

The following minutes are draft minutes which are subject to revision and which have not yet been adopted by the Board.

The **Board of Examiners for Nursing** held a meeting on February 15, 2023, via Microsoft TEAMS.

BOARD MEMBERS PRESENT: Patricia C. Bouffard, RN, D.N.Sc. - (RN Member, Chair)
Gina Reiners, PhD, APRN, PMHNP, PMHCNS - (RN Member)
Jason Blando - (Public Member)
Mary E. Dietmann, EdD, APRN, ACNS-BC, CNE - (RN Member)
Lisa S. Freeman, BA - (Public Member)
Rebecca Martinez, LPN – (LPN Member)
Jennifer C. Long, APRN, MSN, NNP-BC - (APRN Member)
Geraldine Marrocco, Ed.D., APRN, ANP-BC, FAANP - (RN Member)

BOARD MEMBERS ABSENT: Cynthia L. Arpin, RN, MSN – (RN Member)

ALSO PRESENT: Dana Dalton, RN, Supervising Nurse Consultant, DPH
Helen Smith, RN, Nurse Consultant, DPH
Sean Seepersed, OHE
Stacy Schulman, Staff Attorney, Board Counsel
Daniel Shapiro, Section Chief, OAG
Cynthia Mahon, OAG
Dianne Bertuccio, Interim Board Liaison, DPH
Aden Baume, Staff Attorney, DPH

The meeting commenced at 8:30 a.m. All participants were present via Microsoft TEAMS.

Chair Updates

Nothing to report.

Additional Agenda Items and Reordering of Agenda

There was a revision to the agenda to add a revocation MOD for Rebecca Berlepsch, LPN, which was revised to identify correctly the Department’s staff attorney assigned to this matter.

Gina Reiners made a motion to approve the agenda as revised, Lisa Freeman seconded the motion. The motion passed unanimously.

Open Forum

No reports.

National Council of State Boards of Nursing – Update

Chair Bouffard reported that she attended the January 24, 2023, meeting for Partners in Nursing. She discussed the tentative APRN compact with Wyoming and Maryland. Mary Dietmann reported on the Education call. One of the main issues was telehealth. Geri Marrocco reported on public practice in a health arena and noted that subject related articles will be integrated into the APRN curriculum.

THE CONNECTICUT CENTER FOR NURSING WORKFORCE, INC – Monthly Update

Linda Wagner, co-chair for Deans and Directors, was present but had no report. Marcia Proto, Director of the Center for Nursing Workforce reported that the state is conducting a survey of all practical nurses and registered nurses. Geri Marrocco asked how the state will locate and/or monitor the 7600 “nurses” from Florida who purportedly received fraudulent licenses. Dana Dalton stated that there are some in CT who are under investigation.

SCHOOL ISSUES

Porter & Chester

Attorney Joan Feldman, Carol Cournoyer, Dr. Vicki Kane and Lauren Kuzara appeared on behalf of Porter & Chester Institute. Helen Smith gave detailed reports regarding the Department's inspections of the Enfield and Hamden campuses on January 11, 2023, and January 27, 2023, respectively. Sean Seepersad, OHE, reported that the inspections of the campuses were the Departments' response to student complaints about the conditions of the Enfield campus.

Helen Smith cited the school for numerous violations, including but not limited to unsecured student records, incomplete material safety data sheets ("MSDS"), unsecured bins of sharps, use of out-of-date materials and no pediatric or maternal childcare experiences provided for the students.

Dr. Vicki Kane responded that she and Sherry Griffsue provided an oral response to the Department concerning the violations Helen Smith cited. She also stated that a written report of the remediation measures that were taken immediately will be provided to the Department and that they have instituted the proper use of the MSDS forms and have discarded out-of-date materials. She also reported that the next generation of the NCLEX materials are being incorporated in the school's curriculum.

Mary Dietmann moved to accept Helen Smith's report regarding Porter & Chester. Rebecca Martinez seconded the motion. The motion passed unanimously.

Stone Academy – Improvement Initiatives

Helen Smith reported that since the January 2023 visit, the school had revised its student attendance policies, hired more clinical instructors and a professional education recruiter.

Stone Academy – Leadership Transition

Helen Smith reported that the school hired Edward Roberts on January 17, 2023, as president and CEO.

Yale School of Nursing—Appointment of Interim Dean

Helen Smith reported that the Yale School of Nursing submitted a request to the Department to approve Dr. Holly Powell Kennedy's appointment as the interim dean. Helen Smith reported all required documentation was provided with this request. Gina Reiners made a motion to approve the appointment of Dr. Powell Kennedy as interim dean of the school of nursing and Lisa Freeman seconded the motion. Jason Blando, Geri Marrocco and Rebecca Martinez abstained. The motion passed unanimously.

Stone Academy – School Closure

Dr. Erin Walton and Dr. Pervis appeared on behalf of Stone Academy. They reported that they received notice of the unexpected school closure on February 14, 2023, the same date as everyone else. They also received layoff notices. Chair Bouffard reported that the Board also received on February 14, 2023 a notice of the school's intention to close. Sean Seepersad, OHE, reported on the status of this intended closure and anticipated next steps. There was a compliance conference held in January 2023. No prior warning of closure plans.

For the next steps, Sean Seepersad, OHE, reported the following: an audit of student records is required to determine their status, credits, etc. A student fair will be held with other nursing school programs to explore available opportunities for students in the PN program. OHE will be working with DPH regarding the school's closure date and the adverse impact of the same on graduating students. Currently, there are only three PN

programs in CT: Lincoln Tech that has a different protocol than Stone Academy; Griffin that is just starting its program and Porter & Chester, which has its own issues.

Dr. Pervis stated that he has answered 150+ phone calls from concerned students. He believes that more than 800 students have been affected by this closure. Dr. Walton stated that layoffs will be effective at the end of February. Many students called into the meeting to express concerns about the school's sudden closure. Many discussed the revolving door of faculty members, fraudulent conditions/conduct encouraged by administrators, having clinicals on computers, concerns that their clinical hours will not count towards their graduation requirements, whether they should continue to attend classes, concerns about the exit exam schedule, if any, etc. Dr. Pervis empathized with the students, especially with those who may not be graduating as anticipated and the history of low pass rates for the NCLEX exams due to lack of preparation and quality course work.

Board members were also empathetic with the students' concerns, especially the financial and personal impact of this closure on the students' families, debt obligations, employment opportunities, etc. Section Chief AAG Dan Shapiro assured them that the AGO office has been working with OHE for the past two weeks trying to get the audit that was requested and are making efforts to protect the students' interests.

MEMORANDUM OF DECISION

Rebecca S. Berlepsch, LPN

Petition No. 2021-946

Gina Reiners moved to affirm the MOD for revocation as presented to the Board. Jennifer Long seconded the motion. The motion passed unanimously.

Sabrina Ernest, RN

Petition No. 2022-611

Jennifer Long moved to affirm the MOD for revocation as presented to the Board. Gina Reiners seconded the motion, which passed unanimously.

Susan Fellows, LPN

Petition No. 2021-700

Jennifer Long moved to affirm the MOD as presented, which places a reprimand on the license and orders Respondent to take and pass an ethics course. Gina Reiners and Lisa Freeman seconded the motion, which passed unanimously.

Portia Hamilton, a/k/a Portia Dayon, RN

Petition No. 2022-447

Geri Marrocco moved to affirm the MOD for revocation as presented to the Board. Jennifer Long seconded the motion, which passed unanimously.

Maureen Hurley, RN

Petition No. 2019-732

Jennifer Long moved to affirm the MOD for revocation as presented to the Board. Mary Dietmann seconded the motion which passed unanimously.

MOTION FOR SUMMARY SUSPENSION

Melissa Marti, LPN

Petition No. 2022-853

Staff Attorney Joelle Newton

Staff Attorney Joelle Newton presented the Board with a Motion for Summary Suspension for Melissa Marti. Respondent was not present, and was not represented.

Gina Reichers moved to grant the Department’s Motion for Summary Suspension in that Respondent’s continued practice as a nurse and her alleged misappropriation of a patient’s funds is a clear and immediate danger to public health, safety, and welfare. Mary Dietmann seconded the motion, which passed unanimously.

A hearing will be scheduled for March 15, 2023.

CONSENT ORDERS

Jose Fiestas, RN

Petition No. 2022-205

Staff Attorney Linda Fazzina

Staff Attorney Linda Fazzina presented a Consent Order in this matter. Respondent was not present, and was not represented.

Jennifer Long made a motion, seconded by Gina Reiners, to approve the Consent Order which imposes a reprimand, a \$2,000 civil penalty and a probationary period of 1 year with conditions, including coursework on clinical thinking. The motion passed unanimously.

Jonathan Rodriguez, RN

Petition No. 2022-589

Staff Attorney Joelle Newton

Staff Attorney Joelle Newton presented a Consent Order in this matter. Respondent was not present and was not represented by counsel.

Jennifer Long moved to approve the Consent Order as presented (a 4-year probation with conditions). Gina Reiners seconded the motion which passed unanimously.

Charles Wetmore, RN, APRN

Petition Nos. 2019-828, 2022-1139

Staff Attorney Craig Sullivan

Staff Attorney Craig Sullivan presented a Consent Order in this matter. Respondent was not present but has counsel who was not available for this meeting.

Geri Marrocco questioned the appropriateness of the Consent Order. Attorney Craig Sullivan responded that a complaint against Respondent was filed and investigated by an independent consultant. The outcome of the same was the Consent Order to which he and his counsel had agreed. After some intense discussion about whether such a Consent Order should have been presented to the Board in the first place, Jennifer Long moved to approve the Consent Order as presented. Mary Dietmann seconded the motion. The motion was opposed/rejected unanimously and the Consent Order was not approved.

HEARINGS

Brandon Pervis, RN, APRN

Petition Nos. 2019-950, 2022-353

Staff Attorney Linda Fazzina

Respondent was present and was represented by counsel, Attorney Ellen Costello. Attorney Linda Fazzina represented the Department. After opening statements, Mary Dietmann moved and Rebecca Martinez seconded the motion to go into Executive Session.

No longer in Executive Session, the parties resumed the hearing for the public. No votes were taken in the Executive Session, but closing statements were made in the session to protect the confidentiality of the parties.

During the fact finding, Gina Reiners recommended that the Board find for the allegations in paragraph # 1, but not #2 of the Charges and moved to dismiss the Charges. Jennifer Long seconded the motion to dismiss the Charges. Lisa Freeman expressed concern about the HIPAA violations and Respondent's failure to protect the accessibility of his patient records through established protocols.

Subsequently, both Mary Freeman and Jennifer Long stated that the Department met its burden of proof regarding the allegations in paragraph #2b (HIPAA violations), but not #2a or #2c. After this discussion, the Board voted not to dismiss the Charges. Rather, Mary Freeman made a motion to impose a \$2,000 civil penalty on Respondent's license based on the violation of CGS § 20-99b(2). Gina Reiners seconded the motion and it passed unanimously.

Sarah Zoni, RN

Petition No. 2022-1282

Staff Attorney Linda Fazzina

Respondent was not present and was not represented by counsel. Attorney Linda Fazzina represented the Department. There was no Answer filed in the record. Mary Dietmann moved and Jennifer Long seconded the Department's Motion to Deem Allegations admitted. The motion passed unanimously.

Mary Dietmann moved and Jennifer Long seconded to revoke Respondent's license for violations of her Consent Order. The motion passed unanimously for revocation.

ADJOURNMENT

Mary Dietmann moved and Lisa Freeman seconded to adjourn the meeting at approximately 4:30 pm. The motion passed unanimously.

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