

The Board of Examiners for Nursing held a meeting on March 4, 2009 at the Department of Public Health Complex, Room 470-C, 410 Capitol Avenue, Hartford, Connecticut

BOARD MEMBERS PRESENT: Patricia Bouffard, RN, Chair
Mary M. Brown, RN
Amanda Campbell, RN
Heidi Darling, LPN
Veronica Kivela, Public Member
Katherine Pellerin, RN
Donna Roberts, LPN

BOARD MEMBERS ABSENT: Merrily Moynihan, Public Member
Maria Pietrantuono, RN
Ivelisse Varrone, Public Member

ALSO PRESENT: Emily Melendez, Assistant Attorney General
Jennifer Filippone, Section Chief, OPLC, DPH
Stephen Carragher, Health Program Supervisor, OPLC, DPH
Diane Cybulski, Supervising Nurse Consultant, DPH
Donna Canalis, Nurse Consultant, DPH
Matthew Antonetti, Staff Attorney, Legal Office, DPH
Linda Fazzina, Staff Attorney, Legal Office, DPH
David Tilles, Staff Attorney, Legal Office, DPH
Diane Wilan, Staff Attorney, Legal Office, DPH
Janice E. Wojick, Administrative Assistant, DPH
Gail Gregoriades, Court Reporter

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

STUDENTS

Chair Bouffard welcomed students from the University of Hartford and the University of Connecticut.

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

CHAIR UPDATES

Chair Bouffard had no updates to report at this meeting.

OPEN FORUM

Lynn Allchin, Chair, Deans and Directors, and Carol Poliforoni, Professor, UConn School of Nursing, were present to discuss examination and licensure issues with the Board.

ADDITIONAL AGENDA ITEMS

- Department of Developmental Services Regulations
- Sunset
- Licensure Fees

SCHOOL ISSUES – PEARSON VUE

Stephen Carragher, DPH, and Jennifer Filippone, DPH, were present to discuss with the Board the Pearson Vue NCLEX Examination results and to answer questions from the Deans and Directors related to NCLEX. Katherine Pellerin and Donna Roberts arrived during this discussion. Topics discussed were as follows:

- Reporting Methodologies
 - First Time Taker Pass Rates
 - Students entering incorrect school codes and incorrect graduation dates – how can this be prevented
 - Faculty needs to discuss with students the importance of the accuracy of entry issues
 - Is graduation date a required field – Stephen Carragher will check into this
 - There is confusion in the numbers with out-of-state takers
 - Problems with quarterly reporting information being provided to the public
 - Pearson reports are used across the country – we need to take a look at the regulations and what the Board needs so that the process coincides
 - Pearson reports are the only measure of examination results that the Board has
 - Schools wish to do their own reports because the Pearson report is not accurate
 - Program Codes are a problem especially with multi grad classes in the same program
 - Need to form a small group to review the regulations – 2 or 3 people from Deans & Directors, 2 or 3 people from the Board, and Donna Canalis from DPH
 - Focus would be on evaluation of criterion for programs
 - Lynn Allchin will provide the Board with names of two members from the Deans & Directors
- Regulation redrafting is a long process – Draft has to be approved by the Governor's Office and the Office of Policy and Management, published in the CT Law Journal, there is a 30 day public comment period and there may be a public hearing, then reviewed by the Office of the Attorney General and then presented to the Regulations Review Committee for their approval

LEGISLATIVE UPDATE

Jennifer Filippone provided the Board with an overview of the current Legislative Session. This is an extremely busy session and it is much too early to tell where things are headed. Topics discussed were as follows:

- Electrologists doing laser hair removal and are meeting with dermatologists
- APRNs and collaborative agreement
- Dr. Galvin has met with the APRN Coalition
- The increase in licensure fees is a big issue this session and will probably double across the Board for all professions
- In 2007 DPH was informed of the increase on June 24, 2007, the bill passed on June 25, 2007 and became effective on July 1, 2007 – it was a nightmare for DPH
- On-Line Licensure Renewal is scheduled to become effective in CT by July 1, 2009

SCHOOL ISSUES – VINAL TECH LPN REPORT

The Board reviewed the February 18, 2009 report for Vinal Technical School. This report was in response to the Board's request for a follow-up regarding the lack of a clerical support person, and the teaching hours of the Department Head (153 hours) at the time of the fall 2008 site visit. The report indicated that the clerical person returned to work on January 5, 2009 for 32.5 hours per week and the Department Head's teaching hours have decreased from 153 hours to 83 hours for the day and evening classes. Katherine Pellerin moved and Mary Brown seconded to accept the written report. The motion passed unanimously.

DDS PROPOSED AMENDED REGULATIONS CONCERNING ADMINISTRATION OF MEDICATIONS

The Board has reviewed the proposed regs and has grave concerns regarding training for twelve hours or less. This will be placed on the March 18, 2009 agenda for further discussion with representation from the Department of Developmental Services.

SCHOOL ISSUES – NORWICH TECH LPN PROGRAM

Katherine Pellerin reports that the Norwich LPN Program has moved to their new location which is located at 7 Mahan Drive in Norwich, CT. Donna Canalis will be conducting an on-site visit within the near future.

SCHOOL ISSUES – SOUTHERN CT STATE UNIVERSITY – WAIVER REQUEST

The Board reviewed the waiver request for Joanne Toland. Mary Brown moved and Amanda Campbell seconded to grant a one-year temporary waiver pending receipt of an official transcript. The motion passed unanimously. There was no one from the SCSU Nursing Program present at this meeting.

NATIONAL COUNCIL OF STATE BOARDS OF NURSING

Chair Bouffard and Jennifer Filippone, DPH, were unable to attend the NCSBN Midyear Meeting March 3-5, 2009. The Board of Directors met in February and conducted the following business:

- Reviewed the Financial Reports and are happy to report that the financial condition of the organization is good
- Reviewed some of the NCSBN Historical Policy and Position Statements to review the history of their decisions and to see if any of them need to be updated to include current information
- Appointed members to the Uniform Core Licensure Requirements Committee and considered a change in the Committee Appointment Policy that provides for the Board to appoint alternate members to a committee if they desire
- Reviewed and approved the Research Agenda, Research Initiatives, and the Research Program Policy
- Reviewed the results of the annual Continued Quality Improvement Survey
- Began preparing the 2010 Strategic Objectives to be completed by July 2009
- Began discussing the review process for the Mission, Vision, and Values which is to be reviewed every six years
- Discussed the TERCAP project and encouraged Member Boards to participate in this important work
- Approved a one-time \$50,000 donation to the National Student Nurses Association Foundation for the purposes of providing scholarships for nursing students
- Approved the submission of an application to be a member of FEPI which is the European Council of Nurse Regulators Organization
- Met with the Leadership Succession Committee and talked about their work to this point in identifying essential leadership competencies and formulating an improved selection, campaign, and election process for NCSBN

APPROVAL OF JANUARY 21, 2009 MINUTES

Mary Brown moved and Katherine Pellerin seconded that the minutes be approved as edited. The motion passed with all in favor with Donna Roberts abstaining.

CONSENT ORDER – MICHELLE QUIGLEY, LPN

Legal Office Attorney David Tilles presented the Board with a Consent Order for Michelle Quigley. Ms. Quigley was present with counsel, Attorney David Mester. Donna Roberts moved and Mary Brown seconded that the Consent Order be accepted. The motion passed with all in favor. Chair Bouffard signed the Order.

CONSENT ORDER – MELISSA L. WILSON, RN

Legal Office Attorney Diane Wilan presented the Board with a Consent Order for Melissa L. Wilson. Ms. Wilson was present for the discussion. Mary Brown moved and Donna Roberts seconded that the Consent Order be accepted. The motion passed with all in favor. Chair Bouffard signed the Order.

HEARING – PATRICIA INTEGLIA, LPN

The hearing convened at 11:00 AM. Legal Office Attorney Linda Fazzina was present representing the Department of Public Health. Ms. Integlia was not present and did not have representation. Attorney Fazzina made an Oral Motion to Deem the Allegations admitted. Katherine Pellerin moved and Amanda Campbell seconded to grant the Motion to Deem which passed unanimously. The hearing concluded at 11:10 AM.

Katherine Pellerin moved and Amanda Campbell seconded that Ms. Integlia be found as charged. The motion passed unanimously.

Katherine Pellerin moved and Donna Roberts seconded that Ms. Integlia's license be revoked as her conduct is a violation of Section 20-99(b) of the Connecticut General Statutes as Ms. Integlia engaged in unprofessional conduct by failure to adhere to the terms of the Consent Order dated August 20, 2008.

HEARING – JEROLINE KELLY, LPN

Legal Office Attorney Diane Wilan was present representing the Department of Public Health. Ms. Kelly was present with counsel, Attorney Robert Lacobelle. Testimony was provided by RoseMarie Deschenes, APRN, DPH. Lunch recess 12:50 PM returning at 1:20 PM. Amanda Campbell left for the day during the lunch break. Testimony continued by Ms. Deschenes. The Board took a five-minute recess at 3:50 PM. Testimony resumed by Ms. Deschenes. The hearing concluded at 4:45 PM and was rescheduled to May 6, 2009 and June 3, 2009 at 10:00 AM.

ADJOURNMENT

It was the unanimous decision of the Board Members present that this meeting be adjourned at 4:45 PM.

The Board of Examiners for Nursing held a meeting on March 18, 2009 at the Department of Public Health Complex, Room 470-A/B, 410 Capitol Avenue, Hartford, Connecticut.

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Maria Pietrantuono, RN
Donna Roberts, LPN
Ivelisse Varrone, Public Member

BOARD MEMBERS ABSENT: Amanda Campbell, RN
Merrily Moynihan, Public Member

ALSO PRESENT: Tanya DeMattia, Assistant Attorney General
Diane Cybulski, Supervising Nurse Consultant, DPH
Linda Fazzina, Staff Attorney, Legal Office, DPH
Leslie Scoville, Staff Attorney, Legal Office, DPH
Diane Wilan, Staff Attorney, Legal Office, DPH
Jeffrey A. Kardys, Administrative Hearings Specialist, DPH
Gail Gregoriades, Court Reporter

Chair Patricia Bouffard called the meeting to order at 8:37 AM.

STUDENTS

Chair Bouffard welcomed students from Central CT State University and UConn School of Nursing.

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

DDS PROPOSED AMENDED REGULATIONS CONCERNING ADMINISTRATION OF MEDICATIONS

Jim Welsh and Eileen Gambo from DDS were present to discuss DDS's Proposed Instruction Program for "Trained" Non-Licensed Personnel. The Board had questions regarding the timeframe of 12 hours of training. The Board expressed its concern that the amount of content to be taught in the program cannot possibly be done in 12 hours or less. The Board strongly suggested that more than 12 hours of training be considered.

MOTION TO WITHDRAW STATEMENT OF CHARGES – LAURA ROY, RN

Legal Office Attorney Linda Fazzina presented the Board with a Motion to Withdraw Statement of Charges as Ms. Roy has signed a Voluntary Surrender Affidavit. Attorney Martha Murray was present on behalf of Ms. Roy. Katherine Pellerin moved and Ivelisse Varrone seconded to grant the Motion to Withdraw Statement of Charges. The motion passed unanimously. Chair Bouffard signed the Order granting the Motion.

HEARING – JOHN GINNETTI, RN

This is the fourth hearing in this matter. The hearing convened at 9:15 AM. Legal Office Attorney Leslie Scoville was present representing the Department of Public Health. Mr. Ginnetti was present pro se. Witness/patient "GL" testified by telephone. The hearing concluded at 10:05 AM.

Katherine Pellerin moved, seconded by Mary Brown, to move into Executive Session to obtain legal advice from the Assistant Attorney General. The room was cleared of all observers. Executive Session 10:06 AM – 10:35 AM.

FACT FINDING

Petition No. 2006-1116-010-103

Mary Brown moved and Katherine Pellerin seconded that there was insufficient evidence to substantiate the allegations in this Statement of Charges. Mary Brown made a motion, seconded by Katherine Pellerin, to dismiss the Statement of Charges in Petition No. 2006-1116-010-103. The motion passed unanimously.

Petition No. 2007-0620-010-048

Mary Brown moved and Katherine Pellerin seconded that the Respondent be found as charged. The motion passed unanimously.

Mary Brown, seconded by Ivelisse Varrone, made a motion for four years probation with conditions. The motion failed as all were opposed with the exception Mary Brown.

A new motion was raised by Katherine Pellerin for revocation of Mr. Ginnetti's license. The motion was seconded by Maria Pietrantuono and passed with all in favor with the exception of Mary Brown who was opposed.

REINSTATEMENT HEARING – MICHAEL ROSTOCK, RN

The hearing convened at 11:05 AM. Legal Office Attorney Diane Wilan was present representing the Department of Public Health. Mr. Rostock was present pro se. Testimony was provided by Mr. Rostock and Margaret Rose, LCSW. The hearing concluded at 11:25 AM.

Maria Pietrantuono moved and Katherine Pellerin seconded that Mr. Rostock's license be reinstated to probation for 4 years with the usual probationary terms including the successful completion of an RN Refresher Program and the NCLEX-RN exam. The motion passed unanimously.

ADJOURNMENT

It was the unanimous decision of the Board Members present that this meeting be adjourned at 11:30 AM.