

The **Board of Examiners for Nursing** held a meeting on November 5, 2014 at the Legislative Office Building, Room 1-A, 300 Capitol Avenue, Hartford, Connecticut.

BOARD MEMBERS PRESENT: Patricia C. Bouffard, RN, Chair
Lisa S. Freeman, Public Member
Ellen M. Komar, RN
Jennifer Long, APRN
Geraldine Marrocco, RN
Gina M. Reiners, RN
Robin Rettig Cattanio, LPN
Carrie Simon, Public Member

BOARD MEMBERS ABSENT: Mary M. Brown, RN

ALSO PRESENT: Stacy M. Schulman, Counsel to the Board, DPH
Alfreda G. Gaither, Counsel to the Board, DPH
Marianne Horn, Agency Legal Director, DPH
Kathleen Boulware, Public Health Services Managers, DPH
Christian Andresen, Section Chief, PLIS, DPH
Stephen Carragher, Health Program Supervisor, DPH
Pamela Pelletier-Stevens, Nurse Consultant, DPH
Matthew Antonetti, Principal Attorney, Licensure Regulation and Compliance, DPH
Joelle Newton, Staff Attorney, Licensure Regulations and Compliance, DPH
Diane Wilan, Staff Attorney, Licensure Regulation and Compliance, DPH
Alison Rau, Paralegal Specialist, DPH
Janice E. Wojick, Administrative Assistant, DPH
Gail Gregorides, Court Reporter

Chair Patricia Bouffard called the meeting to order at 8:36 AM.

STUDENTS

Chair Bouffard welcomed students from Stone Academy in East Hartford, Norwalk Community College, Lincoln Technical Institute in New Britain and Shelton, Bullard Havens, Goodwin College, Porter and Chester Institute in Branford, and the University of Saint Joseph Doctoral Program.

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

CHAIR UPDATES

Chair Bouffard stated that she participated in several NCSBN Education/Survey Calls.

OPEN FORUM

There were no comments or questions from the audience.

ADDITIONAL AGENDA ITEMS AND REORDERING OF AGENDA

Revised agendas were e-mailed to Board Members on Tuesday morning
Hearing for Jennifer Genova, RN – continuance request

Carrie Simon arrived at this time

LEGISLATIVE UPDATE

There was nothing discussed regarding 2015 Legislative Issues.

ELECTRONIC TRANSMISSION OF AGENDA PACKETS

Marianne Horn, DPH Legal Director, and Alison Rau, DPH Paralegal Specialist, were present to discuss the Transition to Electronic Transmissions for the BOEN Agenda Packets. If all goes as planned, the Board will only be receiving a hard copy of the agenda packets for the December 3, 2014 meeting which will also be posted on the DPH Secure Web Site. BOEN will be receiving their logins and passwords from Lamont Quintichett, DPH IT Department. Alison Rau will be the Board's contact person and may be reached at 860-509-7977. The Board commented that the last time they met at the DPH Complex there were WiFi issues in the 470-A/B conference room. The Board will be meeting at the DPH 470-A/B location during the 2015 Legislative Session, and stated that they hope the WiFi issues in that room have been resolved. Board Members wishing to receive a secure laptop for use during the Board meeting should notify Alison Rau. Flash Drives are also available with the Board Agenda documents. Some of the Board Members have confidential work devices and are unable to download the DPH documents onto these devices. Some Board Members will need a lap top as they do not want to use their "provider's minutes" on BOEN matters as Board Members cannot be reimbursed.

SCHOOL ISSUES – UNIVERSITY OF SAINT JOSEPH CT – CHANGES IN PROGRAM OUTCOMES

Dr. Patricia Padula Morgan was present from the program to discuss the Universities' New Vision Statement, their Revised Mission Statement, and Philosophy and Program Outcomes. Pamela Pelletier-Stevens presented the Board with an overview of the documents submitted by Dr. Morgan. Dr. Morgan also provided an overview and answered questions from the Board. Gina Reiners recused herself from the discussion and the voting. Geraldine Marrocco moved to accept and approve the University's Vision Statement, their Revised Mission Statement, their Philosophy and Program Outcomes as outlined and also their Executive Summary. The motion was seconded by Jennifer Long and passed unanimously.

SCOPE OF PRACTICE CALLS

Pamela Pelletier-Stevens reviewed the calls received in the Board Office during the month of September.

When reviewing the Scope of Practice calls for the Month of September, APRN's still are unsure of the new regulation requirements and have called the Department regarding their employers insisting on collaborative agreements when the regulation states it is no longer necessary. This is an employer-employee issue. APRN's no longer need a collaborative agreement if they can prove they had been in a collaborative agreement for three years and performed 2000 hours. In addition, the Department completed approximately nine NCSBN surveys. Please refer to Advanced Practice – Independent/Collaborative Practice on the BOEN Web Page.

There were also several calls as to whether or not Medical Assistants can administer flu vaccines. In the State of Connecticut this is not allowed. Specifically prohibited activities regarding Medical Assistants are radiography and medication administration by any route (including oxygen, immunizations, and tuberculin testing).

NATIONAL COUNCIL OF STATE BOARD OF NURSING – UPDATE

Pamela Pelletier-Stevens attended the NCSBN International Nurse Regulator Conference that was held in Chicago from October 27 – 30, 2014. Nursing Executives world-wide attended this conference from places as far away as Wales, New Zealand, Australia, Saipan, and Ireland.

Area's discussed during this conference included social media, performance & accountability, how much regulation is really needed, the aging healthcare practitioner, and the role of the nurse regulator with the aging nurse. One of the areas of discussion was should there be a mandatory age of retirement for nurses as pilots have in the airline industry and/or should there be aged based competencies for older practitioners. The Conference definitely was very enlightening, thought provoking, and one theme resounded – no matter where you live in this world, the problems that occur in nursing are universal.

APPROVAL OF MINUTES OF SEPTEMBER 3, 2014

The Board reviewed the above minutes which were provided in their agenda packets. Gina Reiners moved that the minutes be approved as written. The motion was seconded by Carrie Simon and passed with one abstention: Lisa Freeman.

MOTION FOR SUMMARY SUSPENSION – MICHAL KARBOWSKI, RN

DPH Staff Attorney Joelle Newton presented the Board with a Motion for Summary Suspension for Michal Karbowski. Mr. Karbowski was not present and did not have representation at this meeting. After review of the documents provided, Gina Reiners moved that the Motion for Summary Suspension be granted. The motion was seconded by Lisa Freeman and passed unanimously. Chair Bouffard signed the Summary Suspension Order and the Notice of Hearing scheduling the hearing for December 3, 2014.

MEMORANDUM OF DECISION – TAKENYA TINSLEY, LPN

All Board Members were e-mailed this MOD prior to today's meeting. After review and discussion, Jennifer Long moved to affirm the Board's prior decision to revoke Ms. Tinsley's license. The motion was seconded by Geraldine Marrocco and passed with all in favor with one abstention: Lisa Freeman. The Board stated that Ms. Tinsley did not show up for the hearing and did not file an Answer to the Statement of Charges although she did admit to the charges in her statement to Drug Control. Chair Bouffard signed the MOD which becomes effective immediately upon signature.

CONSENT ORDER – SUZANNE C. CARLONA, RN

Staff Attorney Joelle Newton presented the Board with a Consent Order for Suzanne C. Carlona for review, approval, and signature. Ms. Carlona was not present and did not have representation at this meeting. Geraldine Marrocco moved to accept the Consent Order as written. The motion was seconded by Jennifer Long and passed unanimously. Chair Bouffard signed the Order.

CONSENT ORDER – ROBERTA JOHNSON, LPN

Staff Attorney Joelle Newton presented the Board with a Consent Order for Roberta Johnson for review, approval, and signature. Ms. Johnson was not present and did not have representation at this meeting. Gina Reiners moved to deny the Consent Order as written. The motion was seconded by Geraldine Marrocco and passed unanimously. During their discussion, the Board stated that the terms in this Consent Order were overdone. It appears that the system is broken at this facility. The MARs the facility is using, there are so many concentrations of Morphine that it is a mistake waiting to happen. The Board stated that this should not have come to the Board and should have been dealt with at a whole different level. Coursework was the only recommendation of the Board.

CONSENT ORDER – ANTHONY SAVINO, LPN

Staff Attorney Joelle Newton presented the Board with a Consent Order for Anthony Savino for review, approval, and signature. Mr. Savino was present pro se. Gina Reiners moved to deny the Consent Order as written. The motion was seconded by Ellen Komar and passed unanimously. It was the recommendation of the Board that Mr. Savino successfully complete coursework in Ethics and Scope of Practice with concurrent probation. The probation will conclude upon the Department's approval of the completion of the coursework.

HEARING – JEMMA WETTISH, RN

Staff Attorney Diane Wilan was present representing the Department of Public Health. Ms. Wettish was present pro se. Attorney Wilan called Ms. Wettish to testify regarding her treatment records. Lisa Freeman moved, seconded by Gina Reiners, to move the hearing into Executive Session to review medical records and to hear testimony from Ms. Wettish regarding her medical/treatment records. The motion passed unanimously. The room was cleared of all visitors. Testimony was provided by Ms. Wettish. The hearing closed during Executive Session and the Board went on to Fact Finding while in Executive Session as they would be making referrals to the treatment records.

Geraldine Marrocco moved that Ms. Wettish be found as charged. The motion was seconded by Lisa Freeman, which passed unanimously.

Geraldine Marrocco moved, seconded by Carrie Simon, that Ms. Wettish's license be revoked. The motion passed unanimously.

At the conclusion of the Fact Finding, Geraldine Marrocco moved, seconded by Robin Cattanio, to move the hearing back to Public Session. The motion passed unanimously and visitors were invited to return to the hearing room.

Once the Hearing had returned to Public Session, Chair Bouffard provided a summary of the Fact Finding.

HEARING – Jennifer Genova, RN

DPH Attorney Matthew Antonetti was present representing the Department of Public Health. Ms. Genova was not present and did not have representation. There was no testimony provided as Ms. Genova did not attend the hearing. Attorney Antonetti made a verbal Motion to Deem Allegations admitted as Ms. Genova had never filed a written response to the Statement of Charges. Ellen Komar moved to grant the Department's Motion to Deem Allegations Admitted. The motion was seconded by Gina Reiners and passed unanimously. Exhibits were entered into the record and the hearing closed.

Geraldine Marrocco left for the day at this point in the hearing.

Gina Reiners moved that Ms. Genova be found as charged. The motion was seconded by Carrie Simon and passed unanimously.

Gina Reiners moved that Ms. Genova's license be revoked as she did not provide any treatment information despite the fact that her license has been suspended since October 29, 2013 and did not show up for this hearing. The motion was seconded by Carrie Simon and passed unanimously.

REINSTATEMENT HEARING – DEBRA B. KENNEDY, LPN

Staff Attorney Joelle Newton was present representing the Department of Public Health. Ms. Kennedy was present pro se. Testimony was provided by Bette Jane Haskell, Tabitha Bozzuto, Tammy Wrice, Nicole Gagnon, and Ms. Kennedy.

Geraldine Marrocco left at 12:07 PM prior to the Fact Finding.

Ellen Komar moved to grant Ms. Kennedy's request for licensure reinstatement. The motion was seconded by Robin Cattanio, which passed unanimously.

Jennifer Long moved to place Ms. Kennedy's license on probation for two years with the following restrictions: quarterly therapist and employer reports, bi-monthly drug/alcohol screen reports, and no employment in home health care for the entire probationary period. Ms. Kennedy must successfully complete a Department approved LPN Refresher Program followed by the NCLEX-PN Exam. There was no key restriction and no additional coursework. The motion was seconded by Ellen Komar and passed unanimously.

The Board requested that this Memorandum of Decision be expedited if at all possible in order for Ms. Kennedy to participate in the LPN Refresher Program which has a clinical component requiring a temporary license in order to complete the program.

ADJOURNMENT

It was the unanimous decision of the Board Members present to adjourn this meeting at 12:50 PM.

STUDENTS

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

2015 SNOW DATES

At the conclusion of the discussion with the students, Chair Bouffard mentioned to that she would like snow dates incorporated into the winter months of the Board's 2015 Calendar. The reason for this request is that on May 7th the Board changed their calendar to meet only once per month effective June 4, 2014. If the Board found it necessary to cancel a meeting due to inclement weather, it would be too long of a period of time between Board meetings. The snow dates are as follows:

<u>2015 Meeting Dates</u>	<u>Snow Dates (if necessary)</u>
January 21 st	February 4 th
February 18 th	March 4 th
March 18 th	April 1 st

The Revised 2015 BOEN Calendar will be attached to the December 3, 2014 Meeting Agenda.

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

The **Board of Examiners for Nursing** had scheduled a meeting on November 19, 2014 at the Legislative Office Building, Room 1-A, 300 Capitol Avenue, Hartford, Connecticut.

At their May 7, 2014 meeting the Board revised their calendar for the remainder of 2014.

At that time the November 19, 2014 meeting was cancelled.

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