

The **Board of Examiners for Nursing** held a meeting on April 6, 2011 at 61 Woodland Street, Hartford, Connecticut.

BOARD MEMBERS PRESENT: Patricia Bouffard, RN, Chair
Tarah Cherry, Public Member
Heidi Darling, LPN
Jennifer Long, APRN
Jeffrey T. Marvin, Public Member
Maria Pietrantuono, RN

BOARD MEMBERS ABSENT: Mary M. Brown, RN
Danielle O'Connell, RN
Katherine Pellerin, RN

ALSO PRESENT: Joanne V. Yandow, Counsel to the Board, DPH
Jennifer Filippone, Section Chief, DPH
Diane Cybulski, Supervising Nurse Consultant, DPH
Pamela Pelletier, Nurse Consultant, DPH
Matthew Antonetti, Staff Attorney, Legal Office, DPH
Linda Fazzina, Staff Attorney, Legal Office, DPH
Ellen M. Shanley, Staff Attorney, Legal Office, DPH
Diane Wilan, Staff Attorney, Legal Office, DPH
Janice E. Wojick, Administrative Assistant, DPH
Gail Gregoriades, Court Reporter

Chair Patricia Bouffard called the meeting to order at 8:35 AM.

STUDENTS

Chair Bouffard welcomed students from Vinal Tech LPN Program, the University of Connecticut.

Chair Bouffard provided the students with an overview of the Board's responsibilities, jurisdiction, and nursing education programs.

CHAIR UPDATES

Chair Bouffard had no updates to report at this time.

OPEN FORUM

There were no questions or comments from the audience.

ADDITIONAL AGENDA ITEMS AND REORDERING OF AGENDA

There were no new agenda items or reordering of the agenda.

LEGISLATIVE UPDATE

Jennifer Filippone updated the Board on legislative issues.

HAVEN INTERVENTION ASSISTANCE PROGRAM UPDATE

HAVEN is the sole health InterVention assistance program authorized by state law to serve virtually all licensed healthcare professionals. HAVEN offers a confidential alternative to "public disciplinary action for professionals suffering from chemical dependency, emotional or behavioral disorder, or physical or mental illness." The HAVEN program provides a safe environment for coordinating educational, rehabilitative, and supportive services to healthcare professionals. HAVEN is dedicated to serving healthcare professionals through monitoring, support and advocacy.

HAVEN is an independent non-profit corporation founded by the CT State Medical Society, CT Nurses Association, CT State Dental Association, CT Veterinary Medicine Association, and CT Academy of Physician Assistants that provides confidential consultation and support to healthcare professionals facing health concerns related to alcoholism, substance abuse, behavioral or mental health issues and/or physical illness.

HAVEN undergoes annual program audits. Selected information is reported, as required by law and best practice, to the Department of Public Health (DPH), licensing boards, and the Public Health Committee. HAVEN also undergoes an annual program audit to ensure transparency and quality in our processes.

Attorney Maureen Dinnan, Executive Director of the HAVEN Program was present to provide an update on the HAVEN Program, non-compliance issues, finance component issues, and progress on insurance companies covering the cost of drug screen reports.

SCHOOL ISSUES – LINCOLN TECH – CLARIFICATION FOR DEPARTMENT MANAGER POSITION

Jo-Ann Dean, Regional Director of Nursing for the Lincoln Technical Institute, and Louise Simonetti, Program Manager, Shelton Campus Day Division, were present for this discussion.

The Regulations were last revised in December 1994 and required that the Administrator have a baccalaureate degree and a master's degree, experience in teaching and supervision in practical nursing education, and appropriate clinical experience.

In accordance with Section 20-90-48(a)(1) of the Regulations of Connecticut State Agencies, each nursing education program shall have its own administrator who shall have the authority over and administrative responsibility for the nursing education program. Based on the information that was presented, it was the Board's understanding that for each of the Lincoln Technical Institute's programs, the Program Manager is responsible for the daily operations of an individual LPN program site. As such, the Program Manager must meet the education and experience requirements as outlined in Section 20-90-51(b)(1) and (c)(1) of the Regulations of Connecticut State Agencies, which state:

(b)(1) Except as provided in subsection (c) of this section, the administrator of the program shall be a registered nurse and shall have an earned advanced degree in nursing, teaching experience in a program in nursing, and administrative experience.

(c)(1) Any faculty member or program administrator employed by a nursing education program approved by the board who was employed as such on the effective date of this section, shall be determined to have met the educational degree requirements in subsection (b) of this section provided such person holds the minimum of an earned master's degree.

It is the Board's understanding that Louise Simonetti, RN, Program Manager of the nursing education program at the Shelton campus, does not meet the above regulations and as such, does not meet the regulatory requirements to hold the Program Manager position. The Board

requested a corrective action plan addressing how Lincoln Technical Institute intends to comply with this regulation.

SCHOOL ISSUES – RN/LPN EDUCATIONAL PROGRAM STATISTICS

Pamela Pelletier provided the Board with copies of the RN and the LPN Program Statistics.

SCOPE OF PRACTICE – FEBRUARY 2011

Diane Cybulski reviewed the nursing related calls received into the Department during the month of February, 2011.

NCSBN UPDATES

Chair Bouffard and Jennifer Long attended the NCSBN Midyear Meeting in Chicago, March 14-16, 2011. The theme of this meeting and also the Annual Meeting is "Transforming the Future of Regulatory Leadership." The Midyear Meeting began with the Executive Officer and Present's Education Partnership, which focused on the collaborative relationship between executive officers and board presidents. During the day, attendees developed strategies to cultivate good relationships, and explored the importance of strategic partnership in leadership development and succession planning. The day concluded with networking sessions exclusively for executive officers and board presidents.

On day two, meeting attendees received updates from the Board of Directors, and Leadership Succession, Uniform Licensure Requirements and Portability, and Disciplinary Resources Committees, all of which reported on its progress toward meeting its strategic goals. Area meetings took place in the afternoon to facilitate communication and encourage regional dialogue on issues important to NCSBN and its members. Day three focused on Just Culture, with presentation that explained the concept of Just Culture and how to implement its principles into the role and function on state-based licensure. After lunch, representatives from various boards of nursing participated in a panel to discuss their experiences implementing Just Culture in their states. Reimbursement for this meeting was provided by the NCSBN.

NCSBN's Delegate Assembly will meet August 3-5, 2011 in Indianapolis during NCSBN's Annual Meeting.

Jennifer Long and Mary Brown attended the Consensus Model for APRN Regulation Seminar in San Diego in January 2011.

This model's goal is to provide conformity in professional standards for all APRN's across the nation, to improve public safety, and increase mobility for APRN's. The model includes standards for licensure, accreditation, certification, and education. It covers four roles: CRNA, CNM, CNS, and CNP. These roles will fit into six population foci from family/individual across the lifespan, adult gerontology, neonatal, pediatrics, women health/gender related to psych mental health. An APRN will not be allowed to be licensed solely in a specialization such as oncology. Education standards would ensure that all APRN's had courses in pathophysiology, pharmacology and physical assessment across the life span. The Institute of Medicine Report stated that all APRN's should be allowed "to work to their highest level education and competency by authority through legal scope of practice." Presently scopes of practice are not consistent across states and APRN's are not able to practice to the full extent of their education and training. The consensus model will allow for consistency and independent practice based on their education and certification. Reimbursement for this meeting was provided by the NCSBN.

FACT FINDING - BELINDA GARNETT, LPN

Legal Office Attorney Diane Wilan was present representing the Department of Public Health. Ms. Garnett was not present and did not have representation at this Fact Finding. The hearing

was completed on March 2, 2011. Due to lack of a quorum at the end of the hearing, Fact Finding was continued to today's meeting. All Board Members were provided with the transcript and members not present at the March 2, 2011 hearing were provided with the exhibits.

Jennifer Long moved and Maria Pietrantuono seconded that Ms. Garnett be found on all charges. The motion passed unanimously.

Jennifer Long moved and Maria Pietrantuono seconded that Ms. Garnett's license be revoked. The motion passed unanimously.

MOTION TO REOPEN HEARING – CAROLE RUGGIERO, RN

Legal Office Attorney Linda Fazzina was present for this discussion. Ms. Ruggiero is requesting that the November 3, 2010 hearing be reopened. At the conclusion of that hearing the Board denied Ms. Ruggiero's reinstatement request due to the fact that the documents presented at the hearing were out-of-date, there was a lack of defined plans, treatment reports, and drug screen reports. Ms. Ruggiero has provided the Board Office with what she feels is the necessary documentation and is requesting that the Board reopen the hearing. Board Members, Attorneys Matthew Antonetti and Linda Fazzina of the Department of Public Health, have been provided with Ms. Ruggiero's written request, a copy of the November 3, 2010 minutes, and the documents received in the Board Office on January 21, 2011.

Maria Pietrantuono moved and Jennifer Long seconded that Ms. Ruggiero's request to reopen her hearing be granted. The motion failed as all were opposed with the exception of Jennifer Long. Ms. Ruggiero's Motion to Reopen Hearing has been Denied.

MEMORANDA OF DECISION

CATHERINE FLANNERY, LPN

The Board reviewed the Memorandum of Decision regarding Catherine Flannery. Jennifer Long moved Jeffrey Marvin seconded that the Board affirm their prior decision that Ms. Flannery successfully complete a course in professional ethics and nursing scope of practice. The coursework must be completed within the first three months of the four-year probation which commences upon reinstatement of Ms. Flannery's LPN license in the State of Connecticut. The motion passed unanimously.

INTERIM CONSENT ORDER – HEATHER DELANEY, LPN

Legal Office Attorney Ellen M. Shanley has provided the Board with an Interim Consent Order (ICO) regarding Heather Delaney. Ms. Delaney was not present at this meeting and did not have representation. Jennifer Long moved and Heidi Darling seconded that the ICO be accepted as presented. The motion passed unanimously. Ms. Delaney's LPN license shall remain suspended until such time as the petition is resolved. Chair Bouffard signed the ICO.

MOTION FOR SUMMARY SUSPENSION – DIANE PETROSKI, RN, APRN

Legal Office Attorney Ellen M. Shanley provided the Board with a Motion for Summary Suspension regarding Diane Petroski's RN license and her APRN license. Ms. Petroski was not present and did not have representation at this meeting. Maria Pietrantuono moved and Heidi Darling seconded that the Motion for Summary Suspension be granted. The motion passed unanimously. Chair Bouffard signed the Summary Suspension Order and the Notice of Hearing scheduling the hearing for April 20, 2011.

MOTION FOR SUMMARY SUSPENSION – LINDA KASOWITZ, RN

Legal Office Attorney Diane Wilan provided the Board with a Motion for Summary Suspension regarding Linda Kasowitz' RN license. Ms. Kasowitz was not present and did not have representation at this meeting. Maria Pietrantuono moved and Heidi Darling seconded that the Motion for Summary Suspension be granted. The motion passed unanimously. Chair Bouffard signed the Summary Suspension Order and the Notice of Hearing scheduling the hearing for April 20, 2011.

MOTION FOR SUMMARY SUSPENSION – JENNIFER GRECO, LPN

Legal Office Attorney Ellen M. Shanley provided the Board with a Motion for Summary Suspension regarding Jennifer Greco's RN license. Ms. Greco was not present and did not have representation at this meeting. Maria Pietrantuono moved and Jennifer Long seconded that the Motion for Summary Suspension be granted. The motion passed. Chair Bouffard signed the Summary Suspension Order and the Notice of Hearing scheduling the hearing for April 20, 2011.

CONSENT ORDER – LISA ENGENGRO, RN

Legal Office Attorney Linda Fazzina presented the Board with a Consent Order for Lisa Engengro. Ms. Engengro was not present and did not have representation at this meeting. Jennifer Long moved and Tarah Cherry seconded that the Consent Order be accepted as written. The motion passed unanimously. Chair Bouffard signed the Consent Order.

CEASE & DESIST CONSENT ORDER – LAURIE GALLEY, UNLICENSED RN

Legal Office Attorney Leslie Scoville presented the Board with a Cease & Desist Consent Order for Laurie Galley. Ms. Galley was not present and did not have representation at this meeting. Maria Pietrantuono moved and Tarah Cherry seconded that the Cease & Desist Consent Order be accepted as written. The motion passed unanimously. Chair Bouffard signed the Consent Order. It was the recommendation of the Board that this case be referred to the Office of the Chief State's Attorney for further investigation.

PREHEARING REVIEW – YVES MAIGNAN, RN

Legal Office Attorney David Tilles presented the Board with a Prehearing Review seeking the Board's advice as to a remedy in this case. Mr. Maignan was present with counsel, Attorney Joanne Sheehan. It was the recommendation of the Board that this case does rise to the level of Board action. Based on the documentation presented, the Board did not feel that they had enough information to make a decision.

Break 10:45 AM – 11:00 AM

CONTINUATION OF HEARING – STACEY L. WILLIAMS, LPN

Legal Office Attorney Diane Wilan was present representing the Department of Public Health. Ms. Williams was not present and did not have representation at this hearing. Today's hearing is a continuation of the March 2, 2011 hearing. At that hearing Attorney Wilan presented the Board with an Oral Motion to Deem Allegations Admitted. Due to lack of a quorum, the Board could not rule on the Motion. Therefore the hearing was continued to April 6, 2011. Attorney Wilan filed a written Motion to Deem Allegations Admitted which she mailed to Ms. Williams, first class mail. The Board Office mailed Ms. Williams a rescheduling notice, both certified mail and first class mail. There was no testimony provided at this hearing. Jennifer Long moved and Maria Pietrantuono seconded to grant the Motion to Deem Allegations Admitted. The motion passed unanimously.

Jeffrey Marvin moved and Maria Pietrantuono seconded that Ms. Williams be found as charged. The motion passed unanimously.

Jeffrey Marvin moved and Jennifer Long seconded that Ms. Williams' license be revoked. The motion passed unanimously.

ADJOURNMENT

It was the unanimous decision of the Board Members present that this meeting be adjourned at 11:05 AM.

The **Board of Examiners for Nursing** held a meeting on April 20, 2011 at the Department of Public Health Complex, Room 470-A/B, 410 Capitol Avenue, Hartford, Connecticut.

BOARD MEMBERS PRESENT: Patricia Bouffard, RN, Chair
Mary M. Brown, RN
Tarah Cherry, Public Member
Jennifer Long, APRN
Jeffrey T. Marvin, Public Member
Danielle O'Connell, RN
Katherine Pellerin, RN
Maria Pietrantuono, RN

BOARD MEMBERS ABSENT: Heidi Darling, LPN

ALSO PRESENT: Stacy Owens, Counsel to the Board, DPH
Diane Cybulski, Supervising Nurse Consultant, DPH
Matthew Antonetti, Staff Attorney, Legal Office, DPH
Diane Wilan, Staff Attorney, Legal Office, DPH
Jeffrey A. Kardys, Administrative Hearings Specialist, DPH
Janice E. Wojick, Administrative Assistant, DPH
Tynan E. Cooney, Court Reporter

Chair Patricia Bouffard called the meeting to order at 8:30 AM.

STUDENTS

Chair Bouffard welcomed students from Central CT State University and the University of Connecticut.

CHAIR UPDATES

Mary Brown advised Attorney Matthew Antonetti that the cover sheet on all packets presented to the Board is to include nursing school information on all respondents in place of the complete application packet being presented to the Board. This was discussed with Kathleen Boulware at the October 7, 2009 Board meeting. A few of the attorneys in the Legal Office comply although most do not.

ADDITIONAL AGENDA ITEMS

- An Interim Consent Order has been added to the agenda for Susan R. Glassock, RN
- The hearing for Leslie Matejek, RN, has been removed from today's agenda and will be presented to the Board as a Modified Consent Order at the May 4, 2011 meeting

INTERIM CONSENT ORDER – SUSAN R. GLASSOCK, RN

Legal Office Attorney Matthew Antonetti presented the Board with an Interim Consent Order for Susan R. Glassock. Maria Pietrantuono moved, seconded by Jennifer Long, that the Interim Consent Order be accepted as presented which suspends Ms. Glassock's license until the petition is resolved. The motion passed unanimously. Chair Bouffard signed the Interim Consent Order.

Attorney Stacy Owens, Counsel for the Board, advised Attorney Antonetti that when presenting the Board with an Interim Consent Order, the Board should only receive the cover sheet and the Proposed Interim Consent Order. The Board does not need to receive the complete investigation packet as the case is still in the investigation process and the Interim Consent Order automatically suspends the respondent's license until the petition is resolved.

INTERIM CONSENT ORDER – WESLEY ROSS, RN

Legal Office Attorney Diane Wilan presented the Board with an Interim Consent Order for Wesley Ross. Katherine Pellerin moved and Mary Brown seconded to accept the Interim Consent Order which suspended Mr. Ross' license until the petition is resolved. The motion passed with unanimously.

STUDENTS

Chair Bouffard provided the students with an overview of the Board's responsibilities, jurisdiction, and nursing education programs.

HEARING – DIANE PETROSKI, RN, APRN

Legal Office Attorney Matthew Antonetti was present representing the Department of Public Health. Ms. Petroski was present pro se. Testimony was provided by Ms. Petroski. Attorney Antonetti provided the Board with a Motion to Amend the Statement of Charges. Maria Pietrantuono moved, seconded by Jeffrey Marvin, to grant the Motion to Amend the Statement of Charges. The motion passed unanimously.

Maria Pietrantuono moved and Katherine Pellerin seconded that Ms. Petroski be found on all charges as she had orally admitted to all charges on the record. The motion passed unanimously.

Maria Pietrantuono moved, seconded by Jennifer Long to revoke Ms. Petroski's APRN license. The motion failed as everyone was opposed. After discussion, Mary Brown moved and Jennifer Long seconded that Ms. Petroski's APRN license be placed on suspension for a minimum of two years. In order to renew her APRN license, Ms. Petroski must provide the Department with a report from a licensed therapist or a psychologist stating that she can return to safe nursing practice. If the therapist/psychologist report states that Ms. Petroski is not ready to return to safe nursing practice, the suspension will remain in effect until the Department receives a satisfactory report from the therapist/psychologist stating that Ms. Petroski is able to return to safe nursing practice. The motion passed unanimously.

Ms. Petroski's RN license is currently summarily suspended. After discussion, Maria Pietrantuono moved, which was seconded by Jennifer Long, that the summary suspension of Ms. Petroski's license remain in place until the Memorandum of Decision is signed. Ms. Petroski is to continue with the reporting terms of the current Consent Order dated July 16, 2008. Upon signature of the Memorandum of Decision, Ms. Petroski's license will be placed on suspension for an additional three months. Upon completion of the terms of the current Consent Order, Ms. Petroski's license will then be placed on probation for an additional two years. During the first year of probation Ms. Petroski must provide the Department with monthly therapist, employer, and drug/alcohol screen reports, and during the second year she must provide weekly drug/alcohol screen reports and monthly employer and therapist reports. The motion passed unanimously.

HEARING – LINDA KASOWITZ, RN

Legal Office Attorney Diane Wilan was present representing the Department of Public Health. Ms. Kasowitz was present pro se. Testimony was provided by Ms. Kasowitz.

Mary Brown moved, seconded by Jennifer Long, to enter into Executive Session for testimony regarding confidential medical records. The motion passed unanimously. Executive Session took place from 10:50 AM to 11:03 AM.

Jeffrey Marvin moved and Mary Brown seconded that Ms. Kasowitz be found on all charges. The motion passed unanimously.

Jeffrey Marvin moved and Mary Brown seconded that Ms. Kasowitz' license continue on probation with weekly urine screens and monthly therapist reports. The motion failed as Jennifer Long, Jeffrey Marvin, and Mary Brown were in favor and the remainder were opposed.

Maria Pietrantuono moved, seconded by Tarah Cherry, that Ms. Kasowitz' license be revoked. The motion passed with all in favor with the exception of Jeffrey Marvin, Mary Brown, and Jennifer Long who were opposed.

HEARING – JENNIFER GRECO, RN

Legal Office Attorney Matthew Antonetti was present representing the Department of Public Health. Ms. Greco was not present and did not have representation at this hearing. There was no testimony provided.

Danielle O'Connell moved and Katherine Pellerin seconded that Ms. Greco be found on all charges. The motion passed.

Danielle O'Connell moved and Jennifer Long seconded that Ms. Greco's license be revoked. The motion passed unanimously.

Tarah Cherry left for the day at 11:48 AM.

HEARING – LISA A. BRETON, LPN

Legal Office Attorney Diane Wilan was present representing the Department of Public Health. Ms. Breton was present with counsel, Attorney William Stevens.

Attorney Stevens made an oral motion for a continuance. Attorney Diane Wilan provided an oral objection on behalf of the Department of Public Health. Mary Brown moved, seconded by Maria Pietrantuono, to grant the continuance provided Attorney Stevens provide the Board and the Department with documentation confirming that Ms. Breton has engaged in therapy and counseling for chemical dependency with a licensed or certified therapist by May 20, 2011. Should said documentation not be provided by May 20, 2011, the hearing in this matter will proceed on June 15, 2011 at 9:00 AM. If the respondent complies, the hearing will be rescheduled for October 19, 2011.

ADJOURNMENT

It was the unanimous decision of the Board Members present that this meeting be adjourned at 12:05 PM.