

The **Board of Examiners for Nursing** held a meeting on December 1, 2010 at the Legislative Office Building, Room 1-A, 300 Capitol Avenue, Hartford, Connecticut.

---

**BOARD MEMBERS PRESENT:** Patricia Bouffard, RN, Chair  
Mary M. Brown, RN  
Jennifer Long, APRN  
Jeffrey T. Marvin, Public Member  
Maria Pietrantuono, RN  
Kathy K. Shea, Public Member

**BOARD MEMBERS ABSENT:** Tarah Cherry, Public Member  
Heidi Darling, LPN  
Danielle O'Connell, RN  
Katherine Pellerin, RN  
Donna Roberts, LPN

**ALSO PRESENT:** Stacy Owens, Counsel to the Board, DPH  
Diane Cybulski, Supervising Nurse Consultant, DPH  
Pamela Pelletier, Nurse Consultant, DPH  
Matthew Antonetti, Staff Attorney, Legal Office, DPH  
Joelle Newton, Staff Attorney, Legal Office, DPH  
Leslie Scoville, Staff Attorney, Legal Office, DPH  
Ellen M. Shanley, Staff Attorney, Legal Office, DPH  
Diane Wilan, Staff Attorney, Legal Office, DPH  
Jeffrey A. Kardys, Administrative Hearings Specialist, DPH  
Pohn Kwee, Secretary II, DPH  
Tynan E. Cooney, Court Reporter

---

Chair Patricia Bouffard called the meeting to order at 8:32 AM.

#### SCHOOL ISSUES – STONE ACADEMY

Pam Pelletier apprised the Board that the Board Office and/or the Department of Public Health have never been notified regarding changes for the LPN Program Managers at both the Hamden and East Hartford campuses. When the program opened in 2004 the Program Director was Eleanor Davio and we have not received information regarding any changes in the Program Director/Manager for either location. Information was received by the Board Office that Dale DeMille is the Program Manager in East Hartford and that Donna Bys is the Program Manager in Hamden. This change may be in violation of Section 20-90-51(b) of the Department of Public Health Services Regulation, Nursing Education Programs and Licensure Requirements. The Department is requesting clarification of this role and the required documentation to ensure that the Program Managers are in compliance with the regulations. This will be placed on the December 15, 2010 agenda for further discussion.

#### STUDENTS

Chair Bouffard welcomed students from Porter and Chester LPN Program Watertown Campus.

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

#### MOTION FOR RECONSIDERATION OF MOTION TO REOPEN HEARING – JENNIFER PRENTISS, RN

Due to the fact that we did not have a quorum, discussion was on the record and the transcript will be provided to all Board Members and placed on the next agenda following the receipt of the transcript. The original hearing date was January 20, 2010. There was a continuance request granted to May 5, 2010. A continuance was requested and granted to July 21, 2010. A continuance was requested and granted to September 15, 2010. There was yet another continuance request, which was denied, and the hearing went forward on September 15, 2010. Ms. Prentiss was not present at this hearing, although she was represented by Attorney Jerald Barber. The hearing concluded and Fact Finding occurred on that date. On October 5, 2010 the Board Office received a Motion to Reopen Hearing, which was reviewed by the Board on October 20, 2010. It was the unanimous decision of the Board to deny Ms. Prentiss' request to reopen hearing. On November 15, 2010 the Board Office received a Motion to Reconsideration of Motion to Reopen Hearing and this matter has been placed on the December 1, 2010 meeting agenda. Ms. Prentiss was present and addressed the Board. Attorney Matthew Antonetti was present representing the Department of Public Health. Stacy Owens was present to provide counsel to the Board.

#### HEARING – ELIZABETH DAVIS, RN

Legal Office Attorney Diane Wilan was present representing the Department of Public Health. Ms. Davis was present without representation at this hearing. Testimony was provided by Ms. Davis. The hearing concluded. Due to the fact that the Board did not have a quorum, Fact Finding and Remedy will take place at a later date once the transcript has arrived. Missing Board Members will be provided with the exhibits and all Board Members will receive the transcript.

Break 9:35 AM – 9:48 AM during which time Kathy Shea arrived

#### MEMORANDUM OF DECISION – RUTH DUSHAY, RN

Jeffrey A. Kardys presented the Board with a Memorandum of Decision for Ruth Dushay. Maria Pietrantuono moved and Mary Brown seconded that the Board affirm their prior decision to revoke Ms. Dushay's license. The motion passed with all in favor.

#### MOTION FOR SUMMARY SUSPENSION – BRYAN SHERMAN, LPN

Legal Office Attorney Leslie Scoville provided the Board with a Motion for Summary Suspension for Bryan Sherman. Mr. Sherman was not present and did not have representation at this meeting. Mary Brown moved and Jennifer Long seconded that the Motion for Summary Suspension be granted. The motion passed with all in favor. Chair Bouffard signed the Summary Suspension Order and the Notice of Hearing scheduling the hearing for December 15, 2010 at 9:45 AM. Mr. Sherman arrived after the vote on the Motion for Summary Suspension and a copy of the Notice of Hearing, Statement of Charges, and the Summary Suspension Order were provided in hand to Mr. Sherman.

#### MOTION FOR SUMMARY SUSPENSION – MICHELLE LEONARD, LPN

Legal Office Attorney Ellen M. Shanley provided the Board with a Motion for Summary Suspension for Michelle Leonard. Ms. Leonard was not present and did not have representation at this meeting. Jennifer Long moved and Mary Brown seconded that the Motion for Summary Suspension be granted. The motion passed with all in favor. Chair Bouffard signed the Summary Suspension Order and the Notice of Hearing scheduling the hearing for December 15, 2010 at 9:45 AM.

MOTION FOR SUMMARY SUSPENSION – RYAN TEAGUE, LPN

Legal Office Attorney Matthew Antonetti provided the Board with a Motion for Summary Suspension for Ryan Teague. Mr. Teague was not present and did not have representation at this meeting. Jennifer Long moved and Maria Pietrantuono seconded that the Motion for Summary Suspension be granted. The motion passed unanimously. Chair Bouffard signed the Summary Suspension Order and the Notice of Hearing scheduling the hearing for December 15, 2010 at 9:45 AM.

PREHEARING REVIEW/CONSENT ORDER – KERRI McENROE, RN

Legal Office Attorney Ellen M. Shanley presented the Board with a Prehearing Review/Consent Order for Kerri McEnroe. Ms. McEnroe was not present and did not have representation at this meeting. Jennifer Long moved and Mary Brown seconded that the Consent Order be accepted as written. The motion passed unanimously. Chair Bouffard signed the Consent Order.

ADJOURNMENT

It was the unanimous decision of the Board Members present that this meeting be adjourned at 10:02 AM.

The **Board of Examiners for Nursing** held a meeting on December 15, 2010 at the Legislative Office Building, Room 1-A, 300 Capitol Avenue, Hartford, Connecticut.

---

**BOARD MEMBERS PRESENT:** Patricia Bouffard, RN, Chair  
Mary M. Brown, RN  
Heidi Darling, LPN  
Jennifer Long, APRN  
Jeffrey T. Marvin, Public Member  
Danielle O'Connell, RN  
Donna Roberts, LPN  
Kathy K. Shea, Public Member

**BOARD MEMBERS ABSENT:** Katherine Pellerin, RN  
Maria Pietrantuono, RN  
Tarah Cherry, Public Member

**ALSO PRESENT:** Joanne V. Yandow, Counsel to the Board, DPH  
Diane Cybulski, Supervising Nurse Consultant, DPH  
Pamela Pelletier, Nurse Consultant, DPH  
Nancy Stefanski, Nurse Consultant, DPH  
Bonnie Pinkerton, Nurse Consultant, DPH  
Matthew Antonetti, Staff Attorney, Legal Office, DPH  
Linda Fazzina, Staff Attorney, Legal Office, DPH  
Ellen M. Shanley, Staff Attorney, Legal Office, DPH  
Diane Wilan, Staff Attorney, Legal Office, DPH  
Jeffrey A. Kardys, Administrative Hearings Specialist, DPH  
Janice E. Wojick, Administrative Assistant, DPH  
Gail Gregoriades, Court Reporter  
Tynan E. Cooney, Court Reporter  
Ralph Efird, Court Reporter

---

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

#### STUDENTS

There were no students in attendance.

#### CHAIR UPDATES

There were no Chair Updates.

#### OPEN FORUM

There were no questions or comments from the audience.

#### ADDITIONAL AGENDA ITEMS AND REORDERING OF AGENDA

Revised agendas were distributed to the Board Members at the beginning of the meeting.

## SCHOOL ISSUES

### STONE ACADEMY – UPDATE ON PROGRAM MANAGERS – BOTH CAMPUSES

The Department became aware of a change in the LPN Program Managers who work under the direction of Eleanor Davio, Program Director, for Stone Academy. The Department sent a letter to Corporate Director Andrew Tierney on November 29, 2010 requesting resumes and clarification of this role. The Department received the resumes for Ms. Bys and Ms. DeMille although they have not received the job description and/or clarification of their roles as requested. Pam Pelletier will again request this information from Andrew Tierney.

Donna Bys, is currently the Hamden Campus Program Manager, and was present for this meeting. Mary Brown moved that Ms. Bys does meet the qualifications of the regulations. The motion was seconded by Jennifer Long and passed unanimously.

Dale DeMille, formerly the Hamden Campus Program Manager, is currently the East Hartford Campus Program Manager, and was present for this meeting. Mary Brown moved that Ms. DeMille does meet the qualifications of the regulations. The motion was seconded by Jennifer Long and passed unanimously.

### LINCOLN COLLEGE OF NEW ENGLAND – LETTER OF INTENT TO START ADN PROGRAM

The Board reviewed a letter dated November 4, 2010 from Angela Kiernan, Associate Dean of Academic Affairs, apprising the Board of their intent to start an Associate Degree Registered Nursing Day Program at Lincoln College of New England. Upon Completion of their Feasibility Study, the program will submit their application to the Connecticut Department of Higher Education. They anticipate starting classes for this day program in January of 2013. For their first class they will accept 20 students. The projected enrollment in the next three years is 40 students per class. In addition, they will also be accepting LPNs who meet the articulation requirements and successfully complete the articulation and transition courses. Pending approval, Lincoln College plans to apply for accreditation of the program through the National League for Nursing Accrediting Commission, Inc.

### WAIVER REQUEST – SACRED HEART UNIVERSITY

Linda-jo Russo, Clinical Placement Coordinator, was present from Sacred Heart to request the following faculty education waivers.

The program is requesting a six-month temporary faculty education waiver for Patrizia Schaefer. Ms. Schaefer is expected to complete her MSN in May of 2011. The school provided an official transcript for the Board's review. Jennifer Long moved, seconded by Donna Roberts, to grant the six-month temporary faculty education waiver. The motion passed unanimously.

The program is requesting a six-month temporary faculty education waiver for Michele Towle. The Board had previously approved a one-year temporary waiver for Ms. Towle, which is expiring. Ms. Towle is expected to complete her MSN Family Nurse Practitioner track in May of 2011. The school provided a transcript for the Board's review. Jennifer Long moved, seconded by Donna Roberts, to grant the six-month temporary faculty education waiver. The motion passed unanimously.

## WAIVER REQUEST – THREE RIVERS COMMUNITY COLLEGE

There was no one present from the program. Documentation was received by Pam Pelletier requesting a faculty waiver extension for Shawna Edwards. Ms. Edwards was approved for a one-year faculty education waiver on December 16, 2009, which will be expiring. The program is requesting a six-month temporary waiver in order for Ms. Edwards to complete her MSN in May of 2011. She is currently matriculated in the Clinical Nurse Leader Track at the University of Connecticut. Her transcript is pending. Mary Brown moved, seconded by Jennifer Long, to grant the six-month extension pending receipt of her transcript. The motion passed unanimously. Upon her return to the Department, Pam Pelletier received the transcript and everything was in order.

The Board approved a one-year faculty education waiver for Zina Ruban on December 16, 2009. The program is requesting a faculty waiver extension for six-months in order for Ms. Rubin to complete her MSN in May of 2011. She is currently matriculated in the Clinical Nurse Leader Track at the University of Connecticut. Her transcript is pending. Jennifer Long moved, seconded by Mary Brown, to grant the six-month extension pending receipt of her transcript. The motion passed unanimously. Upon her return to the Department, Pam Pelletier received the transcript and everything was in order.

These two temporary faculty education waiver requests will not exceed the 10% limit required by state statute.

## WAIVER REQUEST – UNIVERSITY OF CONNECTICUT

There was no one present from the program. The program is requesting a permanent waiver for Nancy L. Bafundo. Ms. Bafundo will be assigned to teach in the accelerated students program and will provide experience on her orthopedic unit. Mary Brown moved, seconded by Heidi Darling, to grant the permanent waiver. The motion passed unanimously.

## NORTHWESTERN COMMUNITY COLLEGE – SITE VISIT

Chair Bouffard recused herself from the discussion and the voting and appointed Mary Brown as the Chair Pro Tem for this portion of the meeting. Pam Pelletier provided her site visit report to the Board stating that classrooms were spacious, the labs were state of the art, supplies were plentiful, and the building was handicap accessible and there is an elevator. Jennifer Long moved, seconded by Donna Roberts, to approve the program's site visit. The motion passed unanimously. There was no one present from the program for this review.

Upon completion of the discussion and voting, Patricia Bouffard returned as Chair.

## CT TECHNICAL HIGH SCHOOL – FACULTY UPDATES

Patricia Fennessy provided the Board with an updated LPN Instructor Credential List. The teachers listed are RNs with a master's degree or bachelor's degree in nursing with the exception of:

Patricia Simmons who was grandfathered in under Section 20-90-51 (c) (1) of the Public Health Regulations prior to the LPN program closure and will be working at A. I. Prince. Ms. Simmons began teaching on September 3, 1997. During the program closure Ms. Simmons was working for DCF. A. I. Prince Tech will have 40 students.

Jacqueline Baran-Burmeister was hired in January of 2005. She will be a faculty member at Bullard Havens that will have 40 students. Pat Fennessy will forward a waiver request because Ms. Baran-Burmeister is currently completing her MSN. If this waiver is approved, it will be 10% of the faculty.

Kimberly Topizer was hired in 2009 and will be enrolling in a MSN program. She will be working at Norwich Tech. Pat Fennessy will be interviewing for one additional instructor for this program starting December 20, 2010. Norwich Tech will have 50 students and currently does not have sufficient instructors for the amount of students scheduled to begin on January 20, 2011.

There was discussion regarding the Nursing Faculty Regulation 20-90-51(c) (Nursing Faculty) which needs clarification. The school regulations allow certain faculty to be grandfathered (waiver of certain criteria for faculty positions) as long as that person remains employed in a faculty or administrative position at a teaching facility. Governor Rell suspended the state LPN teaching programs for about six months causing faculty to be unemployed and placing them on the SEBAC list. Patricia Simmons, who is a grandfathered faculty, took a nonteaching job at DCF. Six of the LPN programs were reopened. A. I. Prince now wants to rehire the former faculty member who is on the SEBAC list. The question is – is she still grandfathered?

Another related issue that was discussed was whether the suspension of the program affects the hire date. Would date of hire for the rehired faculty be the original hire date or the new hire date? This is an issue because Reg. 20-90-51(b)(3)(B) requires faculty (unless grandfathered) to earn a masters degree within four years of the date of hire.

Upon review of the Department of Public Health Code, Section 20-90-51, and in consideration of the unique situation that occurred regarding suspension of the LPN programs, the following decisions regarding nursing faculty have been determined:

- H. Patricia Simmons will keep her grandfathered status under section 20-90-51 (c) (1).
- The dates of hire for remaining faculty will not change due to the suspension, which includes any and all faculty members currently pursuing their MSN and/or Educational Certificate. (Section 20-90-51 (3) (A-C))

#### CT TECHNICAL HIGH SCHOOL – SITE VISITS

Patricia Fennessy, CT Technical High School consultant, was present for this discussion. Ms. Fennessy accompanied Pam Pelletier and Nancy Stefanski on the site visits for Eli Whitney, Norwich, and W. F. Kaynor.

#### ELI WHITNEY

The program and space allotted at Eli Whitney Tech can easily accommodate the 40 students. The space has been set up appropriately and the program has adequate supplies and equipment for the January start date.

#### NORWICH

The program and space allotted at Norwich Tech can easily accommodate the 50 students. The space has been set up appropriately and the program has adequate supplies, computers, and equipment for the January start date.

#### W. F. KAYNOR

The program and space allotted W. F. Kaynor Tech can easily accommodate the 40 students. The space has been set up appropriately and the program has adequate supplies and equipment for the January start date.

Heidi Darling moved to accept the site visit reports for Eli Whitney, Norwich, and W. F. Kaynor LPN Programs. The motion was seconded by Donna Roberts and passed unanimously.

Patricia Fennessy stated that 250 students have been admitted into the programs and will be starting in January 2011.

NCLEX SEMINAR

This agenda item was tabled to the February 2, 2011 meeting.

SCOPE OF PRACTICE – INQUIRIES RECEIVED DURING OCTOBER, 2010

Diane Cybulski provided the Board with an update on the inquiries received at the Department during the month of October, 2010. The majority of the calls received this month were regarding RN and APRN practice issues.

NATIONAL COUNCIL OF STATE BOARDS OF NURSING UPDATE

- Chair Bouffard announced that Jennifer Long and Mary Brown will be attending the NCSBN APRN Summit in San Diego in January.
- Chair Bouffard is unable to participate in the rescheduled Education Call In Discussion due to today’s BOEN meeting.
- The NCLEX-PN pass rate will be going up and will be posted on the NCSBN Web Site.

2011 BOEN MEETING DATES

The BOEN 2011 Calendar has been finalized and will be posted on the BOEN Web Page. Please review the first six months as there are changes from our normal first and third Wednesday schedule and meeting locations.

**2011 Legislative Session January 5, 2011 – June 8, 2011**

MEETING DATE	MEETING LOCATION – all meetings start at 8:30 AM
JANUARY 19, 2011 – (HEARINGS)	Department of Public Health Complex 410 Capitol Avenue, Room 470-C Hartford, Connecticut <b>School Instructors – parking/shuttle service not available</b>
FEBRUARY 2, 2011 - (BUSINESS)	61 Woodland Street, Room B-39 Hartford, Connecticut
MARCH 2, 2011 - (BUSINESS) MARCH 9, 2011 - (HEARINGS)	61 Woodland Street, Room B-39 Hartford, Connecticut
APRIL 6, 2011 - (BUSINESS)	61 Woodland Street, Room B-39 Hartford, Connecticut
APRIL 20, 2011 – (HEARINGS)	Department of Public Health Complex 410 Capitol Avenue, Room 470-C Hartford, Connecticut <b>School Instructors – parking/shuttle service not available</b>
MAY 4, 2011 - (BUSINESS) MAY 25, 2011 – (HEARINGS)	61 Woodland Street, Room B-39 Hartford, Connecticut
JUNE 1, 2011 - (BUSINESS)	61 Woodland Street, Room B-39 Hartford, Connecticut
JUNE 15, 2011 - (HEARINGS)	Legislative Office Building 300 Capitol Avenue, Room 1-A Hartford, Connecticut
JULY 20, 2011 - (HEARINGS)	Legislative Office Building 300 Capitol Avenue, Room 1-A Hartford, Connecticut

AUGUST 17, 2011 - (HEARINGS)	Legislative Office Building 300 Capitol Avenue, Room 1-A Hartford, Connecticut
SEPTEMBER 7, 2011 - (BUSINESS) SEPTEMBER 21, 2011 - (HEARINGS)	Legislative Office Building 300 Capitol Avenue, Room 1-A Hartford, Connecticut
OCTOBER 5, 2011 - (BUSINESS) OCTOBER 19, 2011 - (HEARINGS)	Legislative Office Building 300 Capitol Avenue, Room 1-A Hartford, Connecticut
NOVEMBER 2, 2011 - (BUSINESS) NOVEMBER 16, 2011 - (HEARINGS)	Legislative Office Building 300 Capitol Avenue, Room 1-A Hartford, Connecticut
DECEMBER 7, 2011 - (HEARINGS) DECEMBER 21, 2011 - (BUSINESS)	Legislative Office Building 300 Capitol Avenue, Room 1-A Hartford, Connecticut

## APPROVAL OF MINUTES

### OCTOBER 6, 2010

Mary Brown moved and Donna Roberts seconded to approve the minutes as written. The motion passed with all in favor with the exception of Patricia Bouffard and Heidi Darling who abstained.

### OCTOBER 20, 2010

Jennifer Long moved and Jeffrey Marvin seconded to approve the minutes as written. The motion passed with all in favor with the exception of Danielle O'Connell.

Break 9:40 AM – 9:55 AM

### MEMORANDUM OF DECISION – MATTHEW DALLACHIE, LPN

The Board reviewed the Memorandum of Decision for Mr. Dallachie. Jennifer Long moved and Donna Roberts seconded to affirm the Board's prior decision to extend Mr. Dallachie's probation to November 1, 2012. The motion passed unanimously.

### MOTION FOR SUMMARY SUSPENSION – CARLA COLLINS, RN

Legal Office Attorney Linda Fazzina presented the Board with a Motion for Summary Suspension for Carla Collins. Ms. Collins was not present and did not have representation at this meeting. Her attorney, Frederick Paoletti who was not in attendance at today's meeting, provided the Board Office with a faxed objection to the Motion for Summary Suspension which the Board reviewed. Jennifer Long moved and Donna Roberts seconded to grant the Motion for Summary Suspension. The motion passed unanimously.

### HEARING – RYAN TEAGUE, LPN

Legal Office Attorney Matthew Antonetti was present representing the Department of Public Health. Mr. Teague was not present and did not have representation at this hearing. There was no testimony provided. Attorney Antonetti made a Motion to Deem Allegations Admitted. Jennifer Long moved, seconded by Donna Roberts, to grant the Oral Motion to Deem Allegations Admitted. The motion passed unanimously.

Jennifer Long moved and Donna Roberts seconded that Mr. Teague be found on all charges as the Motion to Deem Allegations Admitted was granted. The motion passed unanimously.

Jennifer Long moved and Donna Roberts seconded that Mr. Teague's license be revoked. The motion passed unanimously.

#### HEARING – MICHELLE LEONARD, LPN

Legal Office Attorney Ellen M. Shanley was present representing the Department of Public Health. Ms. Leonard was not present and did not have representation at this hearing. There was no testimony provided. Attorney Shanley made a Motion to Deem Allegations Admitted. Mary Brown moved, seconded by Jennifer Long, to grant the Oral Motion to Deem Allegations Admitted. The motion passed unanimously.

Mary Brown moved and Jennifer Long seconded that Ms. Leonard be found on all charges as the Motion to Deem Allegations Admitted as granted. The motion passed unanimously.

Mary Brown moved, seconded by Heidi Darling, to revoke Ms. Leonard's license. The motion passed unanimously.

#### HEARING – DAVID ZABOROWSKI, LPN

Legal Office Attorney Diane Wilan was present representing the Department of Public Health. Mr. Zaborowski was present with counsel, Attorney Ellen Costello. Testimony was provided by Zenaida Acevedo, RN. During Ms. Acevedo's testimony the Board recessed for lunch from 12:55 PM to 1:30 PM at which time Ms. Acevedo's testimony continued. Testimony was also provided by Marjory Palladino, RN during which time Heidi Darling left for the day. Testimony was also provided by Pam Pelletier, RN, Department of Public Health.

In the documents provided, there are instances where it states that the patient is a 70-year-old man and it also states that the patient is a 77-year-old man. The Department will research the patient's date of birth and if needed, amend the Statement of Charges.

This hearing will be rescheduled for March 9, 2011.

#### ADJOURNMENT

It was the unanimous decision of the Board Members present that this meeting be adjourned at 2:55 PM.