

The **Board of Examiners for Nursing** held a meeting on March 7, 2012 at the Department of Public Health Complex, Room 470-C, 410 Capitol Avenue, Hartford, Connecticut.

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

**BOARD MEMBERS ABSENT:** None

**ALSO PRESENT:** Joanne V. Yandow, Counsel to the Board, DPH  
Alfreda G. Gaither, 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  
Leslie Scoville, Staff Attorney, Legal Office, DPH  
David Tilles, Staff Attorney, Legal Office, DPH  
Janice E. Wojick, Administrative Assistant, DPH

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Chair Patricia Bouffard called the meeting to order at 8:34 AM.

#### STUDENTS

Chair Bouffard welcomed students from the University of Hartford. Also attending the meeting were newly hired investigation and facility staff practitioners who recently joined the Bureau of Health Care Quality and Safety at the Department of Public Health.

Chair Bouffard and Diane Cybulski would provide the students and the DPH staff practitioners with an overview of the Board's responsibilities, jurisdiction, and nursing education programs at some point during today's meeting.

#### CHAIR UPDATES

- Chair Bouffard and Jennifer Long will be attending the NCSBN Mid Year Meeting in Chicago next week
- CT Nursing Collaborative approved Robert Wood Johnson foundation in cooperation with AARP
- Chair Bouffard recently did a presentation on the Role of the Board

#### OPEN FORUM

There were no questions or comments from the audience.

#### ADDITIONAL AGENDA ITEMS AND REORDERING OF AGENDA

The revised agenda was provided to Board Members this morning.

## LEGISLATIVE UPDATE

SB186 AAC the licensing, investigation and disciplinary processes for physicians and nurses will have a public hearing on Wednesday, March 7<sup>th</sup> at 10:00 AM. This bill would increase the membership of the CT Medical Examining Board to 21 members, increase the number of continuing medical education credits for physicians, require renewal of physician, nurse, and dentist licenses using the Department of Public Health's on-line license renewal system, and change the composition of the CT Board of Examiners for Nursing. On-line renewal will be a great asset in collecting data information.

SB177 AAC the liability of nursing home owners of neglect and abuse of nursing home residents

SB182 AAC cooperative health care arrangements

SB189 AAC notice of the DPH and Education regarding the immunization of school children

Governor's Bill #30 – Section 14 – home health care aides administering medications

## SCHOOL ISSUES

### PORTER AND CHESTER INSTITUTE – CHANGE IN ADMINISTRATION

Pam Pelletier provided the Board with an update on this issue. At the February 1, 2012 Board Meeting the Board denied the request for Amber Irimia to be the designated site supervisor for the Enfield Campus. Based on the documentation presented, the Board felt that Ms. Irimia lacked sufficient experience and requested additional information. The Board reviewed the request at their February 15, 2012 meeting and requested additional information regarding Ms. Irimia's teaching experience and requested that she appear before the Board to address their concerns.

Mary Brown moved, seconded by Jennifer Long, to approve Ms. Irimia as Site supervisor for the Enfield Porter and Chester Institute's LPN Program with the following stipulations:

- Ms. Irimia must report back to the Board in one year with evaluations regarding her job performance as Site Supervisor. She must complete a leadership course prior to returning to the Board in March 2013.
- The Administrator will be responsible for ensuring that Ms. Irimia receives mentoring in her new position.
- It is the Board's understanding that the LPN site supervisor position encompasses the daily operation of the program at each location. Therefore, the site supervisor position should have no more than 10-15% classroom teaching and no clinical assignments as part of their duties. The Board also requested that Ms. Irimia submit to the Board the job description for the site supervisor. The motion passed unanimously.

### ROBERT WOOD JOHNSON – AARP COLLABORATION

Carol Bergeron of the CT Nurses' Association updated the Board on the Robert Wood Johnson AARP Collaboration Report in 2010 regarding education, leadership, and data collection.

### GATEWAY COMMUNITY COLLEGE – LETTER OF INTENT TO RELOCATE CAMPUS

The Board Office received correspondence from Sheila Solernou, Director of Nursing at Gateway Community College, advising the Board that the Nursing Division will be relocating to their new downtown campus in New Haven this summer. Pam Pelletier is tentatively scheduled to survey the new campus in August to ensure that the facility is ready for students in the fall semester and will present that report to the Board at their September 5, 2012 meeting.

#### A.I. PRINCE LPN PROGRAM – APPOINTMENT OF NEW DEPARTMENT HEAD

Pam Pelletier apprised the Board that Patricia Simmons was appointed as Department Head of the A. I. Prince LPN Program in October 2011 to fill the vacancy of the former Department Head, Donna O'Brien, who had retired. The Board Office was notified of this change on February 8, 2012. Upon review of Ms. Simmons' CV, it was discovered that she had been grandfathered into a faculty position and does not meet the regulatory requirements to hold a Department Head position. Ms. Pelletier forwarded a letter to Patricia Fennessy, Educational Consultant for the CT Technical High School LPN Programs, informing her of the regulatory requirements to hold such position and requested a corrective action plan. This was received and forwarded to the Board on February 27, 2012 for review at their March 7, 2012 Board Meeting. Ann Simko, the current Department Head for the Eli Whitney LPN Program, has been appointed the Interim Department Head for the A. I. Prince LPN Program in addition to her duties at the Eli Whitney Program. Patricia Fennessy, who was present at today's meeting, assured the Board that Ms. Simko will not have any teaching and/or clinical responsibilities at either campus until a replacement has been hired. Maria Pietrantuono moved, seconded by Heidi Darling, to place the program on Conditional Approval until the April 4, 2012 meeting. The motion passed unanimously. The Board requested that they be notified immediately when a qualified replacement for Ms. Simmons has been appointed.

#### SAINT JOSEPH COLLEGE – CHANGE IN ADMINISTRATION

Pam Pelletier apprised the Board that Dr. Joyce Fontana, Chairperson of the Division of Nursing at Saint Joseph College, has been out on medical leave since November, 2011 and plans on returning as a faculty member and that Pamela Aselton, PhD, FNP, was approved by the Commission on Collegiate Nursing Education in November as Interim Chair of the Nursing Department. Dr. Aselton was not aware that it was necessary to notify the Board and seek approval of her appointment to this position. Dr. Fontana has decided to return as a faculty member. The college is presently undergoing a search for an Associate Dean/Chair of Nursing. Dr. Aselton, nor anyone else from the program, was not present for today's discussion. Jennifer Long moved and Mary Brown seconded to approve Dr. Aselton as Interim Chair effective 2011. The motion passed unanimously. The Board did voice their concern that Saint Joseph College did not provide timely notification of Dr. Aselton's appointment as required in the Regulations of Connecticut State Agencies, Section 20-90-47(f). Chair Bouffard stated that any additional violations regarding failure to notify the Board of the appointment of a new and/or Interim Chair of Nursing will result in the nursing program being placed on conditional status.

#### CORRESPONDENCE/STATISTICS ON INQUIRIES

Pam Pelletier reviewed with the Board calls received in the Board Office during the month of January 2012. It was a busy month responding to calls from the Nursing Programs.

#### NATIONAL COUNCIL OF STATE BOARDS OF NURSING UPDATE

The NCSBN is investigating how to bring new leaders into the organization once they are no longer a Board Member.

#### APPROVAL OF MINUTES

##### OCTOBER 5, 2011

The Board reviewed the October 5, 2011 minutes. Maria Pietrantuono moved, Jeffrey Marvin seconded, that the minutes be accepted as written. The motion passed with one abstention, Heidi Darling.

OCTOBER 19, 2011

The Board reviewed the October 19, 2011 minutes. Maria Pietrantuono moved, Jeffrey Marvin seconded, that the minutes be accepted as written. The motion passed with one abstention, Heidi Darling.

MEMORANDUM OF DECISION – SONNY DIAZ, LPN

The Board reviewed the Memorandum of Decision for Sonny Diaz. Jennifer Long moved, seconded by Jeffrey Marvin, to affirm the Board's prior decision to place the license on probation for three months during which time coursework is to be completed in enteral feedings. Upon completion of the coursework and review by the Department of Public Health, the probation requirement will have been completed. This Decision becomes effective on March 15, 2012. The motion passed unanimously.

Joanne V. Yandow apprised the Board that she will be taken out of the rotation to provide counsel to the Board as she has been temporarily assigned additional duties. Attorney Alfreda G. Gaither has been assigned to provide counsel to the Board in Attorney Yandow's absence along with Attorney Stacy M. Schulman.

CONSENT ORDER – KAREN DELANEY, RN

Legal Office Attorney Leslie Scoville presented the Board with a Consent Order for Karen Delaney. Ms. Delaney was present with counsel, Attorney Richard Brown. Maria Pietrantuono moved, seconded by Jennifer Long, to approve the Consent Order as written. The motion passed unanimously. Chair Bouffard signed the Consent Order which becomes effective April 1, 2012.

CONSENT ORDER – KATHRYN HOGAN, RN

Legal Office Attorney Matthew Antonetti presented the Board with a Consent Order for Kathryn Hogan. Ms. Hogan was not present and did not have representation at this meeting. Maria Pietrantuono moved, seconded by Tarah Cherry, that the Consent Order be approved as written. The motion passed unanimously. Chair Bouffard signed the Consent Order which becomes effective April 1, 2012.

MOTION TO WITHDRAW STATEMENT OF CHARGES – LEO GONZALES, RN

Legal Office Attorney David Tilles presented the Board with a Motion to Withdraw Statement of Charges as Mr. Gonzales had signed a Voluntary Surrender Affidavit. Attorney Diane Polan and Mr. Gonzales were not in attendance. Maria Pietrantuono moved, seconded by Mary Brown, to accept the Motion to Withdraw. The motion passed unanimously.

ADJOURNMENT

It was the unanimous decision of the Board Members present to adjourn this meeting at 9:50 AM.

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Board of Examiners for Nursing

The **Board of Examiners for Nursing** held a meeting on March 21, 2012 at the Department of Public Health Complex, Conference Room 470-A/B, 410 Capitol Avenue, Hartford, Connecticut.

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**BOARD MEMBERS PRESENT:** Patricia Bouffard, RN, Chair  
Tarah Cherry, Public Member  
Jennifer Long, APRN  
Jeffrey T. Marvin, Public Member

**BOARD MEMBERS ABSENT:** Mary M. Brown, RN  
Heidi Darling, LPN  
Maria Pietrantuono, RN

**ALSO PRESENT:** Stacy M. Schulman, Counsel to the Board, DPH  
Alfreda G. Gaither, Counsel to the Board, DPH  
Jennifer Filippone, Section Chief, DPH  
Pamela Pelletier, Nurse Consultant, DPH  
Linda Fazzina, Staff Attorney, Legal Office, DPH  
Leslie Scoville, Staff Attorney, Legal Office, DPH  
Janice E. Wojick, Administrative Assistant, DPH

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Chair Patricia Bouffard advised the audience at 8:35 AM that the meeting would begin upon the arrival of Public Member Tarah Cherry which would meet the required quorum of 51%. Currently there are only seven members appointed to the Board by the Governor which means the Board needs a minimum of four members to rule on any Motions, Orders, etc.

#### STUDENTS

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

Chair Bouffard took this time to provide the students with an overview of the Board's responsibilities, jurisdiction, and nursing education programs.

Tarah Cherry arrived at 8:45 AM.

#### LEGISLATIVE UPDATE

Jennifer Filippone provided an update on current legislative issues that may impact nursing.

#### SCHOOL ISSUES – CT TECHNICAL HIGH SCHOOL LPN PROGRAMS

##### SCHOOL ISSUES - BULLARD-HAVENS PROGRAM

Pam Pelletier received several telephone complaints from students attending the Bullard-Havens LPN Program stating that they were not receiving their assigned clinical days due to a lack of "teachers" within the program. Ms. Pelletier spoke with Karen Ivers who is the Department Head of the program. Ms. Ivers acknowledged that they had 22 students and one faculty/instructor on March 12, 2012. A letter was faxed to Pat Fennessy, the Educational Consultant for the CT Technical High School System, addressing the Department's concerns regarding the insufficient staffing, which is a direct violation of Section 20-90-48(2)(A) and Section 20-90-55(c) of the Regulations for Nursing Education Programs. A plan of correction was requested. On March 13, 2012 Ms. Pelletier made a site visit to Bullard-Havens to speak with the 22 students who stated that about half of the class was kept in the Lab while the other half went to their assigned clinical for the past two weeks.

Ms. Ivers stated that she had been rotating students based upon faculty availability and was told by the school administration on March 12, 2012 that she would NOT be provided faculty. Later that day Ms. Ivers contacted Ms. Pelletier stating that an instructor was returning to the program effective March 14, 2012 and that another instructor would be assigned starting March 24, 2012. Upon Ms. Pelletier's return to DPH after her site visit to Bullard-Havens, she contacted all six CT Technical High School LPN Programs and was assured that they all have adequate faculty.

#### SCHOOL ISSUES - NORWICH LPN PROGRAM

Ms. Pelletier received a letter from Ms. Fennessy explaining what had occurred, staffing levels currently in each program, and that the Department Head at the Norwich program was out on leave and that Jeanne Loomis was assisting with the responsibilities of the position until she receives the Department Head #110 endorsement at which time she will be appointed Acting Department Head. The Department Head at the Norwich program went out on leave in January 2012 and the Board was not made aware of the vacancy or the plan of correction. The Board discussed their concerns with Pat Fennessy regarding the lack of timely notification of changes in the LPN Department Head for the A. I. Prince Program and the Norwich Program, and the lack of sufficient faculty for student clinical experiences at the Bullard-Havens Program.

#### SCHOOLS ISSUES – A. I. PRINCE – WAIVER RECONSIDERATION REQUEST

Pam Pelletier had received a letter dated March 14, 2012 stating that Patricia Simmons would remain as Department Head until March 23, 2012. This timeframe was needed to order the transfer of staff and to provide little disruption in the educational process. Ms. Simmons was present to petition the Board for reconsideration of the denial for her to hold a Department Head position at A. I. Prince. The Board reviewed Ms. Simmons' supporting documentation, as well as listened to her appeal testimony in regard to her experience and qualifications to hold the Department Head position at the A. I. Prince Program.

Section 20-90-48 (a)(1) of the Regulations of Connecticut State Agencies clearly states that each nursing education program shall have its own administrator who shall have the authority over and administrative responsibility for the nursing education program. The Department Head is responsible for the daily operations of the individual LPN program site and therefore has parity with the Administrator role.

In addition, the Department Head must meet the educational and experience requirements as outlined in Section 20-90-51(b)(1) of the Regulations of Connecticut State Agencies, which states: *the administrator of the program shall be a registered nurse and shall have earned an advanced degree in nursing, teaching experience in a program in nursing, and administrative experience.*

After reviewing the documentation presented, and listening to Ms. Simmons' testimony, the Board determined that Ms. Simmons currently does not have an advanced degree in nursing and therefore, does not meet the regulatory requirements to hold the Department Head position at A.I. Prince LPN Program. Jennifer Long moved, seconded by Jeffrey Marvin, that Ms. Simmons' credentials do not meet the current Regulations of Connecticut State Agencies for Nursing Programs, therefore Ms. Simmons' request to remain as Department Head of the A. I. Prince LPN Program was denied. The motion passed unanimously. The Board wished Ms. Simmons success as she works toward completing her MSN.

The Board reviewed the documentation presented regarding Deborah Detrick as Department Head at the A. I. Prince Program. Jennifer Long moved, seconded by Jeffrey Marvin, to approve Ms. Detrick as Department Head for the A. I. Prince LPN Program. The motion passed unanimously and Ms. Detrick will be mentored by Pat Fennessy and Anne Simko.

The Board stated that there seems to be a definite lack of communication within the CT Technical High School System. Therefore, the Board is requesting that the Superintendent for the CT Technical High School System attend the April 4, 2012 Board Meeting to discuss the Board's concerns.

Also, the Board is revising the Program Status of these three LPN Programs to Conditional. Jeffrey Marvin moved, seconded by Tarah Cherry, to place the A. I. Prince Program on Conditional Status for one year effective March 7, 2012, the Bullard-Havens Program on Conditional Status for one year effective March 21, 2012, and the Norwich Program on Conditional Status for one year effective March 21, 2012. The motion for placing these three programs on Conditional Status for one year passed unanimously.

The Board also requested that a three-month updated report regarding the A. I. Prince, Bullard-Havens, and Norwich LPN Programs be provided to the Board at their June 6, 2012 meeting.

#### SCHOOL ISSUES – LINCOLN TECHNICAL INSTITUTE DEPARTMENT HEAD CHANGES

Pam Pelletier apprised the Board of the Program Manager changes at two of the Lincoln Technical Institute (LTI) Department Head changes at the New Britain and Hamden campuses.

Present for this discussion from the LTI Programs were Patricia DeLucia, the Program Administrator for all CT LTI LPN campuses, Jo-Ann Maffeo, the new Program Manager for the New Britain campus, and Gail Jerideau-Pratt, the new Program Manager for the Hamden campus.

#### NEW BRITAIN CAMPUS

Jennifer Long moved, seconded by Jeffrey Marvin, that the Board has reviewed Ms. Maffeo's credentials and confirmed that Ms. Maffeo's credentials do meet the Regulations for Nursing Education Programs. The motion passed unanimously.

#### HAMDEN CAMPUS

Jennifer Long moved, seconded by Jeffrey Marvin, that the Board has reviewed Ms. Jerideau-Pratt's credentials and confirmed that Ms. Jerideau-Pratt's credentials do meet the Regulations for Nursing Education Programs. The motion passed unanimously.

#### CONSENT ORDERS

The following two consent Orders are being withdrawn from the agenda to ensure compliance with Section 19a-14(a)(12)(C) of the CT General Statutes (CGS).

This provision of the CGS applies to case in which the charges were generated by a complaint that was filed by an outside person or entity, such as a facility. It does not apply to cases in which the charges were generated by DPH or an agency.

Prior to presenting a Consent Order, the Department must provide the person who filed the initial complaint with ten days or more to submit a written statement concerning the Consent Order.

#### CONSENT ORDER – PAMELA SATULA, RN

Legal Office Attorney Leslie Scoville advised the Board that the Department is tabling this Consent Order to a later date. Ms. Satula was present with counsel, Attorney Ellen Costello. There were no objections from Attorney Costello or Ms. Satula.

#### CEASE AND DESIST CONSENT ORDER – MAUREEN O'BRIEN, RN, UNLICENSED

Legal Office Attorney Linda Fazzina advised the Board that the Department is tabling this Consent Order to a later date. Ms. O'Brien was not present at this meeting nor was she represented by counsel.

#### CONSENT ORDER – PATRICIA YURKAS, RN

Legal Office Attorney Linda Fazzina presented the Board with a Consent Order for Patricia Yurkas. Ms. Yurkas was not present and did not have representation at this meeting.

Jennifer Long moved and Jeffrey Marvin seconded to deny the Consent Order as presented which would have placed Ms. Yurkas' license on probation for three months during which time she was to successfully complete coursework in documentation standards. The motion passed unanimously. It was the recommendation of the Board that this case be brought before the Board for a hearing as the Board felt there were too many unanswered questions.

#### MOTION FOR SUMMARY SUSPENSION – JOHN W. BALBONI, RN

Legal Office Attorney Leslie Scoville presented the Board with a Motion for Summary Suspension for John W. Balboni. Mr. Balboni was not present at this meeting and did not have representation.

Jennifer Long moved and Jeffrey Marvin seconded to deny the summary suspension. After discussion, the motion failed as all were opposed. Jeffrey Marvin raised a new motion to grant the Motion for Summary Suspension. The motion was seconded by Jennifer Long and passed unanimously. Chair Bouffard signed the Summary Suspension Order and the Notice of Hearing scheduling the hearing for April 4, 2012.

#### MEMORANDA OF DECISION

##### WILLIAM DiCHELLO, LPN

Jeffrey Marvin moved to affirm the Board's prior decision to revoke Mr. Dichello's license. The motion was seconded by Jennifer Long and passed unanimously. Chair Bouffard signed the Decision which becomes effective upon signature.

##### KRISTINE DUNLEY, RN

Jeffrey Marvin moved to affirm the Board's prior decision to revoke Ms. Dunley's license. The motion was seconded by Jennifer Long and passed unanimously. Chair Bouffard signed the Decision which becomes effective upon signature.

#### ADJOURNMENT

It was the unanimous decision of the Board Members present to adjourn this meeting at 10:00 AM.