

The **Board of Examiners for Nursing** held a meeting on December 21, 2016 at the Legislative Office Building, Room 1-D, 300 Capitol Avenue, Hartford, Connecticut.

BOARD MEMBERS PRESENT: Patricia C. Bouffard, RN, Chair
Mary M. Brown, RN
Mary Dietmann, RN
Lisa S. Freeman, Public Member
Jennifer Long, APRN

BOARD MEMBERS ABSENT: Geraldine Marrocco, RN
Gina M. Reiners, RN

ALSO PRESENT: Stacy Schulman, Legal Counsel to the Board, DPH
Kathleen Boulware, Public Health Services Manager, DPH
Pamela Pelletier-Stevens, Nurse Consultant, DPH
Helen Smith, Nurse Consultant, DPH
Brittany Allen, Staff Attorney, DPH
Linda Fazzina, Staff Attorney, DPH
Joelle Newton, Staff Attorney, DPH
Leslie Scoville, Staff Attorney, DPH
Diane Wilan, Staff Attorney, DPH
Jeffrey A. Kardys, Administrative Hearings Specialist, DPH
Gail Gregoriades, Court Reporter

Chair Patricia Bouffard called the meeting to order at 8:33 a.m.

Students from the Porter & Chester Institute Rocky Hill Campus were welcomed.

CHAIR UPDATES

Chair Bouffard stated that effective immediately, no additions to the agenda, other than Motions for Summary Suspension, will be accepted after the Friday before a scheduled meeting.

OPEN FORUM

Nothing to report

ADDITIONAL AGENDA ITEMS AND REORDERING OF AGENDA

Mary Brown made a motion, seconded by Lisa Freeman, that a presentation of a Summary Suspension motion in the matter of Jennifer McArdle, RN be added to the agenda. The motion passed unanimously.

The hearing in the matter of Dawn Noyce was continued to a future date.

NATIONAL COUNCIL STATE BOARDS OF NURSING UPDATE

Nothing to report

SCHOOL ISSUES

Lincoln Technical Institute – 5 year Study

Rosemarie Baker and Patti DeLucia were present from Lincoln Technical Institute. Pamela Pelletier, Nurse Consultant, DPH provided an overview of the study.

Mary Brown made a motion, seconded by Mary Dietmann, to approve Lincoln Technical Institute's five year study. The motion passed unanimously.

Western Connecticut State University - Waiver Requests

Western Connecticut State University is requesting a temporary waivers for Evelyn Baron, RN, BSN and Pedro Rodrigues, RN, BSN. Joan Palladino was present from Western Connecticut State University. Helen Smith, Nurse Consultant, DPH provided an overview of the requests. Mary Dietmann moved to grant a one year temporary waiver for Evelyn Baron, RN, BSN. The motion was seconded by Lisa Freeman and passed unanimously. Jennifer Long moved to grant a one year temporary waiver for Pedro Rodrigues, RN, BSN. The motion was seconded by Mary Brown and passed unanimously.

University of Saint Joseph - Waiver Requests

University of St. Joseph is requesting temporary waivers for Shelia Garilli, RN BSN and Lindsey Downing, RN BSN. Kathy Conway was present from the University of Saint Joseph. Helen Smith, Nurse Consultant, DPH provided an overview of the requests. Mary Dietmann moved to grant a one year temporary waiver for Shelia Garilli, RN BSN. The motion was seconded by Jennifer Long and passed unanimously. Jennifer Long moved to grant a one year temporary waiver for Lindsey Downing, RN BSN. The motion was seconded by Lisa Freeman and passed unanimously.

SCOPE OF PRACTICE

Helen Smith, Nurse Consultant, DPH provided a summary of nursing scope of practice inquiries received by the Department of Public Health in November 2016.

MEMORANDA OF DECISION

Adam Burr, LPN – Petition No. 2016-233

Jennifer Long moved to affirm the Board’s prior decision that Mr. Burr’s license be revoked. The motion was seconded by Mary Brown and passed unanimously. Chair Bouffard signed the Order.

Enid Gonzalez, RN – Petition No. 2015-254

Jennifer Long moved to affirm the Board’s prior decision that Ms. Gonzalez’s license be revoked. The motion was seconded by Mary Dietmann and passed unanimously. Chair Bouffard signed the Order.

Michelle Murphy, RN – Petition No. 2016-1012

Jennifer Long moved to affirm the Board’s prior decision that Ms. Murphy’s license be revoked. The motion was seconded by Lisa Freeman and passed unanimously. Chair Bouffard signed the Order.

MOTION FOR SUMMARY SUSPENSION

Mary Field, RN - Petition No. 2016-1387

Staff Attorney Leslie Scoville presented the Board with a Motion for Summary Suspension for Mary Field. Ms. Field was not present and was not represented by counsel. Jennifer Long moved to grant the Department’s Motion for Summary Suspension in that respondent’s continued practice as a nurse is a clear and immediate danger to public health, safety and welfare. The motion was seconded by Mary Dietmann and passed unanimously. Chair Bouffard signed the Summary Suspension Order. A hearing is scheduled for January 18, 2017.

Hester Munyon, RN - Petition No. 2016-1382

Staff Attorney Brittany Allen presented the Board with a Motion for Summary Suspension for Hester Munyon. Ms. Munyon was not present and was not represented by counsel. Jennifer Long moved to grant the Department’s Motion for Summary Suspension in that respondent’s continued practice as a nurse is a clear and immediate danger to public health, safety and welfare. The motion was seconded by Mary Dietmann and passed unanimously.

Chair Bouffard signed the Summary Suspension Order. A hearing is scheduled for January 18, 2017.

Jennifer McArdle, RN- Petition No. 2016-584

Staff Attorney Linda Fazzina presented the Board with a Motion for Summary Suspension for Jennifer McArdle. Ms. McArdle was not present and was not represented by counsel. Jennifer Long moved to grant the Department's Motion for Summary Suspension in that respondent's continued practice as a nurse is a clear and immediate danger to public health, safety and welfare. The motion was seconded by Mary Dietmann and passed unanimously. Chair Bouffard signed the Summary Suspension Order. A hearing is scheduled for January 18, 2017.

PRE-HEARING REVIEW

Juliet Clifford, RN - Petition No. 2016-380

Staff Attorney Linda Fazzina presented the Board with a pre-hearing review packet in the matter of Juliet Clifford, RN. Ms. Clifford was not present and was not represented. The Board initially discussed a recommendation for a period of probation of two or three years with completion of an ethics course and a provision for no employment in a home care setting. Upon further discussion the Board recommended that this matter be scheduled for a hearing.

CONSENT ORDER

Cherry Cuizon, RN - Petition No. 2016-708

Staff Attorney Joelle Newton presented the Board with a Consent Order for Cherry Cuizon. Ms. Cuizon was present but was not represented by counsel. Mary Brown moved and Jennifer Long seconded, to approve the Consent Order as written. Following discussion, the motion to approve failed unanimously.

Mary Brown moved and Mary Dietmann seconded, to modify the Consent Order with the addition of a requirement for completion of an ethics course. The motion passed unanimously. Chari Bouffard signed the Order.

LICENSE REINSTATEMENT REQUEST

Nicole Santo, LPN

Kathleen Boulware, Public Health Services Manager, DPH presented a license reinstatement request for Nicole Santo, LPN. Ms. Santo's license was placed on probation for four years pursuant to a Memorandum of Decision dated March 5, 2014.

The Board recommended that Ms. Santo's license be reinstated to probation pursuant to the terms of the March 2014 Memorandum of Decision beginning with the third year.

Lisa Freeman was absent from the meeting from 10:30 a.m. until 11:20 a.m.

HEARINGS

Christina Mahner, LPN - Petition No. 2016-1362

Staff Attorney Diane Wilan was present for the Department of Public Health. Respondent was present but was not present by counsel.

Jennifer Long moved and Mary Brown seconded, to enter executive session to obtain testimony from respondent regarding confidential medical/treatment records. The motion passed unanimously and the Board entered executive session from 11:10 a.m. until 11:20 a.m. No motions were made and no votes were taken during executive session.

Following close of the hearing the Board conducted fact-finding.

Mary Brown moved and Mary Dietmann seconded, that Ms. Mahner be found as charged. The motion passed unanimously.

Mary Brown moved and Mary Dietmann seconded, to issue an Order revoking Ms. Mahner's license. The motion passed unanimously.

Lori Riley, RN - Petition No. 2015-1518

Staff Attorney Diane Wilan was present for the Department of Public Health. Respondent was present but was not represented by counsel.

Jennifer Long moved and Mary Brown seconded to enter executive session to obtain testimony from respondent regarding confidential medical/treatment records. The motion passed unanimously and the Board entered executive session from 12:25 p.m. until 12:55 p.m. No motions were made and no votes were taken during executive session.

Mary Brown left for the day at 12:25 p.m.

Following close of the hearing the Board conducted fact-finding.

Mary Dietmann moved and Jennifer Long seconded that respondent be found as charged.

Following discussion the motion failed unanimously.

Mary Dietmann moved and Jennifer Long seconded that respondent be found on paragraphs 1, 2, 3a, 4, and 5 of the Charges and not found on paragraph 3b. Following discussion Mary Dietmann voted in favor of the motion. Chair Bouffard, Jennifer Long and Lisa Freeman were opposed.

Jennifer Long moved and Mary Dietmann seconded that respondent be found on paragraphs 1, 2, 3a, and 5, as it pertains to 2014 only, and not found on paragraphs 3b and 4. The motion passed unanimously.

Jennifer Long moved and Mary Dietmann seconded, to issue an Order placing Ms. Riley's license. On probation for a period of two years with twice monthly drug screens, monthly employer and therapist reports, a no narcotic key restriction for six months and no employment in a home care setting. The motion passed unanimously.

Jennifer Long moved and Mary Dietmann seconded that the Summary Suspension of Ms. Riley's license, ordered on November 16, 2016, be vacated immediately. The motion passed unanimously.

Lunch – 1:20 p.m. to 2:00 p.m.

Alycia Witzman, RN - Petition No. 2015-495

Staff Attorney Joelle was present for the Department of Public Health. Respondent was present with Attorney John Androski.

Lisa Freeman moved and Mary Dietmann seconded, to enter executive session to obtain testimony from respondent regarding confidential medical/treatment records. The motion passed unanimously and the Board entered executive session from 3:25 p.m. until 3:58 p.m. No motions were made and no votes were taken during executive session.

Following close of the hearing the Board conducted fact-finding.

Mary Dietmann moved and Lisa Freeman seconded that respondent be found for paragraph 1 of the Charges and not found on paragraphs 2, 3 and 4.

Mary Dietmann moved and Lisa Freeman seconded, to issue an Order dismissing the charges against respondent. The motion passed unanimously.

Jennifer Long moved and Mary Dietmann seconded that the Summary Suspension of Ms. Riley's license, ordered on October 21, 2015, be vacated immediately. The motion passed unanimously.

Judith Cullen, RN - Petition No. 2016-1160 (Reinstatement)

Staff Attorney Joelle Newton was present for the Department of Public Health. Petitioner was present but was not present by counsel.

Following close of the hearing the Board conducted fact-finding.

Jennifer Long moved and Lisa Freeman seconded that Ms. Cullen's license be reinstated. The motion passed unanimously.

Jennifer Long moved and Lisa Freeman seconded that as condition of reinstatement Ms. Cullen must complete a registered nurse refresher program and must pass the NCLEX examination after which her license will be on probation for a period of four years with drug screens, therapy and employer reports and a key restriction. In addition, Ms. Cullen must attend a 12 step program at least eight times a month and must engage in group or individual therapy at least once a month. The motion passed unanimously.

ADJOURNMENT

It was the unanimous decision of the Board Members present to adjourn this meeting at 4:45 p.m.

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