

The **Board of Examiners for Nursing** held a meeting on September 16, 2015 at the Legislative Office Building, Room 1-D, 300 Capitol Avenue, Hartford, Connecticut.

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**BOARD MEMBERS PRESENT:** Patricia C. Bouffard, RN, Chair  
Mary M. Brown, RN  
Ellen M. Komar, RN  
Jennifer Long, APRN  
Geraldine Marrocco, RN - *left at noon*

**BOARD MEMBERS ABSENT:** Carrie Simon, Public Member  
Lisa S. Freeman, Public Member  
Gina M. Reiners, RN

**ALSO PRESENT:** Joanne V. Yandow, Legal Counsel to the Board, DPH  
Alfreda G. Gaither, Legal Counsel to the Board, DPH  
Kathleen Boulware, Public Health Services Manager, DPH  
Lavita Sookram, Nurse Consultant, DPH  
Pamela Pelletier-Stevens, Nurse Consultant, DPH  
Helen Centeno, Nurse Consultant, DPH  
Matthew Antonetti, Principal Attorney, OLRC, DPH  
Joelle Newton, Staff Attorney, OLRC, DPH  
Leslie Scoville, Staff Attorney, OLRC, DPH  
Ellen M. Shanley, Staff Attorney, OLRC, DPH  
Diane Wilan, Staff Attorney, OLRC, DPH  
Sara Dickson, Intern, PHHO, DPH  
Janice E. Wojick, Administrative Assistant, DPH  
Gail Gregoriades, Court Reporter

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

#### STUDENTS

Chair Bouffard welcomed students from Western CT State University, Porter and Chester – Rocky Hill Campus.

#### CHAIR UPDATES

Chair Bouffard will defer the updates to the NCSBN updates.

#### OPEN FORUM

There were no comments or concerns from the audience.

#### ADDITIONAL AGENDA ITEMS AND REORDERING OF AGENDA

There were no additional agenda items.

#### SCOPE OF PRACTICE: U.S. DOT – CAN CT RNS PERFORM PHYSICAL EXAMINATIONS FOR A COMMERCIAL DRIVER’S LICENSE?

Board Counsel Joanne V. Yandow apprised the Board of this request. The Board previously had received a request in 2014 questioning whether or not APRNs can perform physical examinations and testing for a Commercial Driver’s License (CDL). The Board had chosen to initiate a Declaratory Ruling Proceeding to issue a ruling on the above, without a public hearing, which was requested by the U.S. Department of Transportation. After review and discussion of the documents received from the U.S. Department of Transportation, it was the unanimous decision of the Board that APRNs are indeed qualified to perform physical examinations for commercial driver’s licenses.

Attorney Yandow reviewed the Board's options as written in the UAPA. The Board stated that this clearly is not within the Scope of Practice for a Registered Nurse. Geraldine Marrocco moved that the Board publish a Declaratory Ruling proceeding in the CT Law Journal regarding this scope of practice question. The motion was seconded by Mary Brown and passed unanimously.

#### SCOPE OF PRACTICE: DPH COMMISSIONER MULLEN'S LETTER RE: DECLARATORY RULING REQUEST

Board Counsel Joanne V. Yandow discussed Dr. Mullen's letter to Chair Bouffard which states that this letter serves to notify the BOEN that the decision rendered by the BOEN in this matter shall be a proposed decision and either Dr. Mullen, or her designee, shall render the final determination of the matter.

#### SCOPE OF PRACTICE: CORRESPONDENCE/STATISTICS ON INQUIRIES

Helen Centeno reviewed the inquiries regarding scope of practice issues received in the Board Office during the months of July and August, 2015.

APRN Scope of Practice-topics include: Arterial line placement, age levels for Geriatric practice, requirements for closing a private practice (CT Public Health Code [19a-14-44](#), Video conferencing (pending legislation), practice in medical spa, trigger point injections, peripheral nerve blocks and intercostal nerve blocks, chest tube insertion by flight nurses (not permitted). CSP required to practice? Refer to NPA & Decision-Making Model.

RN Scope of Practice-topics included: IV therapy in long term care setting, Med spa treatments, insertion of chest tubes by flight nurses, sharp wound debridement (BOEN minutes 2-95, non-viable tissue permitted), telephone orders from MD on school health records, start and end dates for medication orders (not regulated refer to institutional policy), specific parameters for PRN orders, performing vaginal speculum exam after a sexual assault (specific training required), practice in Med Spa, RNs employed below level of license (permitted). Refer to NPA and Decision Tree.

LPN Scope of Practice-must have APRN/RN supervisor; topics included: vaccine administration completing, practice providing med spa treatments (not allowed-CGS, Sec. 19a-903c). Refer to NPA & Decision Tree.

ULAP Scope of Practice questions regarding medical assistant's role in health care and medication administration.

Regarding nursing programs, where were many inquiries during both months regarding waiver requests, bringing students to the BOEN Meetings, questions regarding curriculum/student issues, and questions regarding five year studies.

There were also several requests for reinstatement information, RN/LPN Program statistics, several survey calls from the NCSBN.

#### 2015 LEGISLATIVE UPDATE

Kathleen Boulware stated that there was nothing new to report.

Ms. Boulware apprised the Board that all health care licensing fees will increase by \$5.00 which will go into a professional assistance program account to support the HAVEN Program to provide various services regarding rehabilitation, intervention, and education, etc, to impaired health care professionals.

Also, Ms. Boulware discussed the Bill 1502 – Budget Implementer Bill Subsection 489-490 – Reporting of Impaired Health Care Professionals. In the past this Bill was limited to physicians, physician assistants, and hospitals and has now been expanded for the mandatory reporting requirement to cover all licensed or permitted health care professionals.

## SCHOOL ISSUES – YALE SCHOOL OF NURSING – TRANSITION INTO DEANSHIP – INTERIM DEAN

Helen Centeno apprised the Board that on August 31, 2015 Margaret Grey stepped out of the position of Dean at the Yale School of Nursing to return to faculty. Ann Elizabeth Kruth, PhD, MSN, MPH, AB, will assume the deanship on January 1, 2016. In the interim, Holly Powell Kennedy, who is currently the Executive Deputy Dean, will serve as Interim Dean. Dr. Kennedy was present from the program to answer any questions or concerns of the Board.

Ellen Komar moved to accept Ms. Kennedy's credentials as meeting the qualifications specified in the Nursing Program Regulations. The motion was seconded by Mary Brown and passed with one abstention, Geraldine Marrocco. The Board congratulated Dr. Kennedy and wished her well. Dean Kruth will attend the Board's January 20, 2016 meeting to meet with the Board.

## SCHOOL ISSUES: SOUTHERN CT STATE UNIVERSITY – PERMANENT WAIVER REQUEST

Present from the program were Dr. Barbara Aronson and Dr. Cheryl Resha.

Helen Centeno apprised the Board that this permanent waiver request for Lisa Guerrieri was presented to the Board at their August 26, 2015 Board Meeting. The Board tabled the request until representation from the SCSU Nursing Program was in attendance to answer the Board's questions.

Geraldine Marrocco moved to grant the request for a permanent waiver as Ms. Guerrieri. The motion was seconded by Mary Brown and passed unanimously. Pamela Pelletier-Stevens reminded the program and Ms. Guerrieri can only be allowed to teach Community Health. If she teaches something other than Community Health, the program would first have to seek the Board's approval.

Again, the Board stated that Permanent Waivers are not portable to another institution. The candidate must apply for a permanent waiver at each institution.

## SCHOOL ISSUES: PORTER AND CHESTER INSTITUTE - CURRICULUM CHANGES

Patricia Donovan, LPN Program Director, was present to provide the Board with Porter and Chester's hour and curriculum changes for their LPN Program. The changes are based on feedback from students, faculty, graduates, employers and clinical practice partners, and members of their professional advisory committees. The changes will provide the students with a better educational experience as they progress through the program and meet the needs of the community as they move into practice.

The total proposed hour changes are 1,596 (from 1,565). The proposed increase of all didactic hours for the program is 48 (from 750 to 798) and the proposed decrease of all clinical hours for the program is 17 hours (from 815 to 798). The proposed hour changes meet the regulatory requirements.

Curriculum changes will occur in all four terms. The proposed date for the changes is January 2016 for the new enrollees at the Branford, Enfield, and Stratford campuses and April 2016 for Rocky Hill and Watertown campuses.

Students currently enrolled will continue with the present program which will be taught until July 2016 at the Branford, Enfield, and Stratford campuses, and until October 2016 for the Rocky Hill and Watertown campuses. The proposed curriculum changes may only impact a current student should they withdraw and re-enroll in the program once the changes are made.

Evaluation of the proposed changes include student retention statistics, student evaluation of each course, graduate evaluations, employer evaluations, and the NCLEX pass rate.

Mary Brown moved to approve the curriculum changes for the Porter and Chester Institute LPN Programs. The motion was seconded by Geraldine Marrocco and passed unanimously.

#### SCHOOL ISSUES: PORTER AND CHESTER INSTITUTE - STAFF CHANGES

Patricia Donovan apprised the Board that Karyn Therrien resigned as the Practical Nursing Program Education Supervisor of the Rocky Hill campus effective September 4, 2015. Ms. Donovan, who is currently covering the supervision of the Enfield Campus, as well as her duties as the Director of Practical Nursing, will now also be providing oversight to the Rocky Hill Campus also.

The Board expressed their concerns that the Director can just be spread so thin.

Ms. Donovan stated that Pamela Pelletier-Stevens was e-mailed a copy of the supervisor's resume that had been hired for the Enfield Program. This will be placed on the October 21, 2015 for Board approval.

#### SCHOOL ISSUES: SACRED HEART UNIVERSITY – CHANGE IN DESIGNATION FROM SCHOOL OF NURSING TO COLLEGE OF NURSING

Dr. Mary Alice Donius was present from the program to advise the Board that the SHU Board of Trustees had voted to elevate the School of Nursing within the College of Health Professions to the College of Nursing which became effective July 1, 2015. Dr. Mary Alice Donius will serve as Dean of the College. There will be no change in the programs offered. The Board congratulated Dr. Donius in her new role as Dean of the College of Nursing.

#### SCHOOL ISSUES: STONE ACADEMY – NEW PROGRAM DIRECTOR FOR LPN PROGRAMS

Helen Centeno apprised the Board that Stone Academy has proposed Karyn Therrien be named as the Program Manager and Director for the East Hartford Practical Nursing Program effective September 8, 2015. Ms. Therrien, along with Joseph Bierbaum, President & CEO of Stone Academy, were present to answer any questions that the Board may have. Ms. Therrien has taught at the undergraduate and graduate levels since 2006 and recently was the Nursing Education Supervisor for the Practical Nursing Program at Porter and Chester Institute in Rocky Hill. Ms. Therrien has acute care clinical experience in the areas of emergency care, transplant, certified childbirth educator, trauma/burn unit, and nurse manager.

Jennifer Long moved to approve the appointment of Karyn Therrien as Program Manager and Director of Stone Academy's East Hartford LPN Program. The motion was seconded by Geraldine Marrocco and passed unanimously. The Board wished Ms. Therrien well in this new venture. It was noted that the Program Manager has a wide scope of responsibility.

#### SCHOOL ISSUES: GOODWIN COLLEGE – NAME CHANGE – DEPARTMENT CHAIR

For the minutes: the Board received correspondence dated August 31, 2015 from the former Janice F. Costello, ADN Department Chair, that she recently married. The records will now reflect that Janice F. Watts as the Department Chair of the Goodwin College ADN Program. Ms. Watts has been with the program since January 2006. The Board congratulates Ms. Watts on her marriage announcement and wished her well.

#### NCSBN UPDATE

Kathleen Boulware, Mary Brown, and Jennifer Long attended the NCSBN Annual Delegate Assembly in Chicago the week of August 17<sup>th</sup>. The NCSBN pays all of the expenses for travel and food for all Board of Nursing attendees.

## NCSBN Annual Meeting in Chicago August 19-21, 2015

The NCSBN was founded March 15, 1978, as an independent not-for-profit organization. It was created to lessen the burdens of state governments and bring together boards of nursing (BONs) to act and counsel together on matters of common interest. NCSBN's membership is comprised of the BONs in the 50 states, the District of Columbia, and 4 U.S. territories — American Samoa, Guam, Northern Mariana Islands and the Virgin Islands. There are also 24 other associate members that are either nursing regulatory bodies or empowered regulatory authorities from other countries or territories.

NCSBN Member Boards protect the public by ensuring that licensed nurses provide safe and competent nursing care. These BONs regulate more than 4.5 million licensed nurses.

NCSBN's Mission: is to provide education, service and research through collaborative leadership to promote evidence-based regulatory excellence for patient safety and public protection.

All Reports and Speakers are available on NCSBN.org Website under News & Events; Past Events; Annual Meetings; *2015 Annual Meeting*.

President Shirley Brekken, MS, RN, stated that the work the NCSBN does is like the intertwining of visions of a kaleidoscope with one mission - to provide safe and quality health care to the public. Bittersweet news; Kathy Apple is retiring September 30, 2015 after tenure of 15 years. She will be greatly missed by all of nursing and especially her staff, nurse regulators and many others. Kathy Apple has transformed the NCSBN into a research oriented, technologically current and a support to all nurse regulators and all nurses through her leadership and vision. The Board of Directors has named David Benton, RGN, RMN, BSc, M Phil, PhD, FFNF, FRCN, to succeed retiring CEO Kathy Apple. Dr. Benton will assume duties as CEO of NCSBN on October 1, 2015. Dr. Benton is currently CEO of the International Council of Nurses (ICN), a post he has held since 2008. Immediately prior to that appointment, he served as an ICN consultant in nursing and health policy specializing in regulation, licensing and education. He has also served on the Editorial Advisory Board for the NCSBN Journal of Nursing Regulation since its launch in 2010. Dr. Benton has held senior leadership roles for more than 25 years across a range of organizations. He has worked as executive director of nursing at a health authority in London; as a senior civil servant in Northern and Yorkshire Region in England; as chief executive of a nurse regulatory body in Scotland; and as nurse director of a University Trust Health System.

### Some Highlights from this past year

- The NCLEX is now the entry exam for nurses in most of CANADA
- A Special Session of the Delegate Assembly was called in May 2015 to discuss the Nurse Compact. This is only the second time a special session has been called.
- ANCI the International Standards Organization has approved NCSBN extensive application to develop standards. Excellence in Regulation through standards was approved for NCSBN and the boards, CBC (Criminal Background Check) was accepted as an American Standard
- ORBS (Optimal Regulatory Board System): No cost to boards, web based. Training and implementation has begun with West Virginia LPN Board and Idaho Board of Nursing

### CEO Kathe Apple, MS, RN, FAAN

Introduced Staff and discussed New Videos: Adverse Events, Shared Responsibility New Nurses: Your License to Practice, Video Conferencing, and collaboration and knowledge sharing with associate members as well as Nursing Regulatory Organizations through the world.

## Election of Officers and Board Members, **Treasurer**

Joe Baker, Jr., Executive Director, Florida Board of Nursing, who served as director-at-large from 2012-2015. He previously served on the NCSBN Nursing Education Committee from 2011-2012. Mr. Baker has worked as the Executive Director for numerous regulatory boards since June 1995, both with the Florida Department of Business & Professional Regulation and the Florida Department of Health.

**Area I Director:** Suellyn Masek, MSN, RN, CNOR, Board Member, Washington State Nursing Care Quality Assurance Commission. She previously served on the NCSBN Leadership Succession Committee from 2011-2013.

**Area II Director:** Adrian Guerrero, CPM, director of operations, Kansas State Board of Nursing. He previously served as chair of the NURSYS Committee and a member of both the Fraud Detection Committee and the Nursys Advisory Panel.

**Area III Director:** Jim Cleghorn, MA, Executive Officer, Georgia Board of Nursing, was elected Area III Director after having been appointed in 2014 to fill that position. He was previously a member of the Commitment to Ongoing Regulatory Excellence (CORE) Committee from 2012 through 2014.

**Area IV Director:** Ellen Watson, MS, APRN, FNP-BC, Board Member, Vermont State Board of Nursing, she previously served on the NCSBN APRN and the NCSBN Leadership Academy Committees.

**Directors-at-Large:** Nathan Goldman, JD, Board Staff, Kentucky Board of Nursing, was re-elected for a second term as director-at-large. He previously served as the Chair of the NCSBN Bylaws and Model Act and Rules Committees.

Karen Scipio-Skinner, MSN, RN, Executive Officer, District of Columbia Board of Nursing. She previously chaired NCSBN's Executive Officers Network and served as member of NCSBN's Commitment to Ongoing Regulatory Excellence Committee and the Awards Committee.

NCSBN delegates also elected members of the **Leadership Succession Committee (LSC)**: Tony Graham, MS, CPM, Board Staff, North Carolina Board of Nursing re-elected; Tracy Rude, Commissioner, Washington State Nursing Care Quality Assurance Commission; and Jane Christianson, APRN, Board Member, North Dakota Board of Nursing.

**Finance Report:** Financially strong, continue to look for cost saving measures and continue to support the Mission and members.

**APRN Distance Learning Education Committee:** Develop regulatory guidelines for APRN distance education programs based on the regulatory guidelines for pre-licensure distance education programs.

**NCLEX Examination Committee:** Janice Hooper PhD, RN, FRE, CNE; Proposed 2016 NCLEX--RN® Test Plan. Overall format is retained. Minor edits for currency and clarification.

Addition of a new NCLEX Integrated Process: Culture and Spirituality–interaction of the nurse and the client (individual, family or group, including significant others and population) which recognizes and considers the client reported, self-identified unique and individual preferences to client care, the applicable standard of care and legal instructions.

Recommendations are based on: 2014 RN Practice Analysis, Expert Judgement, Feedback from Member Boards

## Resolution Voting:

- Adopt the revision to the NCSBN Model Practice Act and Rules – Approved.
- Proposed revision to the Distance Learning Education Committee - Withdrawn.
- Approve the Association of Registered Nurses Prince Edward Island as an Associate Member - Approved.
- Approve the Ordre des Infirmieres et Infirmiers du Quebec as an Associate Member of NCSBN – Approved.
- Approve the Registered Nurses Association of the Northwest Territories and Nunavut as an Associate Member of NCSBN – Approved.
- To explore development of a procedure and criteria for eligibility for full membership by a non-state or U.S. territory nursing regulatory body that uses a licensing examination developed by NCSBN – Approved.

Keynote Speaker: Professor Rhona Flin: Industrial Psychology Research Centre, University of Aberdeen. Safe in their Hands? Non-Technical Skills and Competence Assessment.

In safety-critical domains, clinical practitioners, such as nurses, need both technical and non-technical skills. The term non-technical skills comes from European aviation and they are defined as 'the cognitive, social and personal resource skills that complement technical skills, and contribute to safe and efficient task performance'. They are not new or mysterious skills but are essentially what the best practitioners do in order to achieve consistently high performance: the skills include situation awareness, decision-making, team work and leadership. We have been developing methods for training and assessing the non-technical skills of nurses and ODPs (operating department practitioners) who assist anesthetists (ANTS-AP), and assist surgeons (SPLINTS), as well as for surgeons (NOTSS) and anesthetists (ANTS). Applications are in process for other clinical specialists. In this presentation, Flin briefly outlined the non-technical skills approach, describe the tools for nurses and explained how this could become part of the demonstration for continuing competence.

Speaker: Doris C. Gundersen, MD PC - Medical Director, Colorado Physician Health Program Assistant Clinical Professor, Department of Psychiatry, University of Colorado - Marijuana: A Prescription for Trouble? *A must see video.*

Speaker: Polly Letofsky – On August 1, 1999, Polly Letofsky left her home in Vail, Colorado, and headed west. She traveled across 4 continents, 22 countries, and over 14,000 miles – by foot – to become the first woman to walk around the world.

As an awareness campaign for breast cancer, survivors and well-wishers around the world came to walk with her. Every day strangers welcomed her into their homes and shared meals. The world had embraced her. But in the middle of Polly's five-year journey, the world suddenly shifted on its axis when September 11<sup>th</sup> flung us all into a crossroads in world history. Polly suddenly found herself embedded in a vastly changing world and realized she could never retrace her steps home – they had vanished in a tide of world events.

Polly's Global Walk has been featured in over 2,000 newspapers, magazines, radio and television stations around the world, including Good Housekeeping, CNN International, The CBS Early Show, NBC's Your Total Health, and Fine Living Channel's Radical Sabbatical. Newcastle Productions has recently released Polly's Global Walk, a documentary chronicling her journey.

Polly's inspiring keynote personifies the spirit of commitment and perseverance that will compel your audience to take on life's biggest challenges – one-step at a time.

Shark Tank: Description - The NCSBN Regulatory Shark Tank gives hopeful nursing regulators from across the country the opportunity to receive invaluable feedback on their ideas, initiatives and regulatory processes. The regulation sharks are the leading experts in their fields and they are here to mentor and offer thoughtful dialogue on some of the most pressing issues in nursing regulation.

Vignettes of projects or research proposed by various State Board members:

1. Washington State Nursing Care Quality: Uniform Nursing Education Requirements
2. Arizona State Board of Nursing: CAP (Competency Assessment Pathway)
3. Nebraska Board of Nursing: SUD Risk Detector
4. Illinois Board of Nursing: Improving Your NCLEX Pass Rates
5. District of Columbia Board of Nursing: NCSBN Mobile Regulator
6. Texas Board of Nursing: High School RN Programs

#### MINUTES – AUGUST 26, 2015

The Board received the above minutes. Jennifer Long moved, which was seconded by Mary Brown, to approve the minutes as edited. The motion passed with one abstention, Ellen Komar.

#### MOTION FOR SUMMARY SUSPENSION – DORSEY SAUNDERS, LPN

OLRC Staff Attorney Ellen M. Shanley presented the Board with a Motion for Summary Suspension for Dorsey Saunders. Ms. Saunders was pro se at this meeting and stated that she had been in the HAVEN Program.

Ellen Komar moved to grant the Department's Motion for Summary Suspension. The motion was seconded by Mary Brown and passed unanimously. Chair Bouffard signed the Summary Suspension Order and the Notice of Hearing scheduling the hearing for October 21, 2015.

Ms. Saunders was served in hand by the Summary Suspension Order, Notice of Hearing, and Statement of Charges by Janice E. Wojick.

#### MOTION FOR SUMMARY SUSPENSION – LISA M. KUBA, LPN

OLRC Staff Attorney Ellen M. Shanley presented the Board with a Motion for Summary Suspension for Lisa M. Kuba. Ms. Kuba was not present and did not have representation at this meeting.

Jennifer Long moved to grant the Department's Motion for Summary Suspension. The motion was seconded by Geraldine Marrocco and passed unanimously. Chair Bouffard signed the Summary Suspension Order and the Notice of Hearing scheduling the hearing for October 21, 2015.

Break 10:00 AM – 10:25 AM

#### REINSTATEMENT CONSENT ORDER – RACHEL J. DeLaSOTA, RN

OLRC Staff Attorney Leslie Scoville presented the Board with a Reinstatement Consent Order for Rachel J. DeLaSota. Ms. DeLaSota was not present and did not have representation at this meeting. Jennifer Long moved to accept the Consent Order as written. The motion was seconded by Mary Brown and passed unanimously. Chair Bouffard signed the Order.

#### CONSENT ORDER – CINDY L. MAYHEW, RN

OLRC Staff Attorney Leslie Scoville presented the Board with a Consent Order for Cindy L. Mayhew. Ms. Mayhew was not present and did not have representation at this meeting. Mary Brown 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 – NATASHA S. FREIJE, RN

OLRC Staff Attorney Leslie Scoville presented the Board with a Consent Order for Natasha S. Freije. Ms. Freije was not present and did not have representation at this meeting. Jennifer Long moved to accept the Consent Order as written. The motion was seconded by Geraldine Marrocco and passed unanimously. Chair Bouffard signed the Order.

#### CONSENT ORDER – BETHANY CEJER, RN

OLRC Staff Attorney Ellen M. Shanley presented the Board with a Consent Order for Bethany Cejer. Ms. Cejer was not present and did not have representation at this meeting. Ellen Komar moved to accept the Consent Order as written. The motion was seconded by Geraldine Marrocco and failed as all were opposed.

#### CONSENT ORDER – SANIA BECKFORD, RN

OLRC Staff Attorney Ellen M. Shanley presented the Board with a Consent Order for Sania Beckford. Ms. Beckford was not present without representation at this meeting. Mary Brown moved to accept the Consent Order as written. The motion was seconded by Jennifer Long and passed unanimously. Chair Bouffard signed the Order.

#### HEARING – ARLENE DUMAIS, RN/APRN

OLRC Staff Attorney Joelle Newton was present representing the Department of Public Health. Ms. Dumais was not present and did not have representation. There was no testimony provided. Attorney Newton made an Oral Motion to Deem Allegations Admitted. Jennifer Long moved to grant the Motion, which was seconded by Mary Brown, and then passed unanimously.

Jennifer Long moved that Ms. Dumais be found as charged. The motion was seconded by Geraldine Marrocco and passed unanimously.

Jennifer Long moved that Ms. Dumais' license be revoked. The motion was seconded by Geraldine Marrocco and passed unanimously.

After the hearing was closed and Fact Finding was completed, Ms. Dumais stood up in the audience and requested to read her response to the charges. Ms. Dumais stated that she had stepped out of the room for a few minutes and when she returned the hearing had already taken place. Board Counsel informed Ms. Dumais that the hearing was closed.

#### HEARING – MICHAEL TELLA, RN

OLRC Staff Attorney Diane Wilan was present representing the Department of Public Health. Mr. Tella was not present and did not have representation at this hearing. OLRC Attorney Wilan made an Oral Motion to Deem Allegations Admitted. Ellen Komar moved to grant the Motion to Deem which was seconded by Jennifer Long and passed unanimously. There was no testimony provided.

Ellen Komar moved that Mr. Tella be found as charged. The motion was seconded by Jennifer Long and passed unanimously.

Ellen Komar moved that due to the fact that Mr. Tella did not attend the hearing and did not file an answer to the Statement of Charges, and the evidence provided by the Department, that his license be revoked. The motion was seconded by Jennifer Long and passed unanimously.

#### HEARING – REBECCA PEPE, RN

OLRC Staff Attorney Diane Wilan was present representing the Department of Public Health. Ms. Pepe was present with counsel, Attorney Richard Brown. Geraldine Marrocco left at noon as the Department was entering exhibits into the record. Mary Brown moved that the Board go into Executive Session to discuss Ms. Pepe's Medical Records at 12:20 PM. The motion was seconded by Ellen Komar and the room was cleared of all visitors. Testimony was provided by Lavita Sookram of the DPH Monitoring Unit and also by Ms. Pepe. Closing remarks were also done in Executive Session. Mary Brown moved at 1:25 PM that the Board end the Executive Session. The motion was seconded by Jennifer Long and passed unanimously. The Board moved back into Public Session and visitors were invited back into the hearing.

Due to lack of a quorum, the Fact Finding on this case will take place at the Board's October 21<sup>st</sup> Meeting.

Lunch Recess 1:25 PM – 2:05 PM

HEARING – PRESLEY EZE, LPN

OLRC Staff Attorney Joelle Newton was present representing the Department of Public Health. Mr. Eze was present with counsel, Attorney Richard Brown. Testimony was provided by Mr. Eze.

The Department and Respondent's counsel requested a short break to discuss the possibility of a Consent Order. During this time Board Member Mary Brown spoke with the students.

When Attorneys Joelle Newton and Richard Brown returned they stated they were unable to reach an agreement as the Department wanted the key restriction language added into the Consent Order. Respondent's counsel objected as the allegations were in 2011 through 2013. Mr. Eze has been working in Massachusetts without any restrictions. At this point Jennifer Long moved that the Board go into Executive Session to discuss Mr. Eze's medical records. The motion was seconded by Ellen Komar and passed unanimously. The room was cleared of all observers. The record closed at 4:30 PM. After a very brief discussion, Mary Brown moved that the Board move out of Executive Session and back into Public Session. The motion was seconded by Jennifer Long and passed unanimously. Due to the fact that the Board had lost its' quorum, The Fact Finding in this case will take place at the Board's October 21<sup>st</sup> Meeting.

ADJOURNMENT

It was the unanimous decision of the Board Members present to adjourn this meeting at 4:30 PM.

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