.

Theresa Z. Camille
Notary Public or person authorized
by law to administer an oath or affirmation
Commission Expires 3/31/2026

The above Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 9th day of December, 2021, 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 Connecticut Board of Examiners for Nursing on the _____ day of _____, 2021, 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: Michael Presnick, R.N.

Petition No. 2017-1071

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 Michael Presnick:

1. Michael Presnick of Cromwell, Connecticut (hereinafter "respondent") was at all times referenced in this Statement of Charges, the holder of Connecticut registered nurse license number 106486. Said license number 106486 expired on June 30, 2018 and subsequently lapsed.
2. At all relevant times, respondent was employed as a Forensic Nurse at Whiting Forensic Hospital, located on the campus of Connecticut Valley Hospital in Middletown, Connecticut.
3. At various times between approximately February 27, 2017 and March 22, 2017, respondent failed to meet the standard of care in one or more of the following ways:
 - a. He physically abused and/or neglected Patient #1; and/or
 - b. he failed to intervene and/or report to his nursing supervisor when he observed staff members physically abusing and/or neglecting Patient #1 and/or failing to follow the plan of care for Patient #1; and/or
 - c. he failed to follow the plan of care for Patient #1 which required that he and another male staff member maintain constant observation of Patient #1.
4. 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).

THEREFORE, the Department prays that:

The Board of Examiners for Nursing, as authorized in §§19a-17 and 20-99(b), revoke or order other disciplinary action against the registered nurse license of Michael Presnick as it deems appropriate and consistent with law.

Dated at Hartford, Connecticut this 29th day of July 2021.



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

STATE OF CONNECTICUT
CONNECTICUT BOARD OF EXAMINERS FOR NURSING

Michael Presnick, RN
c/o William H. Paetzold, Esq.
2230 Main Street
Glastonbury, CT 06033

VIA EMAIL whpaetzold@mpsllawfirm.com)
and First Class Mail

RE: Michael Presnick, RN - Petition No. 2017-1071

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 15, 2021**. 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 1, 2021, 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 16th day of September, 2021.

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
Diane Wilan, 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 **Michael Presnick, RN** has been scheduled for **December 15, 2021** and will be conducted remotely through Microsoft Teams/teleconference.

On or before **December 1, 2021**, you must provide the following by electronic mail response to the Department of Public Health, Public Health 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: Mary A. Kelley, R.N.

Petition No. 2019-1199

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 Mary A. Kelley:

FIRST COUNT

1. Mary A. Kelley of Barkhamsted, Connecticut (hereinafter "respondent") is, and has been at all times referenced in this Statement of Charges, the holder of Connecticut registered license number E60680.
2. On or about February 24, 2016, respondent was convicted of a felony in connection with a second offense for driving under the influence, in violation of Connecticut General Statutes §14-227a.
3. On or about January 1, 2017, respondent failed to report her felony conviction on her Connecticut license renewal application.
4. 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)(1).

SECOND COUNT

5. Paragraph 1 is incorporated herein by reference as if set forth in full.
6. From approximately November 2019 through the present, respondent has and/or had one or more emotional disorders and/or mental illnesses that does, and/or may, affect her ability to practice nursing.
7. In or about October 2019, respondent abused and/or utilized to excess opiate(s) and/or phencyclidine (PCP).
8. Respondent's abuse and/or excess use of opiate(s) and/or phencyclidine (PCP) does, and/or may, affect her practice as a nurse.

9. On or about October 15, 2019, while practicing nursing for a home health care agency, respondent was impaired while caring for a patient.
10. The above facts constitute grounds for disciplinary action pursuant to the General Statutes of Connecticut, §20-99(b), including but not limited to:
 - a. §20-99(b)(2);
 - b. §20-99(b)(4); and/or
 - b. §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 Mary A. Kelley as it deems appropriate and consistent with law.

Dated at Hartford, Connecticut this 22nd day of June, 2021.



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

Board 2

STATE OF CONNECTICUT CONNECTICUT BOARD OF EXAMINERS FOR NURSING

Mary A. Kelley
P.O. Box 405
69 Pleasant Valley Rd., 3B
Barkhamsted, CT 06063

VIA EMAIL (mims.kelley@gmail.com)
and First Class Mail

RE: Mary A. Kelley, RN - Petition No. 2019-1199

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 **August 11, 2021**. 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 July 28 2021, 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 7th day of July, 2021.

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 **Mary Kelley, RN** has been scheduled for **August 11, 2021** and will be conducted remotely through Microsoft Teams/teleconference.

On or before **July 28, 2021**, 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
HEALTH CARE QUALITY AND SAFETY BRANCH**

In re: Mary A. Kelley, R.N.

Petition No. 2019-1199

July 22, 2021

ANSWER

FIRST COUNT

1. Admitted.
2. Admitted.
3. Admitted.
4. Denied.

SECOND COUNT

5. Admitted.
6. Denied.
7. Respondent denies so much of paragraph 6 that alleges she “abused and/or utilized excess opiate(s) and/or phencyclidine (PCP).”
8. Denied.
9. Denied.
10. Respondent denies so much of paragraph 10 that relies on allegations she has denied.

RESPONDENT,
MARY A. KELLEY, R.N.

By: *Philip N. Walker*
Philip N. Walker, her Attorney
8 Bridge Street, #213
P.O. Box 407
New Hartford, CT 06057-0407
860.379.1077
860.307.1088 (facsimile)
Juris No. 305344
philipwalkerlaw@att.net

CERTIFICATION OF SERVICE

I certify that a copy of the foregoing Answer was sent by first class mail, postage prepaid, or electronic transmission on the 22nd day of July 2021 to:

Christian Andresen, Section Chief, Practitioner Licensing and Investigations

Linda Fazzina, Staff Attorney, Office of Legal Compliance; linda.fazzina@ct.gov

Jeffrey Kardys, Administrative Hearing Specialist; Jeffrey.Kardys@ct.gov

Philip N. Walker

Philip N. Walker

Commissioner of the Superior Court

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

In re: Mary A. Kelley, R.N.

Petition No. 2019-1199

RESPONDENT'S MOTION FOR CONTINUANCE

The undersigned, counsel for Respondent Mary A. Kelley, respectfully moves for a continuance of the hearing scheduled for August 11, 2021, at 9:00 AM for the following good cause:

1. Respondent retained the undersigned on July 13, 2021.
2. The undersigned lacks sufficient time before the filing deadline of July 18, 2021 to complete his investigation and to prepare submissions pursuant to Notice of Submissions, attached to the Notice of Hearing dated July 7, 2021.

WHEREFORE, the undersigned requests that this motion be granted and the scheduled hearing be continued for a period of at least one month.

RESPONDENT,
MARY A. KELLEY

By: Philip N. Walker
Philip N. Walker, her Attorney
8 Bridge Street, #213
P.O. Box 407
New Hartford, CT 06057-0407
860.379.1077
860.307.1088 (facsimile)
Juris No. 305344
philipwalkerlaw@att.net

CERTIFICATION OF SERVICE

I certify that a copy of the foregoing Motion was sent by first class mail, postage prepaid, or electronic transmission on the 13th day of July 2021 to:

Christian Andresen, Section Chief, Practitioner Licensing and Investigations;
Department of Public Health, 410 Capital Avenue, P.O. Box 340308, Hartford,
CT 06134-0308

Linda Fazzina, Staff Attorney, Office of Legal Compliance; linda.fazzina@ct.gov

Philip N. Walker

Philip N. Walker
Commissioner of the Superior Court

STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH



Deidre S. Gifford, MD, MPH
Acting Commissioner

Ned Lamont
Governor
Susan Bysiewicz
Lt. Governor

BOARD OF EXAMINERS FOR NURSING

July 8, 2021

Philip N. Walker, M.A., J.D.
Law Office of Philip N. Walker
8 Bridge Street, #213
P.O. Box 407
New Hartford, CT 06057

VIA EMAIL ONLY (philipwalkerlaw@att.net)

Linda Fazzina, Staff Attorney
Department of Public Health
410 Capitol Avenue, MS #12LEG
PO Box 340308
Hartford, CT 06134-0308

VIA EMAIL ONLY

RE: Mary A. Kelley, R.N. - Petition No. 2019-1199

RULING ON MOTION FOR CONTINUANCE

On July 13 2021, respondent filed a motion requesting a continuance of the hearing in the referenced matter scheduled for August 11, 2021.

Respondent's motion is **GRANTED**.

The hearing is rescheduled to **Wednesday, September 15, 2021, at 9:00 a.m.** The hearing will be held by video conference during the meeting of the Board of Examiners for Nursing.

In preparation for this hearing you must, no later than September 1, 2021, provide the information specified in the attached Notice for Submissions.

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



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

Affirmative Action/Equal Opportunity Employer



Notice for Submissions

The hearing in the matter of **Mary A. Kelley, RN** has been scheduled for **September 15, 2021** and will be conducted remotely through Microsoft Teams/teleconference.

On or before **September 1, 2021**, you must provide the following by electronic mail response to the 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.

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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: Mary A. Kelley, R.N.

Petition No. 2019-1199

RESPONDENT'S MOTION FOR CONTINUANCE

The undersigned, counsel for Respondent Mary A. Kelley, respectfully moves for a continuance of the hearing originally scheduled for August 11, 2021, and rescheduled for September 15, 2021 at 9:00 AM for the following good cause:

1. Undersigned counsel's assistant took medical leave in July for major surgery. She is on leave as a result of additional surgical procedures and post-operative complications and post-operative complications. For the indefinite future, she is not expected to return.
2. The undersigned last week engaged another lawyer, semi-retired, to assist with file review and case development.

The Department opposes this motion.

WHEREFORE, the undersigned requests that this motion be granted and the scheduled hearing be continued for a final continuance to October 20, 2021.

RESPONDENT,
MARY A. KELLEY

By: Philip N. Walker
Philip N. Walker, her Attorney
P.O. Box 407
New Hartford, CT 06057-0407
860.379.1077
860.307.1088 (facsimile)
Juris No. 305344
philipwalkerlaw@att.net

CERTIFICATION OF SERVICE

I certify that a copy of the foregoing Motion was sent by first class mail, postage prepaid, or electronic transmission on the 1st day of September 2021 to:

Christian Andresen, Section Chief, Practitioner Licensing and Investigations;
Department of Public Health, 410 Capital Avenue, P.O. Box 340308, Hartford,
CT 06134-0308

Jeffrey Kardys, Hearing Specialist; Jeffrey.Kardys@ct.gov

Linda Fazzina, Staff Attorney, Office of Legal Compliance; linda.fazzina@ct.gov

Philip N. Walker
Philip N. Walker
Commissioner of the Superior Court

ORDER

The foregoing Motion, having been presented, it is hereby ORDERED:

Granted___/Denied___

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

In re: Mary A. Kelley, RN

Petition No. 2019-1199

September 2, 2021

**DEPARTMENT'S OBJECTION TO RESPONDENT'S
REQUEST FOR CONTINUANCE**

The Department of Public Health ("the Department") objects to respondent's second continuance of the hearing currently scheduled September 15, 2021.

The Department states as follows:

1. On August 31, 2021, counsel for respondent indicated in an email to the undersigned Department staff attorney that he would be requesting a second continuance and that he is assigned by the Office of the Chief Public Defender to the Juvenile Matters Court in Torrington. Respondent's counsel further indicated that: Wednesdays are short calendar days for that court; short calendar matters and contested hearings are scheduled into January; and that he had a free Wednesday on October 13, 2021.
2. On or about July 15, 2021, respondent's counsel informed Mr. Jeffrey Kardys, Administrative Hearings Specialist and Board Liaison, that he had a virtual hearing scheduled for 10:00 am on October 20, 2021.
3. Respondent has failed to state a valid reason for continuing the hearing for a second time. The hearing has already been continued once and the Department is prepared to go forward and present its case.

Accordingly, the Department objects to a continuance of the hearing currently scheduled for the September 15, 2021 Board meeting.

Respectfully submitted,

THE DEPARTMENT OF PUBLIC HEALTH

Linda L. Fazzina

Linda L. Fazzina, Staff Attorney
Office of Legal Compliance

CERTIFICATION

I certify that on this 2nd day of September, 2021, a copy of the foregoing was sent by email to Attorney Philip N. Walker (philipwalkerlaw@att.net) and to Jeffrey A. Kardys (jeffrey.kardys@ct.gov), Administrative Hearings Specialist in the Department's Public Health Hearing Office.

Linda L. Fazzina

Linda L. Fazzina, Staff Attorney
Office of Legal Compliance

STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH



Deidre S. Gifford, MD, MPH
Acting Commissioner

Ned Lamont
Governor
Susan Bysiewicz
Lt. Governor

BOARD OF EXAMINERS FOR NURSING

September 2, 2021

Philip N. Walker, M.A., J.D.
Law Office of Philip N. Walker
8 Bridge Street, #213
P.O. Box 407
New Hartford, CT 06057

VIA EMAIL ONLY (philipwalkerlaw@att.net)

Linda Fazzina, Staff Attorney
Department of Public Health
410 Capitol Avenue, MS #12LEG
PO Box 340308
Hartford, CT 06134-0308

VIA EMAIL ONLY (linda.fazzian@ct.gov)

RE: **Mary A. Kelley, R.N. - Petition No. 2019-1199**

RULING ON MOTION FOR CONTINUANCE

On September 1 2021, respondent filed a motion requesting a continuance of the hearing in the referenced matter scheduled for September 15, 2021. The Department of Public Health filed an objection on September 2, 2021.

Respondent's motion is **GRANTED**.

The hearing is rescheduled to **Wednesday, December 15, 2021, at 9:00 a.m.** The hearing will be held by video conference during the meeting of the Board of Examiners for Nursing.

In preparation for this hearing you must, no later than December 1, 2021, provide the information specified in the attached Notice for Submissions.

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



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

Affirmative Action/Equal Opportunity Employer



Notice for Submissions

The hearing in the matter of **Mary A. Kelley, RN** has been scheduled for **December 15, 2021** and will be conducted remotely through Microsoft Teams/teleconference.

On or before **December 1, 2021**, you must provide the following by electronic mail response to the 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: Adwoa A. Darko, LPN

Petition No. 2020-351

STATEMENT OF CHARGES

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

1. Adwoa A. Darko of Manchester, Connecticut (hereinafter "respondent") is the of Connecticut licensed practical nurse license number 041285.
2. On or about March 22, 2020. respondent was practicing nursing at a group home in Waterford, Connecticut when she assaulted and/or spoke inappropriately to a coworker, another nurse.
3. The above facts constitute grounds for disciplinary action pursuant to Connecticut General Statutes §20-99 including but not limited to §20-99(b)(2).

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 respondent's nursing license as it deems appropriate and consistent with law.

Dated at Hartford, Connecticut this 3rd day of June, 2021.



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

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

Adwoa A. Darko
152 Ferguson Road
Manchester, CT 06040

VIA EMAIL (adwoadarko230@yahoo.com)

RE: Adwoa A. Darko, LPN - Petition No. 2020-351

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 **August 11, 2021**. 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 July 28, 2021, 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 18th day of June, 2021.

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
Joelle Newton, 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 Adwoa A. Darko, LPN has been scheduled for August 11, 2021 and will be conducted remotely through Microsoft Teams/teleconference.

On or before July 28, 2021, you must provide the following by electronic mail response to the hearing office at pgho.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.
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Should you have any question please contact the hearing office at pgho.dph@ct.gov.

STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH



Deidre S. Gifford, MD, MPH
Acting Commissioner

Ned Lamont
Governor
Susan Bysiewicz
Lt. Governor

BOARD OF EXAMINERS FOR NURSING

June 23, 2021

Jamaal T. Johnson, Esq.
The Law Office of JT Johnson, L.L.C.
1229 Albany Avenue, Ste 301
Hartford, CT 06112-2132

VIA EMAIL ONLY (jamaaltjohnson83@gmail.com)

Joelle Newton, Staff Attorney
Department of Public Health
410 Capitol Avenue, MS #12LEG
PO Box 340308
Hartford, CT 06134-0308

VIA EMAIL ONLY

RE: Adwoa A. Darko, LPN - Petition No. 2020-351

RULING ON REQUEST FOR CONTINUANCE

The Request for Continuance of the hearing scheduled for August 11, 2021, filed by counsel for respondent in the above-referenced matter, is GRANTED.

The hearing is rescheduled to **Wednesday, September 15, 2021, 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
410 Capitol Avenue, MS #13PHO
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Affirmative Action/Equal Opportunity Employer



Board 4

August 12, 2021

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

Joelle Newton, Staff Attorney
Department of Public Health
410 Capitol Avenue, MS #12LEG
PO Box 340308
Hartford, CT 06134-0308

RE: Adwoa A. Darko, LPN - Petition No. 2020-351

MOTION FOR REQUEST FOR CONTINUANCE

Adowa Darko respectfully moves for a continuance. Attorney Jamaal Johnson will be out of town on September 15, 2021, for a deposition on a different matter.

For the foregoing reasons Attorney Johnson moves for this hearing to be continued to October 15, 2021; 20, 2021; or 27, 2021.

Jamaal T. Johnson, Esq.
The Law Office of J.T. Johnson, L.L.C.
1229 Albany Ave., Suite 301
Hartford, CT 06112
jamaal_johnson@jtjohnsonlaw.com
(p) (860)278-1000
(f) (860)278-1002
Juris #: 432872

STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH



Deidre S. Gifford, MD, MPH
Acting Commissioner

Ned Lamont
Governor
Susan Bysiewicz
Lt. Governor

BOARD OF EXAMINERS FOR NURSING

August 24, 2021

Jamaal T. Johnson, Esq.
1229 Albany Ave., Suite 301
Hartford, CT 06112

VIA EMAIL ONLY (jamaal_johnson@jtjohnsonlaw.com)

Joelle Newton, Staff Attorney
Department of Public Health
410 Capitol Avenue, MS #12LEG
PO Box 340308
Hartford, CT 06134-0308

VIA EMAIL ONLY (joelle.newton@ct.gov)

RE: **Adwoa A. Darko, LPN - Petition No. 2020-351**

RULING ON REQUEST FOR CONTINUANCE

The Request for Continuance of the hearing scheduled for September 15, 2021, filed by counsel for respondent, without objection from the Department of Public Health, is GRANTED.

The hearing is rescheduled to **Wednesday, December 15, 2021, 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
410 Capitol Avenue, MS #13PHO
PO Box 340308
Hartford, CT 06134-0308
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ADWOA DARKO ANSWER TO STATEMENT OF CHARGES

- 1.) Adwoa A. Darko of Manchester, Connecticut (hereinafter “respondent”) is the of Connecticut licensed practical nurse license number 041285.

Adwoa A. Darko Answer: Adwoa Darko leaves the petitioner to its burden of proof.

- 2.) On or about March 22, 2020. Respondent was practicing Nursing at a group home in Waterford, Connecticut when she assaulted and/or inappropriately to a coworker, another nurse.

Adwoa A. Darko Answer: Denied

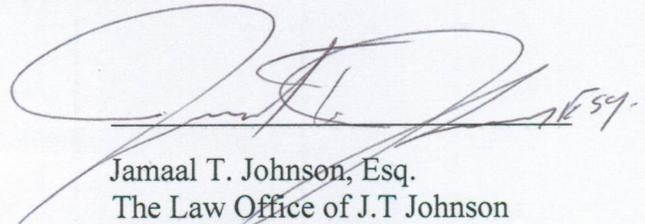
- 3.) The above facts constitute grounds for disciplinary action pursuant to Connecticut General statute 20-99 including but not limited to 20-99(b)(2)

Adwoa A. Darko Answer: Denied

THEREFORE, Adwoa Darko asserts that:

The Connecticut Board of Examiners for Nursing should not revoke or order other disciplinary action against her nursing license. Adwoa Darko respectfully request that the petitioner’s petition be denied.

Dated at Hartford, Connecticut this 7th day of September 2021.


Jamaal T. Johnson, Esq.
The Law Office of J.T Johnson
1229 Albany Avenue, Ste 301
(O): 860-278-1000
(F): 860-278-1002

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

In re: Ashley Lambert, LPN

Petition No. 2021-931

STATEMENT OF CHARGES

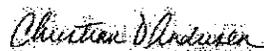
Pursuant to the General Statutes of Connecticut, §§19a-10 and 19a-14, the Department of Public Health (hereinafter "the Department") brings the following charges against Ashley Lambert, LPN:

1. Ashley Lambert of Thompson, Connecticut (hereinafter "respondent") is, and has been at all times referenced in this Statement of Charges, the holder of Connecticut licensed practical nurse license number 040682.
2. On January 15, 2020, the Connecticut Board of Examiners for Nursing (hereinafter "the Board") ordered a Consent Order in Petition Number 2019-537 (hereinafter "the Consent Order") that placed respondent's licensed practical nurse license on probation for a period of four years.
3. Said Consent Order specifically provided in Paragraph 3B that "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." Said Consent Order also provided in Paragraph 3B(3)(1) that "respondent shall submit to observed random urine screens for drugs and alcohol..." and in Paragraph 3B(5) that "all screens shall be negative for the presence of drugs and alcohol."
4. On or about June 24, 2021, respondent tested positive for a benzodiazepine. Mass spectrometry confirmed Oxazepam at a level of 250 ng/mL.
5. Respondent's conduct as described above constitutes violations of the terms of probation as set forth in the Consent Order, and/or subjects respondent's license to revocation or other disciplinary action authorized by the General Statutes of Connecticut, §§19a-17 and 20-99(b).

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 Ashley Lambert as it deems appropriate and consistent with law.

Dated at Hartford, Connecticut this 18th day of November 2021.



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: Ashley Lambert, LPN

Petition No. 2021-931

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 Ashley Lambert to practice licensed practical nursing in Connecticut. This motion is based on the attached Statement of Charges, Affidavits and on the Department's information and belief that the continued practice of licensed practical nursing represents a clear and immediate danger to the public health and safety.

Dated at Hartford, Connecticut this 18th day of November 2021.



Christian D. Andresen, MPH, CPH, Section Chief
Practitioner Licensing and 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: Ashley Lambert, LPN

Petition No. 2021-931

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 040682 of Ashley Lambert to practice as a licensed practical 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 15th day of December 2021, at 9:00 a.m. The hearing will be held remotely via Microsoft TEAMS.

Dated at Waterbury, Connecticut this 1st day of December, 2021.

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/dnh



BOARD OF EXAMINERS FOR NURSING

Ashley Lambert
919 Thompson Road
Thompson, CT 06277-1909

Via Email (ael122387@gmail.com)
and First Class Mail

RE: Ashley Lambert, LPN - Petition No. 2021-931

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 15, 2021**. 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 1, 2021, 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 2nd day of December, 2021.

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
Diane Wilan, 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 **Ashley Lambert, LPN** has been scheduled for **December 15, 2021** and will be conducted remotely through Microsoft Teams/teleconference.

On or before **December 8, 2021**, you must provide the following by electronic mail response to the Department of Public Health, Public Health 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.