

AGENDA
BOARD OF EXAMINERS FOR NURSING
Department of Public Health
410 Capitol Avenue, Hartford, CT
March 15, 2023 - 8:30 AM

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

THE CONNECTICUT CENTER FOR NURSING WORKFORCE, INC – Monthly Update

NEW BUSINESS

SCHOOL ISSUES

- *Lincoln Technical Institute – Request to Modify Action Plan*
- *Porter and Chester Institute – Approval of Appointment*
A. Status of the Response to February 2023 Concerns
- *Stone Academy - Update from the Office of Higher Education*

MEMORANDUM OF DECISION

- *Arlene Clarke, LPN* *Petition No. 2022-580*
- *Olesja Whelan, RN* *Petition No. 2020-336*
- *Danielle Works, LPN* *Petition No. 2021-519*

MOTION FOR SUMMARY SUSPENSION

- *Tiona A. Stewart, LPN* *Petition Number: 2023-151* *Staff Attorney Aden Baume*

CONSENT ORDERS

- *Ashley Avelino, LPN* *Petition No. 2022-204* *Staff Attorney Joelle Newton*
- *Sharon M. Gauthier, RN* *Petition No. 2019-276* *Staff Attorney Joelle Newton*
- *Kristy Ilewicz, RN;* *Petition No. 2020-534* *Staff Attorney Craig Sullivan*
- *Christy L. Keene, RN;* *Petition No, 2022-504* *Staff Attorney Linda Fazzina*

HEARINGS

- *Kelly McCarthy Gordon, RN* *Petition No. 2021-444* *Staff Attorney Linda Fazzina*
- *Melissa Marti, LPN** *Petition Number: 2022-853* *Staff Attorney Joelle Newton*

* Currently Summarily Suspended

Board of Examiners for Nursing – (Meeting/Hearings) via Microsoft TEAMS
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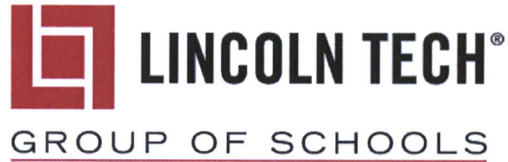
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BOEN meeting 03/15/2023

1. **Lincoln Technical Institute (LTI)**: request to modify action plan
 - LTI is requesting a modification to the approved Shelton campus NCLEX action plan. The action plan included a voluntary cap on the Shelton campus, day group to 40 students per cohort start. LTI would like to modify their start capacity to assist the Stone Academy students recently displaced by the closure of the Stone Academy Practical Nursing programs.
2. **Porter & Chester Institute (PCI)**: approval of appointment, update, & anonymous letter
 - PCI is requesting approval of the appointment of **Sherry Greifzu, BSN, MSN** as the Director for Practical Nursing for PCI as of 02/02/2023. Ms. Greifzu earned a Diploma in Nursing from Hospital of Saint Raphael School of Nursing in 1975, a Bachelor of Science in Nursing and a Master of Science in Nursing from Southern Connecticut State University in 08/1992 and 01/1996 respectively. Her educational experiences include adjunct faculty at Maria College, New York, at Post University, and at Franklin Pierce University, New Hampshire, Clinical Consultant for PCI and Program Manager at PCI Hamden campus. Ms. Greifzu's clinical experiences include staff nurse oncology, nurse manager oncology, administrative director of oncology departments, nurse consultant for pharmacy companies, oncology Clinical Nurse Specialist, quality improvement, director of nursing practice and education, CEO and director of clinical services for a home health and hospice organization, nursing director of ambulatory services, nurse manager radiation oncology and education consultant.
 - PCI immediately began to address the concerns that were shared by the Department during the last BOEN meeting. PCI will await the formal report, from the office of Higher Education (OHE), and will respond to OHE and the BOEN.
 - The Department received an anonymous letter on 02/17/2023 regarding the Program Administrators/ Directors of Nursing from 2019 to present.
3. **Stone Academy**-brief update from the Office of Higher Education(OHE).



Lincoln Technical Institute ■ Lincoln College of Technology
Lincoln Culinary Institute ■ Euphoria Institute of Beauty Arts & Sciences

February 26, 2023

Helen Smith MSN, RN
Department of Public Health
410 Capitol Avenue
PO Box 340308 - MS#12 HSR
Hartford, CT 06134-0308

Dear Ms. Smith,

I am writing to ask for placement on the March 15, 2023 Connecticut Board of Examiners for Nursing meeting agenda. Lincoln Technical Institute is requesting a modification to the approved Shelton campus NCLEX Action Plan submitted to the Connecticut Board of Examiners for Nursing in May 2022. The Shelton NCLEX-PN Action Plan included a voluntary cap on Shelton day nursing student admissions to 40 students per cohort start. We would like to modify our start capacity to assist the Stone Academy students recently displaced by the closure of the Stone Academy Practical Nursing programs.

Currently, we are self-tracking the Shelton day program 2022 graduates NCLEX-PN pass rate to be 85.25% with 61 total testers and 52 students successfully passing their first attempt NCLEX-PN exam. Without confirmation from official NCLEX quarterly reports, that number may be altered by graduates that have not communicated their NCLEX-PN outcomes with us.

The Stone Academy students that started classes in December 2022 and January 2023 and seek transfer to Lincoln Technical Institute would be required to meet all Lincoln Technical Institute admission criteria including the ATI TEAS entrance examination. The number of students Lincoln Technical Institute would consider for admission will be based on our ability to hire and onboard additional qualified faculty, plan ample classroom space, and contract with additional clinical sites.

Thank you and I look forward to attending the March 15, 2023, Connecticut Board of Examiners for Nursing meeting.

Kind Regards,

Patty DeLucia

Patty DeLucia, MSN, RN
Corporate Dean of Nursing
Lincoln Technical Institute
pdelucia@lincolntech.edu



02/03/2023

Ms. Helen Smith:

Porter and Chester Institute (PCI) is pleased to announce the appointment of Sherry Greifzu, BSN, MSN, to the role of Director for Practical Nursing. Holly Breault stepped down from the director position following a medical leave. Therefore, Ms. Greifzu's appointment is effective February 2, 2023.

Ms. Greifzue has an earned BSN, MSN, and her resume reflects a variety of clinical, teaching, and management experience within the field of nursing and nursing education. Ms. Greifzu is an internal candidate who previously served as the PN program coordinator for our Hamden campus. In that role Ms. Greifzu demonstrated a profound interest in the support of our faculty and the success of our students.

Ms. Greifzu will now function solely as the Director of Practical Nursing.

Ms. Greifzu has been instrumental in coordinating the day to day operations of the Practical Nursing Program in Hamden and PCI looks forward to replicating that success across all practical nursing campuses.

If you have any questions, please contact me at vicki.kane@yti.edu.

Respectfully,

A handwritten signature in black ink, appearing to read 'VKane', written over a horizontal line.

Vicki Kane, Ed.D.
Vice President of Academics

Sherry P. Greifzu, RN, MSN, AOCN, NEA-BC

EDUCATION

MSN – Southern CT State University
BSN- Southern CT State University
RN Diploma – Hospital St Raphael, New Haven, CT

EXPERIENCE

**7/2022-
Present**

Porter Chester Institute

Program Manager, Hamden CT

Responsible for the clinical nursing operations of the PN Program in Hamden. Schedules didactic and clinical practicums for the nursing faculty. Assures that students are assigned to correct Terms and clinical site rotations. Works with the faculty to evaluate the existing curriculum revising and updating content to meet the latest evidence-based practice. Obtains and coordinates clinical sites for student experiences. Conducts mock surveys with faculty and clinical sites to meet BON and regulatory standards
Responsible for teaching 20 hrs. of didactic.
Orients and mentors new and existing staff
Assesses, revises, and develops policies and procedures to meet academic standards for the PN program
Participates in and mentors staff in student development
Participates in BON preparedness surveys and CT Education Surveys

**2/2021-
2/2023**

Copley Hospital, Morrisville, VT (Acute Care Access Hospital)

Education Clinical Project Consultant- *Per Diem*

Working with the Manager of Education and Practice, responsible for assessing the nursing education needs of the nursing staff. With the collaboration of leadership and clinical staff, developing education curriculum, policies and procedures for nursing practice, and creating competencies with outcomes measurement for clinical nursing practice. Provide leadership support and oncology nursing education to the Ambulatory Infusion Center.
Working as the Team lead, worked with Providers, finance, nursing and IT in transitioning the old EMR to an updated new EMR for better documentation, billing and scheduling, to meet the needs of the infusion patients in the ambulatory infusion clinic.

Successfully developed an education and competency program for:

Pressure Injury Prevention

- o Assessment of Current status
- o Identification of Ideal State – Regulatory and CMS standards
- o Developed Education Curriculum and time lines
- o Created Tools (with IT) for Documentation, with survey tools for evaluation of progress and sustaining practice changes

High Risk/Alert IV Medication Administration

- Surveyed other VT and NH Acute Care Access Hospitals in their use of High-risk medications of resources and processes
- Assessment of Current status
- Identification of Ideal State – Regulatory and CMS standards
- Developed Education Curriculum and time lines for rollout
- Created Tools (with IT) for Documentation, with survey tools for evaluation of progress and sustaining practice changes
- Utilized existing materials to support practice changes with this project

Sitter Policy and Practice

- Created education process and documentation tools for sitter requirements based on CMS Standards
- Created Audit Tool for Quality assessment and evaluation

**9/2019 to
10/2021**

Yale New Haven Health, New Haven, CT

Patient Services Manager, Radiation Oncology

Provide direct oversight of nursing and patient care for the Radiation Oncology Service line at Yale New Haven Health System. Responsible for the curriculum development for nursing education and patient care quality outcomes for all of the six Yale Satellite Radiation Oncology Centers. Successfully achieved all staff completing Radiation Education Certification within 10 months. Working with department managers and physicians. determined the education and quality metrics for the department, Responsible for the staff hiring and financial nursing budgets for all the satellite areas. Collaborate with the physicians to create nursing and physician clinic redesign workflow to achieve improved nurse continuity of patient care. Worked with the physician and physics team to create case study forums and monthly Radiation Oncology Nursing education series for staff development and learning.

Supported the department in successful JCO accreditation, and State Accreditation.

Member:

- Smilow Quality and Safety Committee
- Hospital Covid-19 Transformation Committee
- Disaster Relief Committee
- Nursing Financial Reimbursement Committee
- Smilow Patient Education Committee

**10/2021 to
12/2021**

Yale New Haven Health, New Haven, CT

Patient Services Manager, Radiation Oncology, *Per Diem Status*

Provide mentorship to the Assistant Patient services Manager and the newly hired Patient Services Manager as the department transitions to new leadership. Continued to educate the new nursing leadership about the projects and workflow that has been instituted within the workflow redesign and continuity goal initiatives. Working with Regional Radiation Oncology Managers, acting as the primary lead facilitator for promoting team building and communication improvement among all disciplines at all Satellite Smilow Radiation Centers.

**11/2016 to
Present**

University of Vermont

College of Nursing and Allied Health and Sciences - Advisory Board Member

1/2010 to Present

Franklin Pierce University Lebanon NH

Adjunct Faculty: RN to BSN Program, Graduate MSN Program

Adjunct faculty for the Nursing program in core courses of Education, Research, Quality Improvement Leadership, and Curriculum Development for nurses obtaining their Bachelor's and Master's Degree in Nursing. Proficient in Campus Web and e-college for online courses. Revised the graduate nursing curriculum to match the AACN Essential criteria for the program accreditation. Completed cross walk curriculum objectives and content for graduate nursing courses to meet AACN Essential criteria for accreditation for the Graduate Nursing Program. (June 2018)

3/2020 to 6/2022

Porter Chester Institute

Clinical Consultant, Licensed Practical Nurse Program

Responsible for program assessment, identifying the gaps in curriculum development and clinical practice adherence to CT state regulations and instituted new initiatives which resulted in contingency clinical accreditation removal.

- Created assessments and Competency checklists and tools for faculty and students
- Redesigned clinical site practicums
- Instituted mock surveys for all clinical sites
- Created Pre and Post Conference tools and guidelines for LPN student critical thinking development for clinical instructor support

5/2017 to 9/2019

Connecticut Children's Medical Center, Hartford, CT

Nursing Director, Ambulatory Services

Provide direct oversight of clinical operations for all of ambulatory service specialties, (23) at all satellites and hospital clinics in regional area, CT, MA. (Neurology, neurosurgery, orthopedics, gait, and motion clinic, included) Responsible for the education development and quality outcomes of the clinic and staff as well as assuring workflow and financial efficiency. Project Management Lead and co-lead for Various Hospital wide Initiatives; Quality, Practice, Education, Behavioral Health and Service line development. Responsible for the hiring and performance management of clinical staff nurses and nurse managers in Multispecialty Ambulatory Services, Hematology and Oncology, Medical and Surgical Clinics. Responsible for the adherence of all nursing clinical standards, for practice and education in Oncology and other Medical/surgical services. Responsible for creating an acute care group representative for the CT Home Care Association. Clinical Nursing Director for One Call, the organization's Health Care Network referral system. The ambulatory clinic staff comprise of 85 nursing staff, 6 nurse managers, which are direct reports, and 7 nursing staff in Urology, Nephrology and Dialysis areas. Partnering with physicians to achieve patient outcomes in clinical quality as well as patient satisfaction. Produced documentation and prepared Ambulatory staff for First successful Magnet designation. Submitted abstract with acceptance for Patient Improvement Initiatives to the Children's Hospital Association's annual conference. Submitted poster session on Behavioral Health Response Team initiative, to annual Nurse Manager's conference this year. Developed Medical Assistant education standards and certification review initiative for all MA's who desired to advance their experience and practice.

Member:

- Quality and Safety Committee
- Clinical Nursing Research Committee

- Chemotherapy Safety Committee
- Suicide Prevention Committee
- CLABSI improvement initiative- Director and co- clinical lead for quality tool development for standardization of CVL procedures and practice
- Behavior Health Response Planning Committee
- Behavioral Health Committee- Team leader and clinical support for developing Screening tool for patients at risk for aggressive behavior
- EMT Incident Command Committee, Planning Chief
- Hospital Informatics Committee-supports the EHR upgrades and clinical rebuilds
- Clinical Ambulatory Lead for IT Downtime assessment tool development and standardization for all network clinics
- Lead Clinical Support for Health Network expansion, planning for nursing clinical support of specialty clinics
- Director and Lead for clinical expansion for newly built Infusion Center, serving the state and many disciplines
- Director and Clinical lead for planning for the new Ambulatory Pediatric Dialysis Center
- Provides oversight for competency development and education for RN and MA staff.
- Hospital Clinical and Administrative lead for evaluating and assessing the Home Care initiative feasibility for Community Home Health Care for pediatric patients.
- Nursing Leader for Ambulatory clinical staff preparation for Magnet Survey (2/11/19)
- Member of Physician Clinical Leadership Committee
- Member of CCSG Board of Directors Group
- Co-lead for Upper Age Transition Care committee

**3/2017 to
7/19/21**

Post University, Waterbury, CT

Adjunct Faculty, RN to BSN Program

Teaching Leadership, Research, and Evidence Based Practice, Oncology and Death and Dying Courses. Proficient in Blackboard online platform.

**9/2016 to
5/2017**

Porter Medical Center, Middlebury, VT

Board of Directors: Member

Participated in the collaboration and merger decision of Porter Hospital (Acute Care Access Hospital) with the University of Vermont Healthcare System

**4/2015 to
5/2017**

Addison County, Home Health and Hospice

CEO and Director of Clinical Services, Middlebury, VT

Provides direct oversight and supervision for all departments including clinical services, (Physical Therapy, OT, SLP, MCH, and Social work services), Case Management, the Hospice program, LNA home care services, and the Medicare Waiver Program. Oversees the Quality Improvement Program, Education and Orientation of staff and implementation of the Electronic Medical Record. Collaborates with Finance and reimbursement for achieving the goals and standards of CMS and Hospice Care. Assists in the development and revision of Policies and Procedures to meet the CMS and other regulatory and clinical practice standards. Acted as a liaison to the community physicians and referral centers to aid in ease of transition of care from acute to Hospice and Home Care. Works with the State of VT and national regulatory agencies in meeting scope of practice and regulatory guidelines. Member of the Vermont Medicaid Advisory

Board and the VT state Opioid Task Force. Works with the Board of Directors in supporting the mission and vision of the organization and the development of the strategic plan. Provides mentoring and support to the Executive leadership and Management teams in building a culture of quality outcomes, compliance, safety, and ethical performance.

Revised processes and work flow for intake and referrals to streamline efficiency and productivity. Certified management staff in regulatory admission process, taking the organization from a deficit to a positive state, (a deficit of 500,000, to a profit of 800,000 within two years).

**1/2012 to
9/2017**

**Dartmouth Hitchcock Medical Center
Per Diem - Project Assistant**

- Provided quality improvement and clinical consultation to the Providers and clinicians of the Bone Marrow Transplant service for the Successful 2014 FACT Survey (2015)
- Assisted with the re-launch and upgrade of Clinical Practice Guidelines
- Assisted with the education of Oncology Nurses for the Chemotherapy/Biotherapy certification. Provided consultation and writing support for the Magnet Accreditation Process.
- Worked with the Surveillance Team with the development of quality process initiatives and education competency for the Nursing Staff and Physicians for Oxygen Saturation Surveillance Monitoring.

**10/2012 to
5/2015**

**Novocure Corporation, Portsmouth, NH
Clinical Science Liaison, Medical Affairs**

Provided company sponsored Clinical Trial and IST support, medical information and education to Physicians and staff in Cancer Centers in the Northeast caring for patients with CNS and solid tumors. Assisted Oncology physicians with the development of bench research trials within the realm of Neurological cancers and solid tumors. Field trainer and Educator in Neuro-oncology for employees during orientation. Assisted with the learning module development for the orientation and ongoing staff development for the Company. Poster accepted for presentation at ONS 2015, "Correlation of Compliance with Improved Efficacy in Tumor Treating Fields" also accepted at the AANN 2016 conference.

**1/2012 to
10/2012**

**Mount Sinai Medical Center, NY, NY
Director, Oncology and Medicine Inpatient Services-
Interim Director, Nursing Quality**

- Provide administrative oversight for Clinical Nurse managers and staff for inpatient Oncology and Medicine services, including Clinical Research Center, Bone Marrow Transplant, Palliative care, MICU and RICU, and APRN staff. Responsible for quality metrics and patient outcomes. financial planning, capital budget and supply management, and service line development. Collaborated with physician teams for organizational goal attainment.

Administrative Participant in Successful FACT Survey for 2012

Co-developed protocols for Oncology service line, (anaphylaxis, hypersensitivity protocol for Radiation therapy and Medical Oncology, Carboplatin protocol)

Member of Sepsis Task force, Readmission Committee, Falls Committee.

Participated in restructuring the nursing orientation program and preceptor program. Spearheaded the Department's APRN orientation and annual competency program. Guided the Nursing Oncology orientation program and competencies.

Realized growth in HCAHPS scores in the first 6 months. Participated in the initiation of Relationship Centered Care Model of Nursing for all departments.

Responsible for oversight and direction of nursing quality metrics, collaborating with organization's quality initiatives.

Member:

Hospital Performance Improvement Committee
Co Chair Medicine QI Committee
Oncology Chemotherapy Committee
Oncology Administrative Committee
Patient Satisfaction Committee
Heart Failure Committee
Sepsis Early Recognition Initiative
Nursing Informatics Committee
Hospital Readmission Committee

1/2009-

Dartmouth Hitchcock Medical Center

Director of Nursing Practice and Education

1/2012

Responsibilities- Provided over-sight for Nursing Standards development and evidence-based practice for all of nursing practice specialties, inpatient and outpatient services. Supported the staff and Operations of Nursing Research, Education, Practice, Nursing Informatics, Quality and Magnet preparation. Assisted in the development of new service lines for Skin and Wound Care Team and Anticoagulation Services. Assisted the organization in meeting quality and regulatory requirements for nursing practice and education. Participated and supported the Quality and Patient Safety Department with patient care and nursing quality standards intervention. Worked with the clinical transformation team, physicians, and the multidisciplinary staff with the development of order sets and standards development and implementation into the new electronic medical record. Assisted in the development of education programs for the nursing staff.

Accomplishments as Director of Nursing Practice and Administration:

- Assisted in the Creation of Quality measures and processes for evaluating and sustaining the required documentation for the electronic medical record with CPM
- Co chaired the development of a new Service Line for Skin and Wound Care
- Assisted in the Expansion of the Anticoagulation Service Line
- Worked with Content experts to Create a Standardized Methodology Process (Tool Kits) for Implementing new and required education and practice standards for Care Plan Documentation (CPG's)
- Assisted in the development of the education template and accountability process for incorporating the new electronic medical record documentation into nursing practice
- Assisted in the Revision of Nursing Orientation to incorporate the electronic medical record
- Lead the Development of Nurse initiated Per Protocol order Sets for the electronic record (Medicine and Oncology) Working with IT and Medicine
- Assisted in the Development of documentation policies that support the utilization of the electronic medical record
- Assisted the Anesthesia Dept. in the revision of the Moderate Sedation Nurse Credentialing program
- Responsible for supporting leadership and nursing staff in maintaining the Nursing Scope of Practice throughout the organization

- o Worked closely with the NH Board of Nursing to incorporate ANA standards at DH

Committee Membership:

Member of the Pharmacy Therapeutics Chemotherapy Sub Committee
 Co-Chair of the Pharmacy Nurse committee
 Member of the Medication Safety Committee
 Member Hospital Quality and Safety Committee
 Member Quality and Safety Joint Commission Preparedness Committee
 Chair of the Nursing Policy Oversight Committee
 Member Electronic Order Set Committee
 Member EPIC Beacon Oncology Software Planning Committee
 Practice Chair of Shared Governance Committee
 Member Shared Governance Executive Committee

Dartmouth Hitchcock Medical Center

Oncology Clinical Nurse Specialist

Responsibilities- Member of the Dartmouth/DHMC IRB. Worked with the Cancer Center Team in supporting the Physicians and Cancer Center's initiatives. Active participant at Tumor Boards, Provided oncology education to staff nurses for the Norris Cotton Cancer Center (Inpatient and Outpatient, BMT Centers). Conducted Patient rounds, and Participated in QI initiatives as well as implementation of Standards of Care. Developed OCN Certification Review Course for staff. Presented in and assisted with the coordination of the Oncology Mini course. Co-ordinated and presented ongoing education for the nursing staff for Oncology certification. Conducted patient physical assessments and care as well as be a resource to other departments in the hospital, assisting them with problem solving for oncology patients with various diagnoses: Renal Cancer, BMT, Hematology, GI, Breast, Lung, Neurology, Melanoma, and Lymphoma.

Accomplishments as an Oncology CNS:

- Developed a Chemotherapy Time Out process to improve Chemotherapy Safety Administration and decrease near misses and errors (Presented a Poster Session at ONS Congress 2010)
- Developed an OCN Review Course for nurses seeking certification. (Open to all nurses in VT, NH, ME, NY, MA)
- Achieved Staff Nurse OCN Certification at DHMC - 60%
- Faculty member for the development and revision of the Oncology Mini Course, a Core curriculum for oncology nurse education, (Four day course with many APRN Faculty)
- Assisted in the Development of Evidence Based Policies and Procedures for standards of practice for Nurses and Physicians for Chemotherapy Ordering and Administration
- Co lead with the Institution of a Fall Prevention Program to decrease inpatient falls for oncology patients
- Worked with physicians to decrease length of stay for Oncology patients using retrospective data to revise treatment times and discharge planning.
- Certified staff nurses in Chemotherapy Administration

5/06-
12/2008

**Novartis Pharmaceutical Company
Senior Sales Consultant –Hematology/Oncology**

Responsibilities - Provided information about FDA approved chemotherapy and biotherapy medications for Chronic Myelogenous Leukemia and Gist, MDS/MPD patients, to customers (physicians, nurses, and pharmacists) in CT, ME, NH, VT. Provided physician and nursing education to all accounts regarding differential diagnosis, co-morbidities and product use, dosing and side effect management. Recognized for 'Best Practice with Team Work" in 2007 in Manchester territory. Team member for review of Oral Therapy Compliance Program. Trained education facilitator for Nursing Program, Healing Conversations

Accomplishments:

- Developed and presented Oncology Review course for various Private Practice Nurses for OCN Certification (Bennington, VT, Plattsburg, NY, Albany, NY, Rutland, VT, Portland ME, Keene, NH, Dartmouth Med Center, Lebanon, NH)
- Developed Round Table Nursing Education Programs for presentation of all Novartis Products (Hematology/Oncology) for Chemotherapy and Biotherapy

9/05-5/06

**Maria College – Albany, NY
Adjunct Faculty Nursing Program**

Responsibilities - Clinical Instructor for freshman nursing students. Responsible for 30 students in lab lecture, teaching physical assessment, clinical skills and procedures. Responsible for eight students throughout the year working in an acute care hospital setting, (medical oncology) consisting of assessment, physical care, medication administration and care plan evaluation.

3/99-5/06

**Schering Plough Corporation
Patient Care Clinical Consultant/Sales**

Responsibilities - Provided Clinical Consultation for medical management and side effect support regarding the oncology biotech medications for CT and NY territory. Provided education to healthcare providers and the community on a variety of medical and nursing topics related to cancer diagnoses and hepatitis. Assisted hospitals and community practices in administration and treatment management of chemotherapy and biotherapy. Functioned as an Educator, Clinical Nurse Specialist, and Treatment Consultant. Provided oncology education to territory team members

Accomplishments as a Nurse Consultant:

- Authored a side effect teaching module for nurses who care for patients receiving biotherapy (Chapters included: Pain management, Depression, Herbal Toxicity)
- Authored a hepatitis C patient teaching book. Flip chart contained the nurse view and the patient view.
- Authored Training modules for the sales force on Brain Cancer, Radiation Therapy, Overview of Chemotherapy
- Presented at the national sales meeting in 2006, a podium session on "The Mechanisms of Action of the Interferon Cascade"
- Winner of National Nightingale Nursing Award in 2002 for professional accomplishment, team support and clinical expertise

- 2006- ONS Presentation " FDA and OIG: How it impacts the Pharmaceutical Industry"
- Participated in corporate training department for oncology education rotation for new hires for chemotherapy and lung cancer sessions
- Preceptor for newly hired Clinical Consultants

8/96 -3/99

**William W. Backus Hospital Norwich, CT
Administrative Director, Oncology Services**

Responsibilities - Overall responsibility for administrative and financial functions of the building of the Cancer Center including the Yale University affiliated Radiation Cancer Center. Assisted in the Development of the Oncology Service Lines for the community, (Pain Clinic, Tumor Registry, and the Oncology Nursing Services including the Core Course for Nursing Certification). Member of the IRB and worked closely with the Research Committee involving Oncology Phase 3 Clinical Trials. Coordinated oncology community outreach services and education programs for the organization. Began the preparation for Accreditation from The American College of Surgeons. Administrative member of JCAHO Preparation Team for hospital accreditation. Worked with Information Systems to create and design reports for cancer center data for systems operations for radiation and medical oncology.

Accomplishments:

- Assisted in the development of contracts for Radiation Oncology Physicians and staff
- Created Budgets for all departments within the service line
- Created Staffing Patterns for each department in the Service Line
- Developed Job Briefs for all personnel
- Developed a Pain Service which resulted in expansion and ROI net revenue > 1 Million (Business Plan RFP development) in the first year
- Created the Oncology Core Course education for clinical staff
- Assisted the organization in the successful Joint Commission survey
- Assisted in the development of evidenced based Policies and Procedures related to the cancer center
- Participated in Research and clinical trials
- Incorporated oncology standards of care for the oncology service line
- Presented at the National Meeting of Medical Administrators on "Developing a Pain Service"
- Hosted Memorial Sloan Kettering to view the Cancer Center Software integration for Radiation Oncology

8/88-4/04

**RN Magazine Medical Economics Montvale, New Jersey
Member, Editorial Board and Contributing Editor**

Responsibilities - Reviewed and published various articles on cancer-related topics for this 300,000 circulation refereed nursing journal.

12/84-8/96

**Hospital of Saint Raphael New Haven, CT
Patient Care Manager, Inpatient Medical Oncology Unit**

Responsibilities - Overall direction and supervision of a 26-bed unit and 45 nursing personnel. Assisted with the development of the cancer center as a participant on the planning task force, involving education, clinical research and quality improvement. Assisted in the development of the Core Oncology Course, participated in cancer nursing and chemotherapy education programs. Member

of the Practice and Policy and Procedure committees, IRB and Cancer Committee.

Worked with administration for the JCAHO Accreditation Process.

4/79-12/84

Fox Chase Cancer Center Philadelphia, PA

Nutrition Support Nurse

Staff Nurse, Medical and Surgical Oncology

Responsibilities - Performed patient care and clinical research trials involving various types of cancers. Worked with the Department of Nutrition Support in assessing and overseeing the nutritional needs of patients undergoing therapy for their cancers. Educated the staff and the community on specific needs of the cancer patients as well as specific topics on cancer therapy. Participated in Phase II and III clinical trials.

AWARDS

1988-American Cancer Society "Robert Zane's Excellent Patient Care Award"

1990-Oncology Nursing Society Undergraduate Scholarship

1992-American Cancer Society Graduate Scholarship, One of 20 nationwide received full funds for graduate study.

2000- President's Award Hudson Valley District- Schering Plough Corporation

2002-Nightengale Award – Schering Plough Corporation

2008- Novartis Territory Excellence Team Work Award- New England

2019- Connecticut Children's Medical Center- "Star of the Week" Leadership recognition for being a positive leader, and for accomplished work for new satellite multidisciplinary start up clinic. (March 2019).

PROFESSIONAL ORGANIZATIONS

Oncology Nursing Society

AONE

Sigma Theta Tau Nursing 2021

CERTIFICATIONS

OCN 2001,1997,1993,1989

AOCN 2001, 2005, 2009,2013, 2017, (2021-2025)

NEA-BC 2018 to 2023

Current RN Licenses: CT, NY, VT, NH

Certified Trainer

Oncology Nursing Society- Chemotherapy and Bio-Therapy Course 2009- 2015

PUBLICATIONS

Greifzu, Sherry. (1980). Multiple Myeloma" in Diseases, Springhouse Corp., Philadelphia.

Greifzu, Sherry. (1985). "Lung Cancer" in Neoplastic Diseases, Springhouse Corp., Philadelphia.

Greifzu, Sherry. (1986). Colorectal cancer, when a polyp is more than a polyp", RN Magazine, 49 (10), 26.

Greifzu, Sherry. (1986). "Breast cancer. The risks and the options", RN Magazine, 49 (10), 26.

Greifzu, S., Crebase, C., and Winnick, B. (1990). "Lung cancer: by the time it's detected, it may be too late", RN Magazine, 58 (3), 52.

Greifzu, Radjeski, D., and Winnick, B. (1990). "Oral care is part of cancer care" RN Magazine, 54 (7), 24.

Greifzu, Sherry. (1991). "Helping cancer patients fight infection" RN Magazine, 54 (7), 24.

Greifzu, Sherry, and Dest, Vanna. (1991). "When the diagnosis is pancreatic cancer", RN Magazine, 54 (9), 38.

Greifzu, Sherry, and Dest, Vanna. (1991). "RN master care plan- the patient with pancreatic cancer", RN Magazine, 54 (9), 43.

Greifzu, S., and Walters, P. (1995). "Chemo- A Nurses Guide" RN Magazine, 1-17.

Greifzu, Sherry, and Tiedemann, D. (1995). "Prostate cancer, the pros and cons of treatment" RN Magazine, 58(6), 22-26.

Greifzu, Sherry. (1996). "Chemo quick guide: new agents", RN, 59 (8), 29-31.

Greifzu, Sherry. (1996). "Grieving families need your help", RN, 58 (9), 22-27.

Greifzu, Sherry. (1998). "Fighting cancer fatigue" RN, 61 (8), 41-43.

Greifzu, Sherry. (2003). "Caring for the chronically, critically ill patient" RN

Greifzu, Sherry. (2004). "Breast cancer, women's health" RN 67 (2), 36-42.

UNPUBLISHED THESIS:

Greifzu, Sherry. (1995). The Relationship of Job Satisfaction to the Construct Hardiness

PRESENTATIONS- ONS Congress

2006- (April) Navigating the Compliance Changes with Pharma Guidelines

2010- (April) Poster Session, May 2010 Congress "Incorporating a Chemotherapy Time Out Process"

2014- Accepted Poster for 2015 Congress-*Correlation of Compliance with Improved Efficacy in Tumor Treating Fields*

PRESENTATIONS- AANN Congress- 2016

2015- Accepted Poster for 2016 AANN Congress- *Correlation of Compliance with Improved Efficacy in Tumor Treating Fields*

OTHER PRESENTATIONS

2012- (Feb) "Teaching patients about medication side effects, HCAHPS requirements" Mount Sinai Medical Center

2012- (Sept) Schwartz Grand Rounds - Mount Sinai Medical Center

2012- (Nov) "New York City Chemotherapy Symposium- "Challenges of Oral Chemotherapy Adherence"

2017- Quality A-3 Development- "Standardizing the Medical Assistant Education in Training and Competency Validations: Maximizing their Scope of Practice." Connecticut Children's Medical Center, Hartford, CT (October, 2017)

2019- (Oct) "When a Headache isn't a Headache" Smilow Cancer Center Grand Rounds, New Haven, CT

2019-Nov. "Simple Question, Powerful Answer: Patient and Family Engagement in Care" Children's Hospital Association, Phoenix, AZ,

2020- Radiation Oncology Grand Rounds "The Role of the Radiation Oncology Nurse; Maximizing Scope of Practice" July, Smilow Cancer Center, New Haven, CT

Smith, Helen

From: Vicki Kane <Vicki.Kane@yti.edu>
Sent: Monday, February 27, 2023 12:02 PM
To: Smith, Helen
Subject: Porter and Chester Institute

EXTERNAL EMAIL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Ms. Smith-

PCI was present for the reading of your survey findings on February 14, 2023. PCI immediately began to address the concerns outlined in preparation for the school's formal response. The findings resulted from a survey conducted by CTOHE. Based on the site visits conducted (1/11/2023 & 1/27/2023), PCI was informed that a formal report would be presented at the end of February and PCI would need to respond to the findings indicated.

Upon receipt, PCI will address each area of concern and provide a formal response with supporting documentation to CTOHE and the Board of Nursing by the due date indicated in the report.

Please feel free to contact me with any questions or concerns.

Thank you

Vicki Kane, Ed.D.
Vice President of Academics
Porter & Chester Institute
YTI Career Institute
vicki.kane@yti.edu
814.656.8578
www.PorterChester.edu
www.yti.edu
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Hello - Why are our PCI programs falling apart? Some of us have been here for years trying to get good clinical and class time so we can graduate and pass NCLEX. Reading the BON agendas and listening to the meetings - this list is probably part of the problem.

Porter and Chester Practical Nursing Program DONs (or open spots)
2019-present (less than 4 years)

3/7/2019 **P Donovan resigns** as Director of Nursing and Program Chair

3/7/2019 M Sparmer arrives

7/19/2019 **M Sparmer leaves**

7/21/2019 D Hessell arrives Acting Director of Nursing

5/12/2021 **D Hessell leaves**

5/12/2021 N Brunet Interim Director of Nursing

7/21/2021 **N Brunet not approved** by BON as PCI DON

7/22/2021 S. Greifzu, announced in 6/2020 as "PN consultant" is named by PCI as Interim DON (listed on 8/11/2021 BON Agenda; not announced to PN students, no communications ever received from or about Greifzu)

10/17/2022 S. Greifzu brought on as Hamden campus Program Coordinator, Hamden students notified by email from our Campus Director

No DON announced to students for 6 months starting in 7/2021

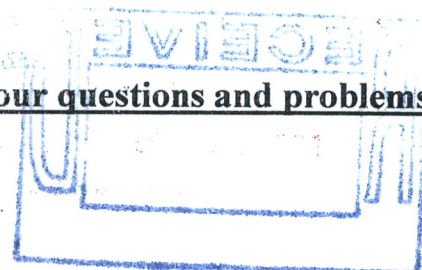
1/21/2022 H. Breault arrives

12/1/2022 **H. Breault auto-reply out-of-office replies start; no more responses to students**

No DON announcement to students for 2 months and counting

Rumors have been going around since January that Ms. Baril, Waterbury PN Program Coordinator is unofficially acting DON and that S. Greifzu, Hamden PN Program Coordinator, will be presented to the BON as DON in February. But nobody knows or nobody tells students. Who's our Program Coordinator at Hamden if Greifzu isn't? Who is our DON?

Who's in charge? - we don't know where to turn with our questions and problems!



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Department of Public Health
410 Capitol Avenue, MS ~~TELEPH~~
P. O. Box 340308
Hartford, CT 06134-0308 *H SR*
ATTN: Ms. Helen Smith

06134-043808



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

Arlene Clarke, L.P.N.
License No. 026749

Petition No. 2022-580

MEMORANDUM OF DECISION

I

Procedural Background

On July 27, 2022, the Department of Public Health ("Department") filed a Statement of Charges ("Charges") with the Board of Examiners for Nursing ("Board"). Board ("Bd.") Exhibit ("Ex.") 1. The Charges allege violations of Chapter 378 of the Connecticut General Statutes ("Conn. Gen. Stat.") by Arlene Clarke ("Respondent"), which would subject Respondent's licensed practical nurse ("L.P.N.") license no. 026749 to disciplinary action pursuant to Conn. Gen. Stat. §§ 19a-12e(e), 19a-17, 20-99(b)(2), 20-99(b)(5) and/or 20-99(b)(6). *Id.*

On August 3, 2022, the Department filed a Motion for Summary Suspension Order ("Motion") regarding Respondent's practice and the active status of her L.P. N. license. Bd. Ex. 2. Based on the allegations in the Charges and the affidavits and reports accompanying the Motion, the Board found on August 3, 2022, that Respondent's continued nursing practice presented a clear and immediate danger to public health and safety and; on the same date, ordered pursuant to Conn. Gen. Stat. § 4-182(c) and § 19a-17(c), that Respondent's license be summarily suspended pending a final determination by the Board of the allegations contained in the Charges ("Summary Suspension Order"). Bd. Ex. 2.

On August 6, 2022, the Charges, Notice of Hearing ("Notice") and Summary Suspension Order were mailed to Respondent, by certified and first-class mail to her address of record on file with the Department: 20 Farmstead Lane, West Hartford, CT 06117. Bd. Ex. 3; Bd. Ex. 4. Also on August 6, 2022, the Charges, Notice and Summary Suspension Order were transmitted to Respondent via her email address of record on file with the Department at clarkearlene33@gmail.com. *Id.*

On August 8, 2022, the USPS tracking record documents that the certified mail was delivered to an individual at the West Hartford address. Bd. Ex. 5; Tr. pp. 6-7.

On September 14, 2022, the Board's liaison emailed the link of the hearing to Respondent's email of record on file with the Department. Bd. Ex. 6; Tr. p. 7.

The hearing was held on September 21, 2022. Respondent was not present at the hearing and was not represented by legal counsel. Transcript ("Tr.") p. 3. Attorney Linda Fazzina represented the Department. *Id.*

The Respondent did not answer the Charges within 14 days from the date of the Notice. Tr. p. 8. Attorney Fazzina orally moved to deem the allegations admitted. *Id.* The Board unanimously approved the Department's motion to deem the allegations admitted. *Id.*

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 West Hartford, CT, is, and has been at all times, as referenced in the Charges, the holder of Connecticut L.P.N. license number 026749. Bd. Ex. 1; Department ("Dept.") Ex. 1, p. 1.
2. In paragraph 2 of the Charges, the Department alleges that on or about May 26, 2022, the Ohio Board of Nursing entered into a Consent Agreement with Respondent in case #20-004136 ("Ohio Consent Agreement") suspending Respondent's Ohio nursing license indefinitely, with such suspension being stayed subject to certain probationary terms and restrictions for a minimum period of two (2) years. The Ohio Consent Agreement was based in part upon Respondent's substance use disorder and/or her indictment for theft and Medicaid fraud in the Court of Common Pleas of Franklin County, Ohio, Case No. 20CR-3336.
3. In paragraph 3 of the Charges, the Department alleges that in approximately 2019 and/or 2020, respondent abused, or utilized to excess, drugs and/or alcohol. Said abuse or excessive use of drugs and/or alcohol does and/or may affect her nursing practice.
4. In paragraph 4 of the Charges, the Department alleges that from on or about December 24, 2018, to on or about November 8, 2019, Respondent fraudulently billed, or caused to be billed, for nursing services she did not provide for a recipient of the Ohio Medicaid Program.

5. In paragraph 5 of the Charges, the Department alleges that Respondent failed to report to the Department, as required by Conn. Gen. Stat. § 19a-12e(e), the disciplinary action taken by the Ohio Board of Nursing under the Ohio Consent Agreement.
6. In paragraph 6 of the Charges, the Department alleges that on or about January 22, 2022, Respondent falsely answered “No” when asked on her nursing license renewal application whether any disciplinary actions were pending since her last renewal.
7. In paragraph 7 of the Charges, the Department alleges that the above cited facts constitute grounds for disciplinary action pursuant to Conn. Gen. Stat. §§ 19a-17(f), 19a-12e(e), and/or 20-99, including, but not limited to §§ 20-99(b)(2), 20-99(b)(5) and/or 20-99(b)(6).

III

Findings of Fact

1. On August 6, 2022, the Department sent the Charges, Notice, and Summary Suspension Order by first class and certified mail to Respondent at her address of record on file with the Department. Bd. Ex. 3. The Department also emailed the same correspondence to Respondent’s email address of record on file with the Department, at clarkearlene33@gmail.com. Id.
2. The Board determined that the Department provided Respondent with reasonable and written notice of the hearing and the allegations contained in the Charges. Tr. pp. 6, 7.
3. On September 21, 2022, neither Respondent nor an attorney representing Respondent appeared at the hearing. Tr. p. 3. Respondent did not request a continuance of the hearing.
4. On May 26, 2022, Respondent entered into a Consent Agreement with the Ohio Board of Nursing, filed under Case #20-004136, which suspended Respondent’s Ohio nursing license indefinitely, with such suspension being stayed subject to certain probationary terms and restrictions for a minimum period of two years. The Ohio Consent Agreement was based in part upon Respondent’s substance abuse disorder and/or her indictment for theft and Medicaid fraud in the Court of Common Pleas of Franklin County, Ohio, Case No. 20CR-3336. Dept. Ex. 1, pp. 1-4, 7-15, 25-33.
5. On May 26, 2022, Respondent knowingly and voluntarily admitted to the factual and legal allegations contained in the Ohio Consent Agreement. Dept. Ex. 1, pp. 7-15.
6. Upon her relocation to Connecticut, Respondent transferred the supervision of her probation from the Ohio Board of Nursing to Connecticut, where she stated on her license renewal application that she was working for approximately 16 hours per week as a nurse in Connecticut. Dept. Ex. 1, pp. 3-4.

7. On June 21, 2022, the Practitioner Licensing and Investigation Section (“PLIS”) of the Department notified Respondent in writing that the Department had received written notification of Respondent’s Ohio Consent Agreement with the Ohio Board of Nursing, which was effective on May 26, 2022. Dept. Ex. 1, pp. 19-20, 25-33.
8. Respondent’s CT license renewal application was dated on January 22, 2022. Dept. Ex. 1, pp. 34-36. Respondent falsely answered “No” to question number 30 which asked if she had had any disciplinary action taken against her license since her last license renewal. Dept. Ex 1., p. 35.
9. On June 21, 2022, a Health Program Associate from PLIS sent a letter to Respondent. In the letter, the Health Program Associate requested Respondent to provide a written explanation regarding her rationale for stating “No” to the question inquiring whether there were any disciplinary actions pending (including under the jurisdiction of the Ohio Board of Nursing) since her last license renewal. Dept. Ex. 1, pp. 19-20.

The PLIS Health Program Associate requested Respondent to respond to this request for information by July 5, 2022. Dept. Ex. 1, pp. 19-20. The Department’s June 21, 2022, letter was delivered to Respondent on June 24, 2022. Dept. Ex. 1, p. 3.
11. To date, Respondent has failed to respond to the Department. Dept. Ex. 1, p. 3.

IV

Discussion and Conclusions of Law

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

The Department sustained its burden of proof with regard to all of the allegations contained in the Charges. Findings of Fact (“FF”) 1-11.

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

- (a) The Board shall have jurisdiction to hear all charges of conduct which fails to conform to the accepted standards of the nursing profession brought against persons licensed to practice nursing. After holding a hearing said board, if it finds such person to be guilty, may revoke or suspend his or her license or take any of the actions set forth in section 19a-17
- (b) Conduct which fails to conform to the accepted standards of the nursing profession includes, but is not limited to, the following: (2) illegal conduct, incompetence or negligence in carrying out usual nursing functions; . . (5) abuse or excessive use of drugs, including alcohol, narcotics or chemicals; (6) fraud or material deception in the course of professional services or activities.

Conn Gen. Stat. § 19a-17 provides, in pertinent part, that:

- (a) Each board or commission, . . . and the Department of Public Health . . . may take any of the following actions, . . . based on conduct that occurred prior or subsequent to the issuance of a license upon finding the existence of good cause. . . (1) Revoke a practitioner's license; . . .
- (c) Such board or commission . . . where appropriate may summarily suspend a practitioner's license in advance of a final adjudication or during the appeals process if such board or commission finds that a practitioner represents a clear and immediate danger to the public health and safety if he/she is allowed to continue to practice.
- (f) Such board may take disciplinary action against a practitioner's license or permit as a result of the practitioner having been subject to disciplinary action by a duly authorized professional disciplinary agency of any state

Specifically, under Conn. Gen. Stat. § 19a-17(f), the CT Board can discipline the license of a nurse that has been disciplined by another state. Additionally, under Conn. Gen. Stat. §§ 20-99(b)(2), (5) and (6), the CT Board can 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; abuse or excessive use of drugs, including alcohol, narcotics or chemicals; and fraud or material deception in the course of professional services or activities.

Since Respondent did not file an Answer, the allegations are deemed admitted and true. *See*, Conn. Agencies Regs. § 19a-9-20. Therefore, among other violations, the Department established by a preponderance of the evidence that, pursuant to Conn. Gen. Stat. § 19a-12e(e), the Respondent did not report to the Department any disciplinary action taken against her license by a duly authorized professional disciplinary agency of any state, not later than 30 days after such action. Respondent's failure to report to the Department the disciplinary action set forth in the Consent Agreement with the Ohio Board of Nursing violated the provisions of § 19a-12e(e). Clearly, Respondent was aware of the 2021 Court's Intervention in Lieu of Conviction that was granted to her due to her fraudulent billing the Ohio Medicaid Program from December 2018 to November 2019 for nursing services she did not provide to a Medicaid recipient. Respondent was also aware that the Ohio Board of Nursing took disciplinary actions against her Ohio license because of her criminal conduct. FF 4. On May 26, 2022, Respondent knowingly and voluntarily admitted to the factual and legal allegations contained in the Ohio Consent Agreement. FF 5. Respondent was also aware that her Ohio nursing license was suspended

indefinitely, and that such suspension was stayed subject to certain probationary terms and restrictions. FF 4.

Moreover, Respondent's criminal conduct violated the provisions of Conn. Gen. Stat. § 20-99(b)(2); and her abuse or excessive abuse of drugs and/or alcohol also violated the provisions of § 20-99(b)(5). Upon her relocation to Connecticut, Respondent transferred the supervision of her probation from the Ohio Board of Nursing to Connecticut, where she stated on her license renewal application that she was working for approximately 16 hours per week as a nurse in Connecticut. FF 6.

The record establishes that on January 22, 2022, Respondent submitted her CT license renewal application to the Department. FF 8. Respondent falsely answered "No" to question number 30 which asked if she had had any disciplinary action taken against her license since her last license renewal. *Id.* Thus, Respondent's misrepresentation on her renewal application for her CT license violated the provisions regarding fraud or material deception in the course of professional services or activities pursuant to Conn. Gen. Stat. § 20-99(b)(6).

All the allegations were deemed admitted. FF 1-11. Additionally, the Department established by a preponderance of the evidence that Respondent's practice of nursing falls below the standard of care in one or more ways, including, but not limited to her abuse or excessive use of drugs and/or alcohol, illegal conduct and theft, fraud and material deception of the Ohio Medicaid Program while practicing nursing in Ohio, and the misrepresentations she made on her CT license renewal application to conceal her illegal conduct while she was living and working as a nurse in CT. Thus, the Board concludes that Respondent's conduct, as alleged in the Charges constitutes grounds for disciplinary action pursuant to Conn. Gen. Stat. §§ 20-99(b)(2), (5) and (6), 19a-12e(e), and 19a-17(a), (c) and (f).

Order

Based on the record in this case, the above findings of fact and conclusions of law, the Board hereby orders, with respect to Arlene Clarke's license number 026749, to practice as a L.P.N. in the State of Connecticut is hereby revoked.

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

The Board hereby informs Respondent, Arlene Clarke, and the Department of this decision.

Dated at Hartford, Connecticut this _____ day of February 2023.

BOARD OF EXAMINERS FOR NURSING

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

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

Olesja Whelan, R.N.
License No. 112029

Petition No. 2020-336

MEMORANDUM OF DECISION

I

Procedural Background

On August 10, 2021, the Department of Public Health ("Department") filed a Statement of Charges ("Charges") with the Board of Examiners for Nursing ("Board"). Board ("Bd.") Exhibit ("Ex.") 1. The Charges allege that Olesja Whelan ("Respondent") violated Chapter 378 of the Connecticut General Statutes ("Conn. Gen. Stat."), subjecting Respondent's registered nurse ("R.N.") license number 112029 to disciplinary action pursuant to Conn. Gen. Stat. §§ 19a-17 and 20-99(b)(2) and/or 20-99(b)(5).

On September 27, 2021, the Charges and Notice of Hearing ("Notice") were sent by first class mail and electronic mail to Respondent's counsel, Ellen Costello at EllenC@delsoledelsole.com. Bd. Ex. 2. The Notice informed Respondent and counsel that a hearing was scheduled for January 19, 2022. *Id.*

On December 30, 2021, the Department notified the parties in writing that the January 19, 2022, hearing was continued to February 16, 2022. Bd. Ex. 3.

On February 3, 2022, the Department notified the parties in writing a second time that the February 16, 2022, was continued to March 2, 2022. Bd. Ex. 4.

On February 23, 2022, Respondent's legal counsel filed an Answer to the Charges. Bd. Ex. 6.

On February 25, 2022, the Department notified Respondent's counsel in writing that the Department objected to the submission of Respondent's Exhibits A through D as full exhibits. Bd. Ex. 9.

On February 28, 2022, Respondent's counsel filed an Objection to the Department's Exhibit of Documents from the Health Assistance InterVention Education Network ("HAVEN") and Records that HAVEN obtained from other sources. Respondent requested that such records

be excluded from the Department's records and that her objection should be sustained.

Bd. Ex. 7.

On March 1, 2022, the Department filed its Reply to Respondent's Objection regarding the contents of Department's Ex. 1 labeled for identification and discussed above in Bd. Ex. 7. The Department requested the Board to overrule Respondent's objections to Department ("Dept.") Ex. 1 and enter it in the records as a full exhibit. Bd. Ex. 8.

On March 7, 2022, the March 2, 2022, hearing was continued to May 18, 2022.
Bd. Ex. 5.

On June 13, 2022, the May 18, 2022, hearing was continued to July 6, 2022. Bd. Ex. 10.

On July 6, 2022, the Board convened the hearing. Respondent was present for the hearing along with her counsel, Ellen M. Costello. Transcript ("Tr.") 7/6/2022, p. 4. The record closed on July 6, 2022. Tr. 7/6/22, p. 22-23.

On July 19, 2022, and July 28, 2022, Respondent filed additional information for the Board's consideration. Bd. Ex. 11. The Department objected to such submissions since the record closed on July 6, 2022. *Id.*

On August 1, 2022, the Board notified the parties that it would reopen the hearing *sua sponte*, on September 21, 2022, to determine whether the additional information which Respondent submitted on July 19 and July 28, 2022, should be entered into the record and subject to cross examination. *Id.*

On September 21, 2022, the Board reconvened for the second day of hearing. Respondent was present along with her legal counsel, Attorney Costello. Tr. 9/21/2022, pp. 1-15; Tr. 9/21/2022, pp. 1-20 (under seal).

Attorney Linda Fazzina represented the Department on both hearing dates.
Tr. 7/6/2022, p. 4; Tr. 9/21/2022, p. 4.

On September 21, 2022, the Board voted to reopen the record, overruled the Department's objections to Respondent's July 19 and July 28, 2022 submissions, and voted to go into executive session to review the records submitted. Tr. 9/21/2022, pp. 9-12.

Subsequent to the Board's discussion of the records while in executive session, the Board went out of executive session and voted to enter the July 19 and July 28, 2022, submissions into

the record. Tr. 9/21/2022, pp. 12-13. The submissions were marked Respondent's exhibits, E, F and G.

Following the close of the record on September 21, 2022, the Board conducted fact finding.

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

II

Allegations

1. In paragraph 1 of the Charges, the Department alleges that Respondent of Stamford, Connecticut, is, and has been at all times, as referenced in the Charges, the holder of Connecticut registered nurse license number 112029.
2. In paragraph 2 of the Charges, the Department alleges that at all relevant times, Respondent was employed as a nurse at a facility in New York.
3. In paragraph 3 of the Charges, the Department alleges that on or about November 27, 2019, Respondent appeared at work in an impaired state.
4. In paragraph 4 of the Charges, the Department alleges that in or before November 2019, Respondent abused or utilized to excess alcohol..
5. In paragraph 5 of the Charges, the Department alleges that Respondent's abuse or excessive use of alcohol does, and/or may, affect her practice as a nurse.
6. In paragraph 6 of the Charges, the Department alleges that the above facts constitute grounds for disciplinary action authorized by Conn. Gen. Stat. § 20-99(b)(2) and/or 20-99(b)(5).

III

Findings of Fact

1. Respondent of Stamford, Connecticut, is, and has been at all times, as referenced in the Charges, the holder of Connecticut registered nurse license number 112029. Bd. Ex. 6.
2. At all relevant times, Respondent was employed as a nurse at a facility in New York. *Id.*

3. On or about November 27, 2019, Respondent appeared at work for her 7:00 a.m. shift after consuming alcohol the night before until 2:00 a.m. Respondent admitted that she reported for work with wine on her breath. Tr. 7/6/2022, pp. 20-22; Tr. 7/6/2022, pp. 8-9 (under seal).
4. In or before November 2019, Respondent abused or utilized alcohol to excess. Tr. 7/6/2022, pp. 25, 49-53 (under seal).
5. When Respondent went to concerts with friends or was out drinking socially, she would drink to excess because of peer pressure. Tr. 7/6/2022, p. 25, 49 (under seal).
6. Respondent's health care provider documented in his progress notes that in July 2021 Respondent had questionable insight about her alcohol use. Tr. 7/6/2022, pp. 31-32 (under seal). Respondent's Ex. p. 80.
7. Respondent was diagnosed with alcohol use disorder. Tr. 7/6/2022, pp. 34-37 (under seal); Dept. Ex. 1, pp. 4-5 (under seal)
8. Respondent went to work impaired, for which she expressed regret. Tr. 7/6/2022, pp. 50-52 (under seal).
9. Respondent's abuse of or excessive use of alcohol does, and/or may, affect her practice as a nurse. Tr. 7/6/2022, pp. 8-9, 11-12.

IV

Discussion and Conclusions of Law

The Department bears the burden of proof by a preponderance of the evidence in this matter. *Jones v. Connecticut Medical Examining Board*, 309 Conn. 727, 739-740 (2013). In this case, Respondent admits to the allegations contained in paragraphs 1 and 2 of the Charges, and denies the allegations contained in paragraphs 3 through 6 of the Charges. While Respondent denies the allegations contained in paragraph 3, specifically, that she appeared at work on November 27, 2019, in an impaired state, she denies such allegations because she was not permitted to clock in for work. Tr. 7/6/2022, pp. 20-21. The Board, however, finds that the Department established by a preponderance of the evidence that on November 27, 2019, Respondent appeared at work in an impaired state. Therefore, the Board finds that the Department sustained its burden of proof with regard to allegations contained in paragraphs 1 through 6 of the Charges. Findings of Fact ("FF") 1-9.

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

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

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

In addition to the Department's investigative report and other documentary evidence that both the Department and Respondent submitted, the Department relied on Respondent's own testimony to prove its case. FF 1-9.

Regarding the allegations contained in paragraph 3 of the Charges, the Department established by a preponderance of the evidence that on November 27, 2019, Respondent appeared at work for her 7:00 a.m. shift after consuming alcohol the night before until 2:00 a.m. on November 27, 2019. FF 3. Tr. 7/6/2022, pp. 20-22; Tr. 7/6/2022, pp. 8-9 (under seal). She testified that she misread her work schedule and she thought she had the day off (Tr. 7/6/2022, pp. 20-21), so she was not aware that she was scheduled to work starting at 7:00 a.m. on that day. After her husband woke her up and informed her otherwise, she drove into work. Respondent admitted that she reported for work with wine on her breath. Tr. 7/6/2022, pp. 20-22. She further testified that she would never deliberately drink anything and show up for work the next day. Id. She testified that she realizes that she should have called in sick after she learned she was scheduled to work, rather than risk her patients' safety. Tr. pp. 50-51 (under seal).

Respondent testified that her supervisor met her in the parking lot when she was observed having trouble parking (Tr. 7/6/2022, p. 56; under seal); and she was not permitted to clock in and get her assignment for the day. Tr. 7/6/2022, p. 20. Respondent further testified that she learned safety first and a nurse cannot show up to work with alcohol on her breath. Tr. 7/6/2022, p. 51 (under seal). Respondent "owned up to her mistake," and expressed regret for going to work impaired. FF 8Tr. 7/6/22, p. 52 (under seal).

Thus, the Department sustained its burden of proof with respect to the allegations contained in paragraph 3 of the Charges.

Regarding the allegations contained in paragraphs 4 and 5 of the Charges, the Department established by a preponderance of the evidence that on or about November 27, 2019, Respondent abused or used alcohol to excess. FF 4. Specifically, concerning the allegations in paragraph 4 of the Charges, Respondent admitted on the record that when she went to concerts with friends or was out drinking socially, she would drink to excess because of peer pressure. FF 5. The record further establishes that Respondent had a history of binge drinking dating back to 2011. Dept. Ex. 1, p. 4 (under seal). Respondent purportedly “detoxed” on her own in 2012 when she was pregnant with her daughter and nursing her daughter. *Id.* She started drinking again in late 2013 and progressed again to a binge pattern of drinking from 1-2 glasses of wine to 1-2 bottles of wine on her days off from work. *Id.* She was diagnosed with alcohol use disorder severe. *Id.*

With respect to the allegations contained in paragraph 5 of the Charges, specifically that Respondent’s use and/or abuse of alcohol does, and/or may, affect her practice as a nurse, the Department sustained its burden of proof. FF 9. As discussed above, the record establishes that in or before November 2019, Respondent had a history of binge drinking. Tr. 7/6/2022, pp. 25-26 (under seal). On November 27, 2019, Respondent was impaired when she reported for work. FF 3. Subsequently, Respondent reported this incident to the Professional Assistance Program in New York (“NYPAP”) and referred herself to a similar confidential professional health assistance program in CT. Dept. Ex. 1, pp. 3-5 (under seal).

Respondent was evaluated and recommended for an intensive outpatient program (“IOP”) for treatment in December 2019. Dept. Ex. 1, p. 9 (under seal). In 2020, Respondent successfully completed the IOP. Dept. Ex. 1, p. 25 (under seal). The record further establishes that Respondent has maintained her sobriety since her last drink in November 2019. *Id.* However, even as recently as 2021, Respondent’s health care provider documented in his July 2021 progress notes that Respondent had questionable insight about her alcohol use. FF 6. Respondent’s Ex. p. 80. On the record, Respondent admitted that she was diagnosed with alcohol use disorder, but continuously denies that she is an alcoholic. FF 7. Tr. 7/6/2022, pp. 34-37 (under seal) Nonetheless, Respondent has continued to participate in outpatient group therapy and submits to observed urine screens, which all have been negative. Tr. 7/6/2022, pp. 27-28 (under seal); Dept. Ex. 1, p. 4 (under seal). She continues to participate in a continuing care program to provide relapse prevention. *Id.* She also testified that “she has been scared straight”

and does not ever intend to drink alcohol in the future (Tr. 7/6/2022, pp. 49-51 (under seal)); that she has developed hobbies such as yoga, spending time with her daughters hiking, camping, painting, and playing the saxophone while her daughters also play musical instruments. Tr. pp. 24, 49. Thus, the Department established by a preponderance of the evidence that Respondent's conduct on November 27, 2019, violated Conn. Gen. Stat. §§ 20-99 (b)(2) and (b)(5) by abusing or using alcohol to excess. The evidence of Respondent's ongoing sobriety, continuing participation in group therapy and positive employment reference letters support the Board's finding that Respondent can practice nursing with reasonable skill and safety as stated below. Respondent Ex. 5.

Order

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

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

1. Respondent Olesja Whelan's R.N. license number 112029 is placed on probation for one year under the following terms and conditions:
 - A. Respondent shall not be employed as a R.N. for a personnel provider service, assisted living services agency, homemaker-home health aide agency, or home health care agency, and shall not be self-employed as a R.N. during the entire probationary period.
 - B. Respondent shall provide a copy of this Memorandum of Decision ("Decision") to any and all employers if employed as a R.N. during the probationary period. The Department shall be notified in writing by any employer(s), within 30 days of the commencement of employment, as to the receipt of a copy of this Decision.
 - C. If employed as a R.N., Respondent shall cause employer reports to be submitted to the Department by her immediate supervisor during the entire probationary period. Employer reports shall be submitted quarterly commencing with the report due on the first business day of the month following employment as a R.N.

- D. The employer reports cited in paragraph C 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 O below.
- E. Should Respondent's employment as a R.N. be involuntarily terminated or suspended, Respondent and her employer shall notify the Department within 72 hours of such termination or suspension.
- F. 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 of receipt of a copy of this Decision within 15 days of receipt. Said notification shall be submitted directly to the Department at the address cited in paragraph O below.
- G. At her expense, Respondent shall continue to engage in group or individual therapy and counseling with a licensed or certified therapist, approved by the Department, for the entire probationary period, and she shall attend AA, NA, and/or Nurses to Nurses support group meetings at least eight to ten times a month during the entire probationary period.
- H. Respondent shall provide a copy of this Decision to her therapist. The Department shall be notified in writing by her therapist, within 30 days of the effective date of this Decision, as to receipt of a copy of this Decision.
- I. Respondent shall request her therapist to submit evaluation reports directly to the Department during the entire probationary period. Therapist reports shall be submitted monthly during the entire probationary period.
- J. The therapist reports cited in Paragraph I above shall include documentation of dates of treatment, an evaluation of Respondent's progress, including alcohol and drug free status, and her ability to practice nursing safely and competently. Therapist reports shall be submitted directly to the Department at the address cited in Paragraph O below.
- K. Observed random urine screens:

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

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

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

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

2. Any deviation from the terms of probation, without prior written approval by the Board shall constitute a violation of probation, which will be cause for an immediate hearing on

charges of violating this Order. Any finding that Petitioner has violated this Order will subject Petitioner to sanctions under Conn. Gen. Stat. §§ 19a-17(a) and (c), including but not limited to, the revocation of her license. Any extension of time or grace period for reporting granted by the Board shall not be a waiver or preclude the Board's right to take subsequent action. The Board shall not be required to grant future extensions of time or grace periods. Notice of revocation or other disciplinary action shall be sent to Petitioner's address of record (most current address reported to the Practitioner Licensing and Investigations Section of the Healthcare Quality and Safety Branch of the Department).

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

The Board hereby informs Respondent, Olesja Whelan, and the Department of this decision.

Dated at Waterbury, Connecticut this _____ day of February 2023.

BOARD OF EXAMINERS FOR NURSING

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

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

Danielle Works, L.P.N.
License No. 040340

Petition No. 2021-519

MEMORANDUM OF DECISION

I

Procedural Background

On May 13, 2022, the Department of Public Health ("Department") filed a Statement of Charges ("Charges") with the Board of Examiners for Nursing ("Board"). Board ("Bd.") Exhibit ("Ex.") 1. The Charges allege violations of Chapter 378 of the Connecticut General Statutes ("Conn. Gen. Stat.") by Danielle Works ("Respondent"), which would subject Respondent's licensed practical nurse ("L.P.N.") license no. 040340 to disciplinary action pursuant to Conn. Gen. Stat. §§ 19a-17 and 20-99(b). Bd. Ex. 1.

On June 2, 2022, the Charges and Notice of Hearing ("Notice") were mailed to Respondent, by first-class mail to her address of record on file with the Department, which is 120 Hampden Road, Stafford Springs, CT 06076. Bd. Ex. 2. Also, the same correspondence was mailed, first class, to Respondent while she was incarcerated in a federal prison camp in Alderson, West Virginia. Bd. Ex. 2. On the same date, the correspondence was also emailed to Respondent's email address of record on file with the Department, which is dworks3@yahoo.com. Bd. Ex. 2.

The hearing was scheduled to convene on August 3, 2022. *Id.*

The first day of hearings was held on August 3, 2022. The second day of the hearing was on September 21, 2022. Tr. 9/21/22. Respondent was present on August 3, 2022, but was not represented by legal counsel. Tr. 8/3/2022, p. 3. Attorney Linda Fazzina represented the Department on both days of hearings. Tr. 8/3/2022, p. 3; Tr. 9/21/2022, p. 3.

The Respondent did not answer the Charges within 14 days from the date of the Notice. Tr. 8/3/22, p. 4. The Respondent orally answered the Charges on the record. Tr. 8/3/2022, pp. 5-11.

At the conclusion of the August 3, 2022 hearing, the Board determined that it required additional documentation from Respondent to account for a gap in her records while she was unable to provide such documentation. Tr. 8/3/2022, pp. 41-43. The Board left the record open

with September 6, 2022, as the deadline for Respondent to submit the additional documents requested. Tr. 8/3/2022, pp. 44-47.

On August 26, 2022, the Department sent a Notice of Rescheduled Hearing to Respondent by first class mail and email, at both addresses of record on file with the Department. The correspondence notified Respondent that the next date that was scheduled for her hearing was September 21, 2022. Bd. Ex. 3.

On September 21, 2022, the second day of hearing convened. Respondent was not present at the hearing and was not represented by legal counsel. Tr. 9/21/2022, p. 3.

At the September 21, 2022, hearing, the Board sustained, with a few exceptions, the Department's attorney's objections to Respondent's late filed exhibit, comprised of 219 pages. Tr. 9/21/22 pp. 10-11 Of the 219-page exhibit, the Board's legal counsel determined that only the following pages were relevant to Respondent's hearing and subject to the Board's review: pages 86, 119-120, 134-135, 218-219. Tr. 9/21/2022, pp. 10-11, 13.

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 Stafford Springs, Connecticut, is, and has been at all times, as referenced in the Charges, the holder of Connecticut L.P.N. license number 040340.
2. In paragraph 2 of the Charges, the Department alleges that on or about July 17, 2019, the Board ordered a Consent Order in Petition Number 2018-1100 ("the Order") that placed Respondent's nursing license on probation for a period of four (4) years. Such disciplinary action was based, in part, upon allegations that Respondent, while practicing nursing in Massachusetts, diverted Roxanol, Dilaudid and/or Oxycodone ("controlled substances"); failed to completely, properly and/or accurately document medical or hospital records; and abused or utilized to excess controlled substances..
3. In paragraph 3 of the Charges, the Department alleges that the Order specifically provided, in part, that Respondent engage in therapy, and counseling with a licensed therapist, approved by the Department; cause her therapist to provide written reports to

the Department monthly during the first and fourth years of her probation and quarterly for the remainder of her probation; submit to observed, random chain of custody urine screens for alcohol and drugs, at a testing facility approved by the Department; submit to at least one such urine screen weekly during the first and fourth years of her probation, and monthly for the remainder of her probation, and have laboratory reports of random alcohol and drug screens submitted directly to the Department; attend support group meetings on an average of eight (8) to ten (10) times monthly and provide quarterly reports of attendance to the Department; and cause her nursing supervisor to provide written reports to the Department monthly during the first and fourth years of her probation, and quarterly for the remainder of her probation.

4. In paragraph 4 of the Charges, the Department alleges that from approximately on or about May 28, 2021, to the present, Respondent failed to:
 - (a) Engage in therapy and counseling;
 - (b) Cause her therapist to provide written report(s) to the Department;
 - (c) Submit to observed, random chain of custody urine screens for alcohol and drugs;
 - (d) Cause laboratory reports of urine screens for alcohol and drugs to be submitted directly to the Department;
 - (e) Attend support group meetings and/or provide reports of attendance to the Department; and/or
 - (f) Cause her nursing supervisor to provide written report(s) to the Department.

5. In paragraph 5 of the Charges, the Department alleges that Respondent's conduct as described above constitutes violations of the terms of probation as set forth in the Order, and subjects Respondent's license to revocation or other disciplinary action authorized by Conn. Gen. Stat. §§ 19a-17 and 20-99(b).

III

Findings of Fact

1. Respondent of Stafford Springs, Connecticut, is, and has been at all times, as referenced in the Charges, the holder of Connecticut L.P.N. license number 040340. Tr. 8/3/22, p. 5.

2. Effective on August 1, 2019, the Board issued a Consent Order in Petition Number 2018-1100 ("the Order") that placed Respondent's nursing license on probation for a period of four years. Such disciplinary action was based, in part, upon allegations that Respondent, while practicing nursing in Massachusetts, diverted Roxanol, Dilaudid and/or Oxycodone ("controlled substances") failed to document medical or hospital records completely, properly and/or accurately; and abused or utilized controlled substances to excess. Department ("Dept.") Ex. 1, pp. 4 (under seal); 6-7; Tr. 8/3/2022, p. 5.

3. The 2019 Order specifically provided, in part, that Respondent engage in therapy, and counseling with a licensed therapist, approved by the Department, cause her therapist to provide written reports to the Department monthly during the first and fourth years of her

probation and quarterly for the remainder of her probation, submit to observed, random chain of custody urine screens for alcohol and drugs, at a testing facility approved by the Department, submit to at least one such urine screen weekly during the first and fourth years of her probation, monthly for the remainder of her probation, and have laboratory reports of random alcohol and drug screens submitted directly to the Department, attend support group meetings on an average of eight to ten times monthly and provide quarterly reports of attendance to the Department and cause her nursing supervisor to provide written reports to the Department monthly during the first and fourth years of her probation, and quarterly for the remainder of her probation. Dept. Ex. 1, pp. 4-5 (under seal); 6-17; Tr. 8/3/2022, pp. 6-7.

4. From August 1, 2019, through May 28, 2021, Respondent was in compliance with the terms and conditions of her probation, except for documentation that Respondent attended support group meetings in March and April 2021. Dept. Ex. 1, p. 2; Tr. 8/3/2022, pp. 23-25.

5. From on May 28, 2021, to the present, Respondent failed to :

- (a) Engage in therapy and counseling;
- (b) Cause her therapist to provide written report(s) to the Department;
- (c) Submit to observed, random chain of custody urine screens for alcohol and drugs;
- (d) Cause laboratory reports of urine screens for alcohol and drugs to be submitted directly to the Department;
- (e) Attend support group meetings and/or provide reports of attendance to the Department; and/or
- (f) Cause her nursing supervisor to provide written report(s) to the Department.

Dept. Ex. 1, pp. 2-3; Tr. 8/3/2022, pp. 14-15, 25-26.

6. On June 18, July 9, July 20, July 22, and August 2, 2021, the Department attempted to contact Respondent via email and/or telephone regarding her failure to comply with her probationary terms. Dept. Ex. 1, p. 3, 4 (under seal). There was no response from Respondent. *Id.*

7. In a letter dated August 9, 2021, the Department issued Respondent a Notice of Non-Compliance for her failure to comply with her probation. Dept. Ex. 1, pp. 3, 21; Tr. 8/3/2022, pp. 23, 28-29.

8. During the time the Department was not able to contact Respondent, she did not inform the Department that she was physically unable to comply with her probationary terms and conditions for personal reasons that were not within her control. Tr. 8/3/2022, pp. 29-30, 32-36, 38-39.

9. Respondent has not practiced nursing since December 2020. Tr. 8/3/2022, p. 16.

IV

Discussion and Conclusions of Law

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

The Department sustained its burden of proof with regard to all of the allegations contained in the Charges. Findings of Fact (“FF”) 1-9.

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

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

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

Under Conn. Gen. Stat. § 20-99(b), the Board has the authority to discipline a nurse’s license for conduct which fails to conform to the accepted standards of the nursing profession. In this instance, the Department relied on Nurse Consultant Lavita Sookram’s testimony as the Department monitor and Respondent’s testimony to prove its case. Respondent admitted to all the allegations in the Charges, except the allegations contained in paragraphs 4(a), 4(b), 4(c) and 4(e). However, despite Respondent’s claims that she fully complied with the terms and conditions of the Consent Order, the Department established by a preponderance of the evidence that Respondent’s conduct failed to conform to the accepted standards of the nursing profession in one or more ways, as discussed below.

With respect to the allegations contained in paragraphs 2 of the Charges, the Department established, and Respondent admitted that she entered into a Consent Order on July 17, 2019 with the Board for her admitted diversion of controlled substances while working as a nurse in Massachusetts. FF 2. As a result of her past, admitted, misconduct, Respondent voluntarily surrendered her Massachusetts nursing license on March 8, 2019. Dept. Ex. 1, p. 2.

In the Department’s case in chief, Nurse Consultant Sookram in her testimony, corroborated Respondent’s Answer to the Charges that Respondent complied with the

probationary terms of the July 17, 2019, Consent Order from its effective date until May 28, 2021. FF 4. Subsequent to May 28, 2021, Nurse Consultant Sookram further testified that there were no urine drug screens, quarterly therapy reports, AA/support group meeting attendance logs and quarterly controlled substance prescription records submitted to the Department. FF 5, .

In the Department's efforts to follow up with Respondent concerning her missing reports, Department staff attempted to contact her by phone and email on June 18, July 9, July 20, July 22, August 2, and August 9, 2021. FF 6.

In correspondence dated August 9, 2021, the Department issued a Notice of Non-Compliance letter to Respondent concerning her failure to comply with the terms of the Consent Order in paragraphs 3A, 3B(1), 3B(2), 3C, and 3H. FF 7. Essentially, paragraphs 3A, 3B(1), 3B(2), 3C, and 3H pertained to Respondent's failure to: engage in therapy and counseling; cause her therapist to provide written report(s) to the Department; submit to observed, random chain of custody urine screens for alcohol and drugs; cause laboratory reports of urine screens for alcohol and drugs to be submitted directly to the Department; attend support group meetings and/or provide reports of attendance to the Department; and/or cause her nursing supervisor to provide written report(s) to the Department. FF 3, 5.

As previously stated above, despite Respondent's denials of the allegations of the Charges above and her subsequent submission of late-filed exhibits to the Department, Respondent was unable to provide sufficient and relevant written documentation to the Board to confirm her compliance with the terms and conditions of the Consent Order as stated in paragraphs 4(a), 4(b), 4(c) and 4(e). Tr. 9/21/2022, pp. 12-13.

Although Respondent had a legitimate reason for not communicating with the Department during the times the Department staff made numerous attempts to reach her by email and telephone, the Department was not informed of Respondent's personal reasons for not communicating with the Department until sometime after August 2021. FF 8. Moreover, the record is devoid of any relevant treatment records and/or reports to substantiate her compliance with the terms of her probation after May 28, 2021. Tr. 9/21/22, pp. 12-13. Therefore, the Department sustained its proof with regard to the allegations contained in paragraphs 2, 3 and 4 of the Charges.

While it was unfortunate that Respondent was not able to inform the Department of the special circumstances that prevented her from complying with the terms and conditions of her

probation during the period from August 1, 2019, through May 28, 2021, her non-compliance was a violation of the Consent Order. In accordance with paragraph 4 of the 2019 Consent Order (Dept. Ex. 1, p. 13), any violation of the terms of the Consent Order without the Department's prior written approval, shall constitute grounds for the Department to seek revocation of Respondent's nursing license following notice and an opportunity to be heard. In this instance, Respondent did not communicate because she was incarcerated. The Department was not made aware until sometime after August 2021, the reasons for her non-compliance. Tr. 8/3/22, pp. 29-30. Therefore, Respondent's non-compliance with her probation without the Department's prior written approval for such non-compliance, constitutes a violation of the Consent Order.

Since Respondent has not practiced nursing since 2020, the Board also finds that the record is devoid of evidence that Respondent is able to practice with reasonable skill and safety.

Thus, the Board concludes that Respondent's conduct, as alleged in the Charges and proven by a preponderance of the evidence constitutes grounds for disciplinary action pursuant to Conn. Gen. Stat. §§ 20-99(b) and 19a-17.

Order

Based upon the record in this case, the above findings of fact and the conclusions of law, and pursuant to the authority vested in it by Conn. Gen. Stat. §§ 19a-17 and 20-99(b), the Board finds that the misconduct alleged and proven in Petition No. 2021-519 warrants the disciplinary action imposed by this order. The Board orders that Danielle Works's license number 040340 to practice as a L.P.N. in the State of Connecticut is hereby revoked.

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

The Board hereby informs Respondent, Danielle Works, and the Department of this decision.

Dated at Waterbury, Connecticut this _____ day of February 2023.

BOARD OF EXAMINERS FOR NURSING

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

SUMMARY SUSPENSION COVER SHEET

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

Petition No. 2023-151

1. Tiona Stewart, L.P.N. of Stratford, Connecticut (hereinafter "respondent") was issued license number 038404 on November 6, 2013. She graduated from Stone Academy in West Haven in 2013.
2. Consent Order, Petition No. 2017-1275 placed respondent's nursing license on probation for 2 years effective January 1, 2022. The Consent Order was due to respondent submitting forged timesheets and receiving compensation for hours she did not work, to misappropriating and/or attempting to misappropriate patient property, and/or to being convicted of one or more counts of larceny. The Consent Order required that:
 - a. Respondent provide a copy of the Consent Order to any and all employers;
 - b. Respondent 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 not be self-employed as a nurse for the period of probation; and/or
 - c. Respondent notify the Department in writing of any change in employment.
3. On or about October 12, 2022, respondent was hired at a staffing agency, Pro Med Staff, as an independent contractor. During the course of her employment as an independent contractor, respondent:
 - a. Failed to provide her employer with a copy of the Consent Order;
 - c. Was employed as a nurse for a personnel provider service, assisted living services agency, homemaker – home health aide agency, or home health care agency, and/or was self-employed as a nurse for the period of probation; and/or
 - d. Failed to notify the Department in writing of any change in employment.
4. Respondent's conduct as described above constitutes a violation of the terms of probation as set forth in the Consent Order, and subjects respondent's license to revocation or other disciplinary action authorized by Connecticut General Statutes, §§19a-17 and 20-99(b).
5. For the foregoing reasons, the Department believes that respondent's continued practice as a nurse represents a clear and immediate danger to the public health and safety. 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.

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

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

Petition No. 2023-151

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 Tiona Stewart to practice 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 nursing represents a clear and immediate danger to the public health and safety.

Dated at Hartford, Connecticut this 22nd day of February 2023.



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

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

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

Petition No. 2023-151

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 Tiona Stewart:

1. Tiona Stewart of Stratford, Connecticut (hereinafter "respondent") is, and has been at all times referenced in this Statement of Charges, the holder of Connecticut registered nurse license number 038404.
2. On or about December 15, 2021, the Connecticut State Board of Examiners for Nursing adopted the Consent Order, Petition No. 2017-1275 (hereinafter "the Consent Order"), which placed respondent's nursing license on probation for two (2) years effective January 1, 2022.
3. The Consent Order was due, in part, to respondent submitting forged timesheets and receiving compensation for hours she did not work, to misappropriating and/or attempting to misappropriate patient property, and/or to being convicted of one or more counts of larceny. The Consent Order required, in part, that:
 - a. Respondent provide a copy of the Consent Order to any and all employers if employed as a nurse during the probationary period, and cause the Department to be notified in writing by any employer within fifteen (15) days of the commencement of employment as to receipt of a copy of the Consent Order;
 - b. Respondent 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 not be self-employed as a nurse for the period of probation; and/or
 - c. Respondent notify the Department in writing of any change in employment within fifteen (15) days of such change.
4. On or about October 12, 2022, respondent was hired at a staffing agency, Pro Med Staff, (hereinafter "employer") as an independent contractor.
5. Respondent violated the Consent Order in one or more of the following ways:
 - a. On or about October 27, 2022, she failed to provide her employer with a copy of the Consent Order, and/or failed to cause the Department to be notified in writing by her employer within fifteen (15) days of the commencement of employment as to receipt of a copy of the Consent Order, in violation of paragraph 4B of the Consent Order;

- b. Was employed as a nurse for a personnel provider service, assisted living services agency, homemaker – home health aide agency, or home health care agency, and/or was self-employed as a nurse for the period of probation, in violation of paragraph 4C of the Consent Order; and/or
 - c. On or about October 27, 2022, she failed to notify the Department in writing of any change in employment within fifteen (15) days of such change in violation of paragraph 4D of the Consent Order.
6. Respondent’s conduct as described above constitutes a violation of the terms of probation as set forth in the Consent Order, and subjects respondent’s license to revocation or other disciplinary action authorized by Connecticut General Statutes, §§19a-17 and 20-99(b).

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 Tiona Stewart, L.P.N. as it deems appropriate and consistent with law.

Dated at Hartford, Connecticut this 22nd day of February 2023.



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

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

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

Petition No. 2023-151

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 038404 of Tiona Stewart to practice nursing in the State of Connecticut is hereby summarily suspended pending a final determination by the Board of Examiners for Nursing regarding the allegations contained in the Statement of Charges, and
2. That a hearing in this matter is scheduled for the _____ of _____, 2023, at _____ (AM/PM) in (location) _____.

Dated at Hartford, Connecticut this _____ day of _____, 2023.

Board of Examiners for Nursing

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

In re: Ashley N. Avelino, LPN

Petition Number: 2022-204

CONSENT ORDER COVER SHEET

1. Ashley N. Avelino ("respondent") graduated from Porter and Chester Institute and received her nursing license in 2000. Her license has not been previously disciplined.
2. On January 13, 2022, respondent failed to conform to the accepted standards of the nursing profession when she failed to properly and timely implement necessary emergency measures and perform cardiopulmonary resuscitation for an unresponsive patient.
3. The proposed Consent Order places a reprimand on respondent's license and includes probation for six months during which time respondent shall successfully complete coursework in advance directives and critical thinking.
4. The Department and respondent respectfully request the Board to accept the proposed Consent Order.

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

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

In re: Ashley N. Avelino, LPN

Petition Number: 2022-204

CONSENT ORDER

WHEREAS, Ashley N. Avelino ("respondent") of Taftville, Connecticut, has been issued license number 043371 to practice as a licensed practical nurse by the Connecticut Department of Public Health ("Department") pursuant to Connecticut General Statutes, Chapter 378, as amended.

WHEREAS, respondent admits:

1. At all times mentioned, respondent was practicing nursing at Mystic Healthcare and Rehabilitation Center in Mystic, Connecticut.
2. On or about January 13, 2022, respondent failed to conform to the accepted standards of the nursing profession when she failed to properly and/or timely implement necessary emergency measures and/or perform cardiopulmonary resuscitation for an unresponsive patient.
3. The above-described facts constitute grounds for disciplinary action pursuant to Connecticut General Statutes §20-99(b), including but not limited to §20-99(b)(2).

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

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

1. Respondent waives her right to a hearing on the merits of this petition.
2. Respondent's Connecticut licensed practical nurse number 043371 is hereby reprimanded.
3. Respondent shall comply with all federal and state statutes and regulations applicable to her profession.
4. Respondent's Connecticut licensed practical nurse number 043371 is hereby placed on probation for six (6) months, subject to the following terms and conditions:
 - A. Respondent shall attend and successfully complete coursework in a) advance directives and b) critical thinking pre-approved by the Department. Within fourteen (14) days of the completion of said coursework, respondent shall provide the Department with proof, to the Department's satisfaction, of the successful completion of said coursework. If respondent successfully completes said coursework to the Department's satisfaction prior to the six (6) month term of probation, respondent's probation shall terminate.
 - B. Respondent shall notify the Department in writing of any change of employment within fifteen (15) days of such change.
 - C. Respondent shall notify Department of any change in respondent's home or business address within fifteen (15) days of such change.
 - D. If respondent pursues further training or is engaged at the time of the implementation of the Consent Order, in an educational program in any subject area that is regulated by the Department, respondent shall provide a copy of this Consent Order to the educational institution or, if not an institution, to respondent's instructor. Such institution or

instructor shall notify the Department of receipt of the Consent Order within fifteen (15) days of receipt.

E. All correspondence and reports shall be addressed to:

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

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

National Practitioner Data Bank maintained by the United States Department of Health and Human Services.

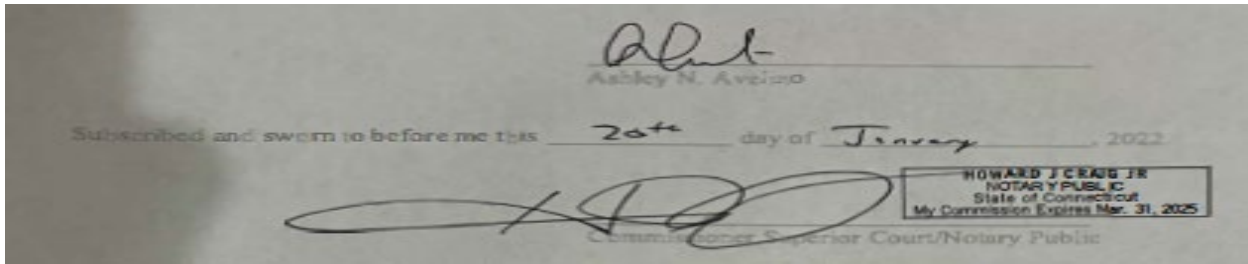
12. In the event respondent violates a term of this Consent Order, respondent agrees immediately to refrain from practicing as a nurse, upon request by the Department for a period not to exceed forty-five (45) days. Respondent further agrees that failure to cooperate with the Department in its investigation during said forty-five (45) day period shall constitute grounds for the Department to seek a summary suspension of respondent's license. In any such summary action, respondent stipulates that failure to cooperate with the Department's investigation shall be considered and given due weight by the Board in determining whether respondent's conduct constitutes a clear and immediate danger as required pursuant to Connecticut General Statutes §§4-182(c) and 19a-17(c). Respondent understands that the Board has complete and final discretion whether a summary suspension is ordered.
13. In the event respondent violates any term of this Consent Order, said violation may also constitute grounds for the Department to seek a summary suspension of respondent's license before the Board.
14. This Consent Order and terms set forth herein are not subject to reconsideration, collateral attack or judicial review under any form or in any forum. Respondent agrees that this Consent Order shall not be subject to modification as a result of any claim that the terms contained herein may result in action by third parties, including, but not limited to, healthcare facilities and/or credentialing or licensure authorities and respondent waives any right to seek reconsideration or modification of this Consent Order pursuant to Connecticut General Statutes §4-181a. Respondent assumes all responsibility for assessing such actions prior to the execution of this Consent Order. Further, this Consent Order is not subject to appeal or

review under the provisions of Connecticut General Statutes, Chapters 54 and 368a provided that this stipulation shall not deprive respondent of any other rights that respondent may have under the laws of the State of Connecticut or the United States.

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

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

I, Ashley N. Avelino, 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.



The above Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 14th day of March, 2023, it is hereby accepted.

Christian Andresen

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

The above Consent Order having been presented to the Connecticut State Board of Examiners for Nursing on the _____ day of _____, 2023, it is hereby ordered and accepted.

BY: _____
Connecticut State Board of Examiners for Nursing

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

In re: Sharon Gauthier, RN

Petition No. 2019-276

CONSENT ORDER COVER SHEET

1. Sharon Gauthier ("respondent") graduated from Saint Francis School of Nursing and received her nursing license in 1995.

Respondent's license has been previously disciplined in 1998 (see attached Consent Order).

2. The Department alleges the following:

Respondent owned and operated a Homemaker-Companion Company which provided patient care utilizing registered nurses, licensed practical nurses, nurse aides and respiratory therapists.

In January 2019, respondent pre-poured medication, including prescription medication, without an appropriate physician or appropriate health care provider's order and failed to provide patient #1 with safe and/or appropriate transfers, skin care, and discharge planning.

From approximately November 2017 through January 2019 respondent failed to properly supervise and/or ensure proper training for the licensed practical nurses providing nursing services for patient #1.

On various occasions from approximately November 2017 through January 2019, respondent:

- practiced beyond the scope of her registered nursing license;
- improperly delegated skilled nursing care for one or more patients;
- failed to properly train PAFY healthcare staff;
- provided skilled nursing services for one or more patients without obtaining physician or other licensed health care provider orders;
- changed and/or directed the change of the plan of care and/or medications of one or more patients without appropriate physician or other licensed health care provider orders;
- failed to properly supervise one or more licensed practical nurses;
- failed to properly coordinate care for one or more patients with other agencies and/or healthcare providers; and/or failed to maintain appropriate patient records.

3. The proposed Consent Order includes a four-thousand-dollar civil penalty, places a reprimand on respondent's license and includes probation for eighteen months with the following terms and conditions:

- employer reports;
- coursework in in scope of practice, ethics, and documentation standards;
- no employment in assisted living services agency, staffing agency, homemaker-home health aide agency, or home health care agency but is permitted employment in patient advocacy.

4. The Department and respondent, through her counsel, while admitting no guilt or wrongdoing, respectfully request the Board to accept the proposed Consent Order.

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

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

In re: Sharon Gauthier, RN

Petition No. 2019-276

CONSENT ORDER

WHEREAS, Sharon Gauthier ("respondent") of Windsor, Connecticut has been issued registered nurse license number E57782 by the Connecticut Department of Public Health ("Department") pursuant to Connecticut General Statutes Chapter 378, as amended.

WHEREAS, the Department alleges:

1. At all times mentioned herein, respondent practiced nursing and/or was responsible for managing and supervising a Homemaker-Companion Company, Patient Advocate for You Inc ("PAFY") which provided patient care utilizing registered nurses, licensed practical nurses, nurse aides and respiratory therapists.
2. In approximately January 2019, respondent pre-poured medication, including prescription medication, without an appropriate physician or appropriate health care provider's order, for one or more patients.
3. From approximately November 2017 through January 2019 respondent failed to properly supervise and/or ensure proper training for the licensed practical nurses providing nursing services for patient #1.
4. On various occasions from approximately November 2017 through January 2019, respondent:
 - a. practiced beyond the scope of her registered nursing license;
 - b. improperly delegated skilled nursing care for one or more patients;
 - c. failed to properly train PAFY healthcare staff;
 - d. provided skilled nursing services for one or more patients without obtaining physician or other licensed health care provider orders;
 - e. changed and/or directed the change of the plan of care and/or medications of

- one or more patients without appropriate physician or other licensed health care provider orders;
 - f. failed to properly supervise one or more licensed practical nurses;
 - g. failed to properly coordinate care for one or more patients with other agencies and/or healthcare providers; and/or
 - h. failed to maintain appropriate patient records.
5. The above-described facts constitute grounds for disciplinary action pursuant to Connecticut General Statutes §20-99(b) including, but not limited to §20-99(b)(2).

WHEREAS, respondent, in consideration of this Consent Order, has chosen not to contest the above allegations of wrongdoing but, while admitting no guilt or wrongdoing, agrees that for purposes of this or any future proceedings in which respondent's compliance with this Consent Order is at issue before the Board of Examiners for Nursing ("Board"), this Consent Order shall have the same effect as if proven and ordered after a full hearing held pursuant to Connecticut General Statutes §§19a-9, 19a-10, and 20-99(a).

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

1. Respondent waives respondent's right to a hearing on the merits of this matter.
2. Respondent shall comply with all federal and state statutes and regulations applicable to respondent's profession.
3. Respondent's registered nurse license number E57782 is hereby reprimanded.
4. Respondent shall pay a civil penalty of four thousand dollars (\$4,000.00) by certified or cashier's check payable to "Treasurer, State of Connecticut." The check shall reference the Petition Number on the face of the check and shall be payable at the time respondent submits the executed Consent Order to the Department.

5. Respondent's registered nurse license number E57782 is placed on probation for eighteen months, subject to the following terms and conditions:
 - A. If employed as a nurse, respondent shall provide a copy of this Consent Order to all current and future employers during the period of probation. The Department shall be notified in writing by any such employer(s) within fifteen (15) days of the commencement of employment as a nurse confirming receipt of a copy of this Consent Order. For purposes of this paragraph, employment as a nurse means any nursing activity involving direct patient care and/or supervising licensed practical nurses.
 - B. Respondent shall not be employed as a nurse for a personnel provider service, assisted living services agency, staffing agency, homemaker-home health aide agency, or home health care agency. Respondent shall not be self-employed as a nurse during the probationary period. For purposes of this paragraph, employment as a nurse means any nursing activity involving direct patient care and/or supervising licensed practical nurses.
 - C. If employed as a nurse, respondent shall be responsible for providing quarterly written reports directly to the Department from respondent's nursing supervisor. Employer reports shall include documentation of respondent's ability to safely and competently practice nursing, and shall be issued to the Department at the address cited in paragraph H 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. For purposes of this paragraph, employment as a nurse means any nursing activity involving direct patient care and/or supervising licensed practical nurses.

- D. Respondent shall successfully complete coursework, pre-approved by the Department, in scope of practice, ethics, and documentation standards within the first six (6) months 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 notify the Department in writing of any change of employment within fifteen (15) days of such change.
- F. Respondent shall notify the Department of any change in respondent's home or business address within fifteen (15) days of such change.
- 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:

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

- 6. Any violation of the terms of this Consent Order without prior written approval by the Department shall constitute grounds for the Department to seek revocation of respondent's nursing license following notice and an opportunity to be heard.
- 7. Respondent shall pay all costs necessary to comply with this Consent Order.
- 8. Any extension of time or grace period for reporting granted by the Department shall not be a waiver or preclude the Department's right to act later. The Department shall not be required to grant future extensions of time or grace periods.

9. Legal notice of any action shall be deemed sufficient if sent to respondent's last known address of record reported to the Department.
10. This Consent Order is effective on the first day of the month immediately following the month in which this Consent Order is approved and accepted by the Board.
11. Respondent understands this Consent Order is a public record.
12. Respondent understands and agrees that the above allegations in this Consent Order shall be deemed true in any subsequent proceeding before the Board in which respondent's compliance with this same Consent Order 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.
13. If respondent violates any term of this Consent Order, respondent agrees immediately to refrain from practicing as a nurse, upon request by the Department, for a period not to exceed forty-five (45) days. Respondent further agrees that failure to cooperate with the Department in its investigation during said forty-five (45) day period shall constitute grounds for the Department to seek a summary suspension of respondent's license. In any such summary action, respondent stipulates that failure to cooperate with the Department's investigation shall be considered by the Board and given due weight in determining whether respondent's conduct constitutes a clear and immediate danger as required pursuant to Connecticut General Statutes §§4-182(c) and 19a-17(c). Respondent understands that the Board has complete and final discretion whether a summary suspension is ordered. For purposes of this paragraph, employment as a nurse means any nursing activity involving direct patient care and/or supervising licensed practical nurses.

14. If respondent does not practice nursing for thirty (30) consecutive days or longer, respondent shall notify the Department in writing. Such periods of times shall not be counted in reducing the probationary period covered by this Consent Order and such terms shall be held in abeyance. During such time, respondent shall not be responsible for complying with the terms of probation of this Consent Order. In the event respondent resumes the practice of nursing, respondent shall provide the Department with thirty (30) days prior written notice.

Respondent shall not return to the practice of nursing without written pre-approval from the Department. Respondent agrees that the Department, in its complete discretion, may require additional documentation from respondent and/or require respondent to satisfy other conditions or terms as a condition precedent to respondent's return to practice.

Respondent agrees that any return to the practice of nursing without pre-approval from the Department shall constitute a violation of this Consent Order and may subject the respondent to further disciplinary action. For purposes of this paragraph, practicing as a nurse means any nursing activity involving direct patient care and/or supervising licensed practical nurses.

15. If, during the period of probation, respondent practices nursing outside Connecticut, respondent shall provide written notice to the Department concerning such practice. During such time, respondent shall not be responsible for complying with the terms of probation of this Consent Order, and such time shall not be counted in reducing the probationary period covered by this Consent Order. Respondent may comply with the terms of probation while practicing outside Connecticut if pre-approved by the Department. If respondent intends to return to the practice of nursing in Connecticut, respondent shall provide the Department with thirty (30) days prior

written notice and agrees to comply with all probationary terms and conditions contained in paragraph 5 above.

16. If respondent violates any term of this Consent Order, the Department may consider moving for a summary suspension of respondent's license before the Board.
17. This Consent Order and terms set forth herein are not subject to reconsideration, collateral attack or judicial review under any form or in any forum. Respondent agrees that this Consent Order shall not be subject to modification because of any claim that the terms contained herein may result in action by third parties, including, but not limited to, healthcare facilities and/or credentialing or licensure authorities and respondent waives any right to seek reconsideration or modification of this Consent Order pursuant to Connecticut General Statutes §4-181a without the express consent and agreement of the Department. Respondent assumes all responsibility for assessing such actions prior to executing this Consent Order. Further, this Consent Order is not subject to appeal or review under the provisions of Connecticut General Statutes Chapters 54 and 368a, provided that this stipulation shall not deprive respondent of any other rights that respondent has under Connecticut or United States law.
18. Respondent permits a representative of the Department to present this Consent Order and its factual basis to the Board. Respondent agrees that the Board has complete and final discretion whether an executed Consent Order is approved or accepted. Respondent waives any claim of error that could be raised that is related to or arises during the Board's discussions and review of documents regarding whether to approve or reject this Consent Order and/or a Board member's participation during this process, through the Board member's review or comments, including but not limited to bias or reliance on evidence outside the administrative record if

this matter proceeds to a hearing on a statement of charges resulting in a proposed decision and/or final decision by the Board.

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

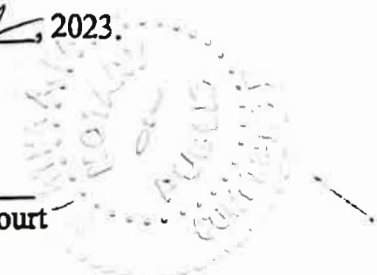
I, Sharon Gauthier, have read the above Consent Order, and I agree to the terms set forth therein. I further declare the execution of this Consent Order to be my free act and deed.

Sharon Gauthier
Sharon Gauthier

Subscribed and sworn to before me this 2nd day of February, 2023.

MARTHA A. RAMONAS
NOTARY PUBLIC
State of Connecticut
My Commission Expires
March 31, 2025

Martha A. Ramonas
Notary Public/Commissioner Superior Court



The above Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 2nd day of March, 2023, it is hereby accepted.

Christian D. Andresen

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

The above Consent Order having been presented to the Connecticut Board of Examiners for Nursing on the _____ day of _____, 2023, it is hereby ordered and accepted.

BY: _____
Connecticut Board of Examiners for Nursing

CONSENT ORDER COVER
SHEET

In re: Kristy L. Ilewicz, R.N.

Petition No. 2020-534

1. Kristy L. Ilewicz of Coventry, Connecticut (hereinafter "respondent") was issued license number 083828 to practice as a registered nurse on November 28, 2007.
2. Respondent graduated from Goodwin College in 2006.
3. Respondent has no disciplinary history.
4. From in or about November of 2018 through in or about February of 2019, respondent diverted Morphine, Oxycodone and Percocet from her workplace for personal use.
5. From in or about November of 2018 through in or about March of 2022, respondent abused, and/or used to excess, drugs and/or narcotics, and/or alcohol.
6. From in or about 2015 to the present, respondent suffered from a mental illness or illnesses, and/or she suffered from an emotional disorder or disorders.
7. Respondent engaged with the HAVEN program on or about November 4, 2019, she engaged in mental health and substance abuse treatment, and she completed a PHP and an IOP.
8. While the respondent was referred to the Department in or about June of 2020 following non-compliance with HAVEN contract and program guidelines, information provided to the Department more recently indicates that the respondent's submission to urine screening has continued since in or about November of 2019, and her most recent positive screen was for EtG and EtS in or about March of 2022.
9. The proposed Consent Order provides for a three-year probationary period with urine screens once a week for the first and third years of probation, and twice a month for the second year of probation; therapy and employer reports monthly for the first and third years of probation, and quarterly for the second year of probation; eight to ten anonymous support group meetings per month; no solo practice; and a narcotic key restriction.
10. The Department and respondent respectfully request that the Board accept the proposed Consent Order.

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

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

In re: Kristy L. Ilewicz, R.N.

Petition No. 2020-534

CONSENT ORDER

WHEREAS, Kristy L. Ilewicz of Coventry, Connecticut (hereinafter "respondent") has been issued license number 083828 to practice as a registered nurse by the Connecticut Department of Public Health (hereinafter "the Department") pursuant to Chapter 378 of the Connecticut General Statutes, as amended; and,

WHEREAS, respondent hereby admits and acknowledges that:

1. From in or about November of 2018 through in or about February of 2019, respondent diverted Morphine, Oxycodone and Percocet from her workplace for personal use.
2. From in or about November of 2018 through in or about March of 2022, respondent abused, and/or used to excess, drugs and/or narcotics, and/or alcohol.
3. From in or about 2015 to the present, respondent suffered from a mental illness or illnesses, and/or she suffered from an emotional disorder or disorders.
4. Respondent's mental illness or mental illnesses, and/or respondent's emotional disorder or emotional disorders does, and/or may, affect her ability to practice as a registered nurse.
5. Respondent's abuse and/or use to excess of drugs and/or narcotics and/or alcohol does, and/or may, affect her ability to practice as a registered nurse.

6. From in or about April of 2020 through in or about June of 2020, and with the knowledge that, at that time, respondent was incapable of practice nursing safely and competently, respondent, none-the-less, engaged in the practice of nursing.
7. The above-described facts constitute grounds for disciplinary action pursuant to the Connecticut General Statutes, §20-99(b), including but not limited to:
 - a. §20-99 (b) (2);
 - b. §20-99 (b) (4); and/or
 - c. §20-99 (b) (5).

WHEREAS, respondent, in consideration of this Consent Order, has chosen not to contest the above-admitted violation(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 Connecticut General Statutes.

NOW THEREFORE, pursuant to §19a-17 and §20-99(a) of the Connecticut General Statutes, 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 083828 to practice as a registered nurse in the State of Connecticut is hereby placed on probation for three years, subject to the following terms and conditions:

- A. At respondent's own expense, respondent shall engage in therapy and counseling with a Connecticut licensed therapist (hereinafter "therapist") approved by the Department for the entire probationary period.
- (i) Respondent shall provide a copy of this Consent Order to respondent's therapist.
 - (ii) Respondent's therapist shall furnish written confirmation to the Department of his or her engagement in that capacity and receipt of a copy of this Consent Order within fifteen (15) days of the effective date of this Consent Order.
 - (iii) If respondent's therapist determines that therapy is no longer necessary, that a reduction in frequency of therapy is warranted, or that respondent should be transferred to another therapist, he or she shall advise the Department. Said termination of therapy, reduction in frequency of therapy, and/or respondent's transfer to another therapist shall not occur until approved by the Department. However, if therapy is terminated with approval of the Department, respondent's therapist shall continue to monitor her alcohol and drug free status by monitoring and reviewing the observed random urine screens for drugs and alcohol as described in paragraph 3B below, and by providing the reports described in paragraph 3C below.
 - (iv) The therapist shall immediately notify the Department in writing if respondent discontinues therapy and/or terminates his/her services.
- B. Respondent shall not obtain or use controlled substances, legend drugs, marijuana, or alcohol in any form unless prescribed or recommended for a legitimate therapeutic purpose by a licensed health care professional authorized to prescribe medications.

Respondent shall inform said health care professional of respondent's substance abuse history.

- (i) At respondent's own expense, respondent shall submit to observed random urine screens for drugs and alcohol, in accordance with Department Requirements for Drug and Alcohol Screens, attached hereto marked as ("Attachment 'A': Department Requirements for Drug and Alcohol Screens") at a testing facility approved by the Board, after consultation with the Department, as ordered by the therapist and/or personal physician. Laboratory reports of random alcohol and drug screens shall be submitted directly to the Board and the Department by the testing laboratory. All such observed random drug and alcohol screens shall be legally defensible in that the specimen donor and chain of custody can be identified throughout the screening process. All laboratory reports shall indicate that the chain of custody procedure has been followed.
- (ii) Respondent shall be responsible for notifying the laboratory, therapist, the Department and respondent's prescribing practitioner of any drug(s) respondent is taking. For the prescription of a controlled substance(s) for more than two consecutive weeks, the respondent shall cause the provider prescribing the controlled substance(s) to submit quarterly reports to the Department, until such time as the controlled substance(s) are not prescribed by the provider, documenting the following:
 - a. A list of controlled substances prescribed by this provider for the respondent;
 - b. A list of controlled substance(s) prescribed by other providers;

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

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

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

- F. Respondent shall not be employed as a nurse for a personnel provider service, assisted living services agency, homemaker - home health aide agency, or home health care agency, and shall not be self-employed as a nurse for the period of probation.
- G. Respondent shall not administer, count, or have access to narcotics or other controlled substances, or have responsibility for such activities in the course of nursing duties for the first year after returning to work as a nurse.
- H. Respondent shall be responsible for the provision of written reports directly to the Department from respondent's nursing supervisor (i.e., Director of Nursing) monthly for the first and third years of her probation; and quarterly for the second year of probation. Respondent shall provide a copy of this Consent Order to any and all employers if employed as a nurse during the probationary period. The Department shall be notified in writing by 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 3 N below. A report indicating that respondent is not practicing with reasonable skill and safety shall be deemed to be a violation of this Consent Order.
- I. During the entire probationary period, respondent shall attend "anonymous" or support group meetings on an average of eight to ten times per month, and shall provide quarterly reports to the Department concerning respondent's record of attendance.
- J. Respondent shall notify the Department in writing of any change of employment within fifteen (15) days of such change.

- K. Respondent shall notify the Department of any change in respondent's home or business address within fifteen (15) days of such change.
- L. If respondent pursues further training or is engaged at the time of the implementation of the Consent Order, in an educational program in any subject area that is regulated by the Department, respondent shall provide a copy of this Consent Order to the 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.
- M. All reports required by the terms of this Consent Order shall be due according to a schedule to be established by the Department of Public Health.
- N. All correspondence and reports shall be addressed to:

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

- 4. Any violation of the terms of this Consent Order without prior written approval by the Department shall constitute grounds for the Department to seek revocation of respondent's nursing license following notice and an opportunity to be heard. Respondent shall pay all costs necessary to comply with this Consent Order.
- 5. Any extension of time or grace period for reporting granted by the Department shall not be a waiver or preclude the Department's right to take action at a later time. The Department shall not be required to grant future extensions of time or grace periods.

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

given due weight by the Board in determining whether respondent's conduct constitutes a clear and immediate danger as required pursuant to Connecticut General Statutes, sections 4-182(c) and 19a-17(c). The Department and respondent understand that the Board has complete and final discretion as to whether a summary suspension is ordered.

11. If, during the period of probation, respondent practices nursing outside Connecticut, respondent shall provide written notice to the Department concerning such practice. During such time, respondent shall not be responsible for complying with the terms of probation of this Consent Order, and such time 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 3 above.
12. 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.
13. 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 Connecticut General Statutes without the express consent and agreement of the Department. Respondent

assumes all responsibility for assessing such actions prior to the execution of this document.

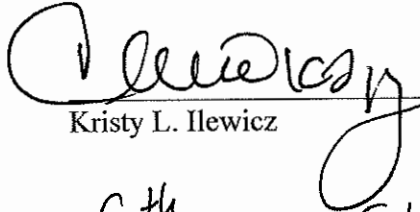
Further, this Consent Order is not subject to appeal or review under the provisions of Chapters 54 and 368a of the Connecticut General Statutes, provided that this stipulation shall not deprive respondent of any other rights that respondent may have under the laws of the State of Connecticut or of the United States.

14. 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.
15. 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.
16. Respondent has had the opportunity to consult with an attorney prior to signing this document.
17. 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

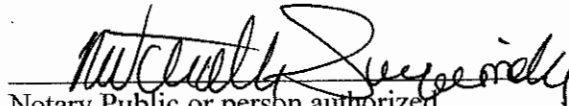
license disciplinary petition only, and is not intended to affect any civil or criminal liability or defense.

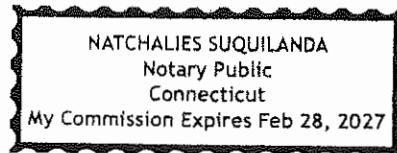
- 18. This Consent Order embodies the entire agreement of the parties with respect to this case. All previous communications or agreements regarding the subject matter of this consent order, whether oral or written, between the parties are superseded unless expressly incorporated herein or made a part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

I, Kristy L. Ilewicz, 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.


 Kristy L. Ilewicz

Subscribed and sworn to before me this 6th day of February, 2023.


 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 16th day of February, 2023, it is hereby accepted.



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

The above Consent Order having been presented to the duly appointed agent of the Connecticut Board of Examiners for Nursing on the _____ day of _____, 2023, it is hereby ordered and accepted.

BY: _____
Connecticut Board of Examiners for Nursing

CONSENT ORDER COVER SHEET

In re: Christy L. Keene, R.N.

Petition No. 2022-504

1. Christy L. Keene of Ellington, Connecticut ("respondent") graduated from Goodwin College and was issued a Connecticut registered nurse license in 2012.
2. Respondent's Connecticut registered nursing license has not been previously disciplined.
3. The Department alleges that from at least in or about January 2018 to the present, respondent has and/or had one or more emotional disorders or mental illnesses ("illnesses"); for approximately ten years prior to February 2018, respondent abused or used to excess alcohol, cocaine or opiates; in or about October or December 2018, respondent abused or used to excess alcohol or fentanyl; in or about March or April 2022, respondent abused or used to excess alcohol; and respondent's illnesses and/or abuse or excess use of alcohol, cocaine, opiates, or fentanyl does, and/or may, affect her nursing practice.
4. The proposed Consent Order provides for a four (4) year probationary period that includes the following:
 - Urine screens, weekly for the first and fourth year and twice monthly for the second and third year;
 - Medication management with a physician or APRN and monthly reports;
 - Therapy and employer reports, monthly for the first and fourth year and quarterly for the second and third year;
 - No self-employment or employment for a personnel provider service, staffing agency, assisted living services agency, homemaker – home health aide agency, or home health care agency. Respondent is currently employed through an agency in a group home environment and can continue in her role provided that all areas of her clinical practice will be monitored and overseen by a licensed nursing supervisor acceptable to the Department and respondent checks in daily, by video or in-person, with her nursing supervisor for each assigned shift;
 - Narcotic key restriction for the first year; and
 - Anonymous or support group meetings with quarterly reports
5. The Department and respondent respectfully request that the Board accept the proposed Consent Order.

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: Christy L. Keene, R.N.

Petition No. 2022-504

CONSENT ORDER

WHEREAS, Christy L. Keene, R.N. ("respondent") of Ellington, Connecticut, has been issued license number 106204 to practice as a registered nurse by the Connecticut Department of Public Health ("the Department") pursuant to Chapter 378 of the General Statutes of Connecticut, as amended; and,

WHEREAS, the Department alleges that:

1. From at least in or about January 2018 to the present, respondent has and/or had one or more emotional disorders or mental illnesses ("illnesses").
2. For approximately ten years prior to February 2018, respondent abused or used to excess alcohol, cocaine and/or opiates, including, without limitation, heroin.
3. In or about October 2018 and/or December 2018, respondent abused or used to excess alcohol or fentanyl.
4. In or about March and/or April 2022 respondent abused or used to excess alcohol.
5. Respondent's illnesses and/or respondent's abuse or excess use of alcohol, cocaine, fentanyl and/or opiates does, and/or may, affect her nursing practice.
6. 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)(4); and/or

b. §20-99(b)(5).

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 the purposes of this or any future proceedings before the Board of Examiners for Nursing ("the Board"), this Consent Order shall have the same effect as if 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 her right to a hearing on the merits of this petition.
2. Respondent shall comply with all federal and state statutes and regulations applicable to respondent's profession.
3. Respondent's license number 106204 to practice as a nurse in the State of Connecticut is hereby placed on probation for four (4) years, subject to the following terms and conditions:
 - A. At respondent's own expense, respondent shall engage in therapy and counseling with a Connecticut licensed therapist ("therapist") approved by the Department for the entire probationary period.
 - (1) Respondent shall provide a copy of this Consent Order to respondent's therapist.
 - (2) Respondent's therapist shall furnish written confirmation to the Department of his or her engagement in that capacity and receipt of a copy of this Consent Order within fifteen (15) days of the effective date of this Consent Order.

- (3) If respondent's therapist determines that therapy is no longer necessary, that a reduction in frequency of therapy is warranted, or that respondent should be transferred to another therapist, he or she shall advise the Department. Said termination of therapy, reduction in frequency of therapy, and/or respondent's transfer to another therapist shall not occur until approved by the Department. However, if therapy is terminated with approval of the Department, respondent's therapist shall continue to monitor respondent's alcohol and drug free status by monitoring and reviewing the observed random urine screens for drugs and alcohol as described in paragraph 3C below, and by providing the reports described in paragraph 3D below.
- (4) The therapist shall immediately notify the Department in writing if respondent discontinues therapy and/or terminates services.

B. At respondent's own expense, respondent shall engage in medication management with a Connecticut licensed physician or advanced practice registered nurse ("medication manager") pre-approved by the Department for the entire probationary period.

- (1) Respondent shall provide a copy of this Consent Order to respondent's medication manager.
- (2) Respondent's medication manager shall furnish written confirmation to the Department of such engagement and receipt of a copy of this Consent Order within fifteen (15) days of the effective date of this Consent Order.
- (3) If respondent's medication manager determines that medication management is no longer necessary, that a reduction in frequency of medication management is warranted, or that respondent should be transferred to another medication

manager, he or she shall advise the Department. Said termination of medication management, reduction in frequency of medication management, and/or respondent's transfer to another medication manager shall not occur until approved in writing by the Department.

- (4) The medication manager shall immediately notify the Department in writing if respondent discontinues and/or terminates medication management services.
- (5) Respondent shall be responsible for providing monthly written reports from respondent's medication manager directly to the Department during the entire probationary period. Such reports shall include documentation of dates of treatment, an evaluation of respondent's compliance with her medication regimen and an evaluation of respondent's ability to practice nursing safely and competently. A report indicating that respondent is not able to practice nursing safely and competently or is not complying with her medication regimen shall be deemed to be a violation of this Consent Order.

C.

Respondent shall not obtain or use controlled substances, legend drugs, marijuana or alcohol in any form unless prescribed or recommended for a legitimate therapeutic purpose by a licensed health care professional authorized to prescribe medications.

Respondent shall inform said health care professional of respondent's substance abuse history.

- (1) At respondent's own expense, respondent shall submit to observed random urine screens for drugs and alcohol, in accordance with Department Requirements for Drug and Alcohol Screens, attached hereto marked as "Attachment 'A': Department Requirements for Drug and Alcohol Screens," at a testing facility

approved by the Department. Laboratory reports of random alcohol and drug screens shall be submitted directly to the Department by the testing laboratory. All such observed random drug and alcohol screens shall be legally defensible in that the specimen donor and chain of custody can be identified throughout the screening process. All laboratory reports shall indicate that the chain of custody procedure has been followed.

- (2) Respondent shall be responsible for notifying the laboratory, therapist, the Department and respondent's prescribing practitioner of any drug(s) respondent is taking. For the prescription of a controlled substance(s) for more than two consecutive weeks, the respondent shall cause the provider prescribing the controlled substance(s) to submit quarterly reports to the Department, until such time as the controlled substance(s) are not prescribed by the provider, documenting the following:
 1. A list of controlled substances prescribed by this provider for the respondent;
 2. A list of controlled substance(s) prescribed by other providers;
 3. An evaluation of the respondent's need for the controlled substance;
 4. An assessment of the respondent's continued need for the controlled substance(s).
- (3) There must be at least one such observed random alcohol/drug screen and accompanying laboratory report every week for the first and fourth years of probation; and at least two such screens and reports every month for the second and third years of probation.

- (4) There must be at least two (2) random tests for Ethylglucuronide (EtG) and accompanying laboratory reports every month for the first and fourth years of probation and at least (1) such random test and report every month for the remainder of the probationary period.
- (5) All screens shall be negative for the presence of drugs and alcohol. Respondent agrees that an EtG test report of EtG at a level of 1000ng/mL or higher shall be deemed to constitute a positive screen for the presence of alcohol under this Consent Order. Respondent understands and agrees that if respondent fails to submit a urine sample when requested by respondent's monitor, such missed screen shall be deemed a positive screen.
- (6) All positive screen results shall be confirmed by gas chromatograph/mass spectrometer (GC/MS) testing.
- (7) Respondent is hereby advised that the ingestion of poppy seeds, mouthwash and over the counter cough or cold medicines or remedies has from time to time, been raised as a defense to a positive screen result for morphine, opiates and/or alcohol and as a defense of an EtG at 1000ng/mL or higher. For that reason, respondent agrees to refrain from ingesting poppy seeds in any food substances, mouthwash and over the counter cough or cold medicines or remedies during the term of this Consent Order. In the event respondent has a positive screen for morphine, opiates and/or alcohol or if respondent's test reports an EtG at 1000ng/mL or higher, respondent agrees that the ingestion of poppy seeds and/or mouthwash and/or over the counter cough or cold medicines or remedies shall not constitute a defense to such a screen.

- D. Respondent shall be responsible for the provision of written reports from respondent's therapist directly to the Department for the entire probationary period; monthly for the first and fourth years of probation; and, quarterly reports for the second and third years of probation. Such reports shall include documentation of dates of treatment, an evaluation of respondent's progress in treatment and of respondent's drug and alcohol-free status as established by the observed random urine screens for drugs and alcohol, an evaluation of respondent's ability to practice nursing safely and competently, and copies of all laboratory reports. A report indicating that respondent is not able to practice nursing safely and competently shall be deemed to be a violation of this Consent Order.
- E. Notwithstanding the foregoing, respondent's therapist shall immediately report to the Department any confirmed positive alcohol/drug screen and any conduct or condition on respondent's part which does or may violate any federal or state statute or regulation applicable to respondent's profession.
- F. Respondent shall provide a copy of this Consent Order to all employers if employed as a nurse during the probationary period. All such employer(s) shall confirm receipt of a copy of this Consent Order, in writing to the Department within fifteen (15) days of the effective date of this Consent Order or within fifteen (15) days of commencement of employment with a new employer.
- G. Respondent shall not be employed as a nurse for a personnel provider service, staffing agency, 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.

Notwithstanding the restrictions on nursing employment in this paragraph 3G, respondent can continue her current position as an RN Nurse Consultant for PJW Nursing Consultants LLC (“PJW”) provided that:

- (i) all areas of respondent’s clinical practice will be monitored and overseen by a licensed PJW nursing supervisor acceptable to the Department; and
- (ii) respondent must check in daily, by video or in-person, with her PJW nursing supervisor for each of respondent’s assigned shifts.

- H. Respondent shall not administer, count, or have access to narcotics or other controlled substances, or have responsibility for such activities as part of her nursing duties during the first year of working as a nurse during the probationary period.
- I. If employed as a nurse, respondent shall be responsible for the provision of written reports directly to the Department from respondent’s nursing supervisor (e.g., Director of Nursing) monthly for the first and fourth years of probation; and quarterly for the second and third years of probation. Employer reports shall include, without limitation, confirmation that respondent is complying with the check-in requirement in paragraph 3G(ii) and the narcotic key restriction in paragraph 3H, as well as documentation of respondent's ability to practice nursing safely and competently and shall be issued to the Department at the address cited in paragraph 3O below. A report indicating that respondent is not in compliance with paragraphs 3G(ii) or 3H and/or is not practicing with reasonable skill and safety shall be deemed to be a violation of this Consent Order.
- J. During the entire probationary period, respondent shall attend "anonymous" or support group meetings at least eight to ten times per month and shall provide quarterly reports to the Department concerning respondent’s record of attendance.

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

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

- 4. Any violation of the terms of this Consent Order without prior written approval by the Department shall constitute grounds for the Department to seek revocation of respondent's nursing license following notice and an opportunity to be heard.
- 5. 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 act 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 and agrees this Consent Order is a public record and that any discipline imposed by this Consent Order shall be reported to the National Practitioner Data Bank maintained by the United States Department of Health and Human Services.
10. 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.
11. In the event respondent violates any term of this Consent Order, respondent agrees immediately to refrain from practicing as a nurse, upon request by the Department, for a period not to exceed forty-five (45) days. During that time, respondent further agrees to cooperate with the Department in its investigation of the violation, and to submit to and complete a medical, psychiatric or psychological evaluation, if requested to do so by the Department; and, that the results of the evaluation shall be submitted directly to the Department. Respondent further agrees that failure to cooperate with the Department in its investigation during said forty-five (45) day period shall constitute grounds for the Department to seek a summary suspension of respondent's 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, §§4-182(c) and 19a-17(c). The Department and respondent agree that the Board has complete and final discretion as to whether a summary suspension is ordered.

12. If, during the period of probation, respondent practices nursing outside Connecticut, respondent shall provide written notice to the Department concerning such practice. During such time, respondent shall not be responsible for complying with the terms of probation of this Consent Order, and such time 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 probationary terms and conditions required in paragraph 3 above.
13. In the event respondent violates any term of this Consent Order, said violation may also constitute grounds for the Department to seek a summary suspension of respondent's license before the Board.
14. This Consent Order and terms set forth herein are not subject to reconsideration, collateral attack or judicial review under any form or in any forum. Respondent agrees that this Consent Order shall not be subject to modification as a result of any claim that the terms contained herein may result in action by third parties, including, but not limited to, healthcare facilities and/or credentialing authorities 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

executing this Consent Order. 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.

15. 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 Board's review of any documentation and discussions regarding whether to approve or reject this Consent Order and/or a Board member's participation during this process, through the Board member's review or comments, including but not limited to bias or reliance on evidence outside the administrative record if this matter proceeds to a hearing on a statement of charges resulting in a proposed decision and/or final decision by the Board.
16. This Consent Order is a revocable offer of settlement, which may be modified by mutual agreement or withdrawn by the Department at any time prior to its being executed by the last signatory.
17. Respondent has been advised that she has the opportunity to consult with an attorney at any time, including prior to signing this Consent Order.
18. The execution of this Consent Order has no bearing on any criminal liability without the written consent of the Director of the Medicaid Fraud Control Unit or the State's Attorney's Office where the allegation occurred or Bureau Chief of the applicable unit in the Chief State's Attorney's Office. The purpose of this Consent Order is to resolve the pending administrative

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

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

*

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*

I, Christy L. Keene, 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.

CKe
Christy L. Keene

Subscribed and sworn to before me this 14 day of February, 2023.

CHEVELLE C. COOKE
NOTARY PUBLIC OF CONNECTICUT
My Commission Expires 01/31/2027

C. Cooke
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 17th day of February, 2023, it is hereby accepted.

Christian D. Andresen

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

The above Consent Order having been presented to the Connecticut Board of Examiners for Nursing on the _____ day of _____, 2023, 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: Kelly McCarthy Gordon, R.N.

Petition No. 2021-444

STATEMENT OF CHARGES

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

1. Kelly McCarthy Gordon of Middletown, Connecticut ("respondent") holds Connecticut registered nurse license number 146804.
2. At all times mentioned, respondent was practicing nursing at Connecticut Valley Hospital, Middletown, Connecticut ("CVH").
3. On or about April 25, 2021, while working as a nurse at CVH, respondent was impaired and/or exhibited behavioral changes, including, without limitation, drowsiness, shakiness, unclear or slurred speech, confusion, vomiting and/or unresponsiveness.
4. On or about April 25, 2021, respondent abused and/or utilized to excess alcohol.
5. Respondent's abuse of and/or excess use of alcohol does, and/or may, affect her nursing practice.
6. The above-described facts constitute grounds for disciplinary action pursuant to Connecticut General Statutes 20-99, including but not limited to:
 - a. §20-99(b)(2);
 - b. §20-99(b)(3); and/or
 - c. §20-99(b)(5).

THEREFORE, the Department prays that:

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

Dated at Hartford, Connecticut this 30th day of January 2023.



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

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

In re: Melissa Marti, LPN

Petition Number: 2022-853

STATEMENT OF CHARGES

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

COUNT ONE

1. Melissa Marti ("respondent") is, and at all times referenced in this Statement of Charges, the holder of Connecticut licensed practical nurse license number 034139.
2. From approximately January 2018 through June 2022, respondent provided homecare nursing services for a quadriplegic patient who lived alone subject to a conservatorship ("patient").
3. During the above-referenced time, respondent failed to conform to the accepted standards of the nursing profession when she:
 - a. practiced as a licensed practical nurse without the direction of a registered nurse; and/or,
 - b. failed to maintain appropriate medical records.
4. The above conduct constitutes grounds for disciplinary action pursuant to Connecticut General Statutes §20-99 including, but not limited to, §20-99(b)(2).

COUNT TWO

5. Paragraphs 1 and 2 are incorporated herein as if set forth in full.
6. On or about March 9, 2020, respondent requested a loan of nine thousand dollars (\$9,000.00) from the patient.

7. On or about March 10, 2020, respondent took possession of nine thousand dollars (\$9,000.00) from the patient.
8. On or about July 17, 2022, the patient died.
9. To date, respondent failed to repay the nine thousand dollars (\$9,000.00) to the patient, his conservators, or his estate.
10. On or about October 14, 2021, January 12, 2022 and/or February 28, 2022, respondent, a distributor for a dietary supplement corporation, sold herbal supplements to the patient.
11. During the above-referenced time, respondent failed to conform to the accepted standards of the nursing profession when she:
 - a. violated professional boundaries;
 - b. engaged in unprofessional and unethical conduct;
 - c. utilized the nurse-patient relationship for her personal benefit and financial gain; and/or
 - d. financially and/or emotionally exploited the patient.
12. The above-referenced conduct constitutes grounds for disciplinary action pursuant to Connecticut General Statutes §20-99 including, but not limited to, §§20-99(b)(2) and/or 20-99(b)(6).

COUNT THREE

13. Paragraphs 1 and 2 are incorporated herein as if set forth in full.
14. On or about March 10, 2020, respondent, through deception, misappropriated nine thousand dollars (\$9,000.00) from the patient.

15. During the above-referenced time, respondent failed to conform to the accepted standards of the nursing profession when she:
- a. violated professional boundaries;
 - b. engaged in unprofessional and unethical conduct;
 - c. utilized the nurse-patient relationship for her personal benefit and financial gain; and/or
 - d. financially and/or emotionally exploited the patient.
16. The above-referenced conduct constitutes grounds for disciplinary action pursuant to Connecticut General Statutes §20-99 including, but not limited to, §§20-99(b)(2) and/or 20-99(b)(6).

WHEREFORE, the Department prays for the following:

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

Dated February 1, 2023.



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