

The **Board of Examiners for Nursing** held a meeting on October 2, 2013 at the Legislative Office Building, Room 1-A, 300 Capitol Avenue, Hartford, Connecticut.

BOARD MEMBERS PRESENT: Mary M. Brown, RN – Chair Pro Tem
Lisa S. Freeman, Public Member
Jennifer Long, APRN
Geraldine Marrocco, RN
Gina M. Reiners, RN

BOARD MEMBERS ABSENT: Patricia C. Bouffard, RN, Chair
Ellen M. Komar, RN
Carrie Simon, Public Member

ALSO PRESENT: Stacy M. Schulman, Counsel to the Board, DPH
Matthew Antonetti, Staff Attorney, Licensure Regulation and Compliance, DPH
Ellen M. Shanley, Staff Attorney, Licensure Regulation and Compliance, DPH
Diane Wilan, Staff Attorney, Licensure Regulation and Compliance, DPH
Janice E. Wojick, Administrative Assistant, DPH
Gail Gregoriades, Court Reporter

Chair Pro Tem Mary Brown called the meeting to order at 8:30 AM.

STUDENTS

Chair Pro Tem Mary Brown welcomed students from Stone Academy, Porter and Chester Institute, Lincoln Technical Institute – New Britain Campus, Western CT State University

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

OPEN FORUM

There were no comments or questions from the audience.

ADDITIONAL AGENDA ITEMS AND REORDERING OF AGENDA

Revised agenda were distributed to the Board Members prior to the meeting.

LEGISLATIVE UPDATE

No updates.

MOTION FOR SUMMARY SUSPENSION – PATRICIA CONKLIN, RN

Staff Attorney Diane Wilan presented the Board with a Motion for Summary Suspension for Patricia Conklin. Ms. Conklin was present without representation at this meeting.

Lisa Freeman moved, which was seconded by Gina Reiners, to grant the Department's Motion for Summary Suspension. The motion passed unanimously. Chair Pro Tem Mary Brown signed the Notice of Hearing and the Summary Suspension Order scheduling the hearing for October 16, 2013. Ms. Conklin was hand served at this meeting by Janice E. Wojick.

PREHEARING REVIEW – SHERYL MARINONE, APRN

Staff Attorney Matthew Antonetti presented the Board with a Prehearing Review for Sheryl Marinone. Jennifer Long recused herself from this discussion and the Board's recommendation. Attorney Mary Alice Moore Leonhardt was present representing Ms. Marinone, who was also present. After discussion and review of the documentation presented, it was the recommendation of the Board that the Department impose a civil penalty of \$500.00 and a written reprimand on Ms. Marinone's APRN license for Ms. Marinone's inadequate record keeping and the lack of a Collaborative Agreement. Attorney Leonhardt did state that Ms. Marinone currently has an on-going Collaborative Agreement.

RESPONDENT'S MOTION FOR CONTINUANCE – DOROTA SLAWSKA, RN

Staff Attorney Diane Wilan was present representing the Department. Ms. Slawska was not present. Ms. Slawska had requested a six-month continuance of the hearing scheduled for later today. Ms. Slawska's RN license expired on April 30, 2013. An e-mail was sent to Ms. Slawska on September 26, 2013 at 3:34 PM advising her that the continuance request would be ruled on at the October 2, 2013 Board Meeting. As of October 1, 2013 Ms. Slawska had not responded to the e-mail. Another e-mail was sent on October 1, 2013 requesting confirmation that she had received the e-mail but to no avail. If the ruling was to grant the continuance, the hearing date would be scheduled at this meeting. If the ruling was to deny the continuance request, the hearing would go forward on October 2, 2013. Jennifer Long moved, which was seconded by Geraldine Marrocco, to grant Ms. Slawska's request. The motion passed unanimously. The hearing was scheduled for April 2, 2014.

MOTION FOR SUMMARY SUSPENSION – LESLIE MATEJEK, RN

Staff Attorney Diane Wilan presented the Board with a Motion for Summary Suspension for Leslie Matejek. Ms. Matejek was present without representation at this meeting.

Gina Reiners moved, seconded by Jennifer Long, to grant Department's Motion for Summary Suspension. The motion passed unanimously and Chair Pro Tem Mary Brown signed the Notice of Hearing and the Summary Suspension Order scheduling the hearing for October 16, 2013. Ms. Matejek was hand served at this meeting.

MOTION FOR SUMMARY SUSPENSION – KRISTEN WEBBER, RN

Staff Attorney Diane Wilan presented the Board with a Motion for Summary Suspension for Kristen Webber. Ms. Webber was not present and did not have representation at this meeting.

Jennifer Long moved and Geraldine Marrocco seconded to grant the Department's Motion for Summary Suspension. The motion passed unanimously and Chair Pro Tem Mary Brown signed the Notice of Hearing and the Summary Suspension Order scheduling the hearing for October 16, 2013.

MOTION FOR SUMMARY SUSPENSION – CAROL D. GEE, RN

Staff Attorney Matthew Antonetti presented the Board with a Motion for Summary Suspension for Carol D. Gee. Ms. Gee was not present and did not have representation at this meeting.

Geraldine Marrocco moved, which was seconded by Jennifer Long, to grant the Department's Motion for Summary Suspension. The motion passed unanimously and Chair Pro Tem Mary Brown signed the Notice of Hearing and the Summary Suspension Order scheduling the hearing for October 16, 2013.

AMENDED MEMORANDUM OF DECISION – SAMANTHA COLBERT, LPN

Janice E. Wojick presented the Board with an Amended Memorandum of Decision for Samantha Colbert. On September 18, 2013 the Order was signed by the Board. It was brought to the Board Office's attention that there was a typographical error which has since been corrected. Jennifer Long moved and Geraldine Marrocco seconded to sign the Amended Order. The motion passed unanimously.

ADJOURNMENT

It was the unanimous decision of the Board Members present to adjourn this meeting at 9:05 AM.

Mary M. Brown, Chair Pro Tem
Board of Examiners for Nursing

The **Board of Examiners for Nursing** held a meeting on October 16, 2013 at the Legislative Office Building, Room 1-A, 300 Capitol Avenue, Hartford, Connecticut.

BOARD MEMBERS PRESENT: Patricia C. Bouffard, RN, Chair
Mary M. Brown, RN
Ellen M. Komar, RN – *left at Noon*
Geraldine Marrocco, RN – *arrived 8:55 AM*
Carrie Simon, Public Member

BOARD MEMBERS ABSENT: Lisa S. Freeman, Public Member
Jennifer Long, APRN
Gina M. Reiners, RN

ALSO PRESENT: Stacy M. Schulman, Counsel to the Board, DPH
Jennifer Filippone, Section Chief, PLIS, DPH
Pamela Pelletier-Stevens, Nurse Consultant, DPH
Matthew Antonetti, Staff Attorney, Licensure Regulation and Compliance, DPH
David Tilles, Staff Attorney, Licensure Regulation and Compliance, DPH
Diane Wilan, Staff Attorney, Licensure Regulation and Compliance, DPH
Janice E. Wojick, Administrative Assistant, DPH
Gail Gregoriades, Court Reporter

Chair Patricia Bouffard called the meeting to order at 8:50 AM.

STUDENTS

Chair Bouffard welcomed students from Eli Whitney LPN Program, Tunxis Community College Medical Assistant Program, Western CT State University, and the University of Saint Joseph CT.

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

UPDATES

Jennifer Filippone advised the Board that Connecticut became a part of the NCSBN NURSYS System approximately three weeks ago. NURSYS provides on-line verification to a nurse requesting to practice in another state and nurse license lookup reports to employers and the general public.

Also, mandatory on-line licensure renewal for all nurses became effective October 1, 2013.

Presently there is not much information available regarding the 2014 Legislative Session which will be a Short Session, not the Budget Session. The Department is presently reviewing Scope of Practice Issues for the Review Process and Ms. Filippone will be able to provide an update to the Board at their November 6th meeting. Geraldine Marrocco arrived during the above updates at 8:55 AM.

SCHOOL ISSUES – PROPOSED AMENDMENTS TO DPH REGULATION CONCERNING LPN PROGRAMS

Attorney Aaron S. Bayer, counsel for Stone Academy, and Eleanor Davio, LPN Program Director, were present along with several members of the Stone Academy Management/Supervisory Team to request that the Department of Public Health (DPH) and the Board of Examiners for Nursing (BD) consider certain amendments to regulations concerning the curriculum requirements for LPN programs Section 20-90-55 (c) of the Regulations of Connecticut State

Agencies. Stone Academy would like to change the regulations from requiring clock hours to credit hours to ensure financial aid for LPN students.

The current regulations read: 20-90-55 (c) Curriculum: The length of the program shall be a minimum of fifteen hundred (1500) hours over no less than ten (10) months. Fifty percent (50%) of contact hours shall be in supervised direct client care experiences and observational experiences appropriate to the Program's Educational Outcomes. (Effective November 29, 1983: Amended May 4, 2004.)

Stone Academy would like the regulation to read: 20-90-55 (c) Curriculum: The length of the program shall be a minimum of 12 months and shall contain the necessary coursework required to meet the educational outcomes in Section 20-90-56. Fifty percent of the course work will be in supervised direct patient care experiences, observational experiences, and simulated experiences appropriate to the Program's Educational Outcomes, and laboratory experiences for the acquisition and practice of clinical nursing skills.

Attorney Bayer stated that they were here today to start the conversation with the Board and the Department in changing the language in the Regulations to benefit the students to get financial aid. Chair Bouffard stated that the way the program is written is too vague and does not have enough substance and there needs to be some parameters. This is a fairly complex issue and patient safety is a concern. This will require the assistance of a work group. Ms. Filippone stated that the composition of the work group would be discussed at the November 6, 2013 Board Meeting.

SOUTHERN CT STATE UNIVERSITY – WAIVER REQUEST

No one from the program was present to address this permanent waiver. Pam Pelletier-Stevens provided the Board with a review of the documentation received in the Board Office.

Mary Brown moved to deny the program's request for a permanent waiver for Joshua Knickerbocker. Mr. Knickerbocker has a Master's in Business Administration which does not relate to the course he would be teaching in nursing. The regulations are very clear that an MBA is not appropriate to teach clinical. The motion was seconded by Ellen Komar and passed unanimously.

FACT FINDING – AMBER KALOUSTIAN, RN

Attorney Mony Yin and Ms. Kaloustian were present for the Fact Finding.

Mary Brown moved that Ms. Kaloustian's license be suspended until the following coursework is successfully completed and approved by the Department of Public Health: Ethical and Professional Responsibilities in Nursing, Scope and Standard of Nursing Practice, Nursing Social Policy Statement, Ethical Behavior in the Workplace, Conflict Competency, and Critical Thinking, Clinical Reasoning and Clinical Judgement. At the completion of the coursework, with the approval of the Department of Public Health, Ms. Kaloustian's license would be placed on probation for two years with monthly employer reports from her immediate supervisor. Ms. Kaloustian is not to be employed in home health care, agency work, and/or a nursing pool agency. The motion was seconded by Ellen Komar and passed unanimously.

FACT FINDING – JANE A. SMITH, LPN

Ms. Smith was not present for the Fact Finding.

Geraldine Marrocco moved that Ms. Smith be found as charged based on the evidence presented. The motion was seconded by Ellen Komar and passed unanimously.

Geraldine Marrocco then moved that Ms. Smith's license be revoked as she is not safe to provide care to the public. Ms. Smith did not file an Answer to the Statement of Charges nor did she attend the hearing. The motion was seconded by Mary Brown and passed unanimously.

CONSENT ORDER – TERRI ORRELL LPN

OPLC Attorney Matthew Antonetti presented the Board with a Consent Order for Terri Orrell. Ms. Orrell was not present. Mary Brown moved to accept the Consent Order as written, which was seconded by Carrie Simon and passed unanimously. Chair Bouffard signed the Order.

CONSENT ORDER – RICHARD TALMADGE, RN

OPLC Attorney Diane Wilan presented the Board with a Consent Order for Richard Talmadge. Mr. Talmadge was present earlier in the day although he had to leave for work. Mary Brown moved to accept the Consent Order as written. The motion was seconded by Ellen Komar. The motion passed as Mary Brown, Ellen Komar, and Carrie Simon were in favor and opposed were Geraldine Marrocco and Chair Bouffard. Chair Bouffard signed the Order.

MEMORANDUM OF DECISION – BETHANY BOZZUTO, LPN

Janice E. Wojick presented the Board with a Memorandum of Decision for Bethany Bozzuto. Carrie Simon moved to affirm the Board's prior decision to revoke Ms. Bozzuto's license. The motion was seconded by Ellen Komar and passed with all in favor with the exception of Mary Brown who abstained. Break 10:15 AM – 10:30 AM

HEARING – CAROL D. GEE, RN

OPLC Attorney Matthew Antonetti was present representing the Department of Public Health. Ms. Gee was present pro se. Testimony was provided by Ms. Gee.

Mary Brown moved that the Board can find Ms. Gee on all charges. Geraldine Marrocco seconded the motion which passed unanimously. The Board had grave concerns as the charges were a violation of probation of the Consent Order signed by this Board in February of 2013.

Mary Brown moved that Ms. Gee's license be revoked. The motion was seconded by Geraldine Marrocco. The Board stated that it was much too soon for Ms. Gee to return to work as a nurse as this is very early in her recovery program. The motion passed as Carrie Simon, Ellen Komar, and Chair Bouffard were in favor which was the majority of the quorum of the Board Members present.

HEARING – PAMELA DOLE, RN/APRN

DPH Staff Attorney David Tilles was present representing the Department of Public Health. Ms. Dole was present pro se. This is the fifth hearing date for this case. Testimony was provided by Lynn Rapsilber, APRN. Ellen Komar left at noon at which time the Board lost its quorum. Due to the fact that the Board lost its' quorum, the Board cannot rule on the foundational appropriateness of this witness and the Department's objection. The Board asked Ms. Dole if she had any other witnesses and she said no one other than herself. Therefore the Board closed the hearing and the next hearing will be for November 20, 2013.

ADJOURNMENT

It was the unanimous decision of the Board Members present to adjourn this meeting at 12:40 PM.

Patricia C. Bouffard, Chair
Board of Examiners for Nursing