

The **Board of Examiners for Nursing** held a meeting on June 2, 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
Katherine Pellerin, RN
Maria Pietrantuono, RN
Donna Roberts, LPN
Kathy K. Shea, Public Member
Mertie Terry, Public Member

BOARD MEMBERS ABSENT: Amanda Campbell, RN
Tarah Cherry, Public Member
Veronica Kivela, Public Member
Jennifer Long, APRN

ALSO PRESENT: Joanne V. Yandow, Counsel to the Board, DPH
Michael J. Purcaro, Chief of Administration, DPH
Donna Buntaine Brewer, Section Chief, Public Health Hearing Office, DPH
Karen Buckley-Bates, Government Relations, DPH
Diane Cybulski, Supervising Nurse Consultant, DPH
Pamela Pelletier, Nurse Consultant, DPH
Nancy Stefanski, 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
Janice E. Wojick, Administrative Assistant, DPH
Tynan E. Cooney, Court Reporter

Chair Patricia Bouffard called the meeting to order at 8:31 AM.

STUDENTS

Chair Bouffard welcomed Law Interns from Suffolk in Boston.

INTRODUCTION OF MICHAEL J. PURCARO, CHIEF OF ADMINISTRATION

Donna Buntaine Brewer, Section Chief of the Public Health Hearing Office introduced Michael J. Purcaro who was recently appointed to Chief of Administration by Dr. J. Robert Galvin, Commissioner of the Department of Public Health. Mr. Purcaro will direct the operations of the Administration Branch, which includes the Fiscal Services Section, the Contracts and Grants Management Section, the Human Resources Section, and the Public Health Hearing Office.

Mr. Purcaro has served the agency with distinction since his arrival in 1999. Among his many accomplishments, Michael was instrumental in the launching of both the Public Health Foundation of Connecticut and the New England Disaster Training Center.

CHAIR UPDATES

Chair Bouffard participated on the innovation call with the NCSBN.

OPEN FORUM

There were no questions or comments from the audience.

ADDITIONAL AGENDA ITEMS

Revised agendas were distributed to the Board Members.

LEGISLATIVE UPDATE

Patricia Fennessy updated the Board on the reopening of six locations of the CT Technical High School System LPN Programs which they would like to open on January 1, 2011. The locations have been geographically selected around the state. Currently they are working on the increase in tuition. Site selection should be announced in the next week or so. Vinal Tech will be graduating their evening class on June 17, 2010. Henry Abbott's evening program will be completed in December.

Karen Buckley-Bates provided the Board with a summary of the 2010 Legislative Session. Not all bills have been signed or vetoed by the Governor. Ms. Buckley-Bates discussed the Tech Bill SB428, the study on scope of practice, and advised the Board to pay attention to the Health Care Reform discussions and the impact it may have on Connecticut regarding scope of practice and supervision and education and training.

INTRODUCTION OF NANCY STEFANSKI

Pam Pelletier introduced Nancy Stefanski. Ms. Stefanski is a Nurse Consultant at the Department of Public Health who will be working with Ms. Pelletier answering scope of practice inquiries and assisting with Ms. Pelletier with the LPN program site visits.

SCHOOL ISSUES – CT COMMUNITY COLLEGE – CURRICULUM REVIEW

Chair Bouffard recused herself and left the room. Katherine Pellerin was Chair Pro Tem for the curriculum review. Present from NCCC were Barbara Douglass, President, Barbara Berger, Professor Emeritus, Steve Frazier, Dean of Administration and Student Affairs, Linda Perfetto, Director of System Nursing Curricular Operations, CCCNP. The Board reviewed the program and stated that the following information needs to be provided to the Board prior to the start of the nursing program in January 2011: a copy of the Nursing Program Administrator's resume when the position is filled, Nursing Faculty educational background and experience as hired and for what position, and a date to perform a site visit upon completion of construction of the nursing lab, library, and classrooms by the fall of 2010. Mary Brown moved, seconded by Mertie Terry, to accept the self-study report and placed the program on conditional approval pending the site visit and the NCLEX results of the first graduating class. The motion passed unanimously. Chair Bouffard returned at this time to Chair the meeting.

SCHOOL ISSUES - CHARTER OAK/CLN ON-LINE RN REFRESHER PROGRAM REVISIONS

Jane Murdock and Susan Deane were present to provide the Board with the revisions to the On-Line RN Refresher Program. Course content in the proposed program has additional content coverage from the current program. There is a summary of revisions to the program in Tab 2 of the Report. There are learning objectives and the course syllabus in each module. Due to the difficulty in finding clinical placements, the relevance and/or quality of the student's clinical experiences, the program wishes to use a virtual hospital setting instead of direct care patient experiences. If approved, the entire refresher program will be on-line. Katherine Pellerin moved, seconded by Mertie Terry, to approve the Charter Oak On-Line Program with revisions. The motion passed unanimously.

The Department expressed concerns for those nurses who were referred to a refresher course due to being out of practice for a significant length of time and/or as part of disciplinary action, as there must be a clinical/preceptor component to the program to ensure the nurse has met the validation of skills/competencies to resume safe practice and licensure requirements.

SCHOOL ISSUES - PORTER AND CHESTER INSTITUTE – FEASIBILITY STUDY – STRATFORD CAMPUS

The Board reviewed the Feasibility Study provided by the program. Present for this meeting were Phyllis DelMastro, program administrator for the Porter and Chester Institute Nursing Programs, and Jack Burke, Executive Director at Porter and Chester Institute. The Letter of Intent dated April 9, 2010 was received a part of the Feasibility Study. The documentation submitted did not identify that the program has been approved by the Department of Higher Education and/or contain documentation of national accreditation. Pam Pelletier requested this documentation from Phyllis DelMastro on May 11, 2010 and had not received the documentation prior to this meeting. The Proposed Stratford Program will use the same curriculum, policies, and procedures as the Watertown Campus. The Watertown Campus received conditional approval from the Board on July 20, 2005 pending review of the NCLEX results of their first graduating class. Katherine Pellerin moved and Heidi Darling seconded to table the request until additional information supporting the need for a program can be submitted for review as there was insufficient information to support the need for a practical nurse program in the Stratford, CT area. In reviewing the study, the Board stated that the supporting documentation for the need of LPNs in the workforce was outdated and the Board requested that Porter and Chester resubmit supporting documentation with more current articles. The study failed to demonstrate that students would get a job without relocating out of the area upon graduation with only 37 documented positions available. In addition, three years of budget information needs to be submitted and they are to contact other schools in the area for their survey date. The Board will revisit this issue during the summer disciplinary meetings although the documents have to be provided to the Board 30 days prior to the meeting.

SCHOOL ISSUES - LINCOLN TECHNICAL INSTITUTE – LETTER OF INTENT – HARTFORD CAMPUS

The Board Office received a Letter of Intent to initiate a daytime practical nursing program at the Lincoln Technical Institute located in Hartford, Connecticut, the former Connecticut Culinary Institute in Hartford. Upon completion of the Feasibility Study, the nursing program staff will submit an application for approval to the State of Connecticut Department of Higher Education. The anticipated start date for the day program will be in September 2011 accepting 40 students in their first class. The anticipated projected enrollment in the next three years will be 40 students per class four times per year.

SCHOOL ISSUES - STONE ACADEMY – REQUEST FOR EXTENSION FOR FIVE-YEAR STUDY

Donna Bys submitted a letter to the Board Office requesting an extension of Stone Academy's Five-Year Plan which is due July 2010 for the Hamden campus. The East Hartford campus Five-Year Plan is due in February of 2011. Ms. Bys is requesting an extension for the Hamden campus to February 2011 to allow ample time to complete the Hamden Five-Year Plan and the East Hartford Five-Year Plan collectively. The extension would provide the opportunity to seamlessly integrate both campuses into one presentation. Mary Brown moved and Katherine Pellerin seconded to approve the extension. The motion passed unanimously. Ms. Bye is to contact Pam Pelletier by October, 2010 to discuss what criterion must be individualized for each site and what criterion can be generic to each site prior to their submission as well as survey visits for both sites.

GATEWAY COMMUNITY COLLEGE – WAIVER REQUEST

Sheila Solernou, Program Director, was present to request a faculty education waiver request for Annette Haller. Katherine Pellerin moved, seconded by Donna Roberts, to approve the one-year faculty education waiver for Annette Haller. The motion passed unanimously.

Sheila Solernou also requested a permanent waiver for Rosemary Cronin-Ozyck. Maria Pietrantuono moved to grant the waiver, which was seconded by Mary Brown, and passed unanimously.

CORRESPONDENCE/STATISTICS ON INQUIRIES

Diane Cybulski reviewed the calls received in the Board Office during the month of April.

NATIONAL COUNCIL OF STATE BOARDS OF NURSING UPDATE

August 11 – 13, 2010 the NCSBN Annual Meeting will be held in Portland, Oregon.

APPROVAL MINUTES - APRIL 7, 2010

Heidi Darling moved and Donna Roberts seconded that the minutes be approved as written. The motion passed with all in favor with the exception of Katherine Pellerin, Maria Pietrantuono, Mertie Terry, and Mary Brown who abstained.

MEMORANDA OF DECISION – PETER DAWBER, RN

Katherine Pellerin moved, seconded by Mary Brown, to affirm the Board's prior decision to revoke Mr. Dawber's license. The motion passed with all in favor with one abstention, Mertie Terry.

Break 10:20 AM – 10:40 AM

FACT FINDING – RUTH DUSHAY, RN

Kathy Shea was not in attendance at the May 5, 2010 hearing. Exhibits were mailed to Ms. Shea as well as the hearing transcript. All Board Members were provided the May 5, 2010 transcript.

Following the May 5, 2010 hearing, Fact Finding took place. A motion was raised for revocation which was a tie vote, five in favor and five opposed. Attorney Stacy Owens, counsel for the Board, stated that when there is a tie vote it is in favor of the Respondent. A new vote was raised to place Ms. Dushay's license on suspension for six months with concurrent probation for four years. Once again it was a tie vote, five in favor and five opposed, as there were only ten Board Members present for the Fact Finding. The Board questioned Attorney Owens as to whether or not additional language can be added to a Memorandum of Decision that if the nurse returns before this Board for further disciplinary action, that their nursing license would automatically be revoked. Attorney Owens will check into adding this additional language to the Memoranda of Decision.

At today's meeting, Katherine Pellerin moved, seconded by Donna Roberts, to revoke Ms. Dushay's license. The motion passed with Kathy Shea, Heidi Darling, Maria Pietrantuono, Katherine Pellerin, and Donna Roberts in favor and with Chair Bouffard, Mertie Terry, and Mary Brown opposed.

CONSENT ORDER – DEBORAH L. DeCARLO, LPN

Legal Office Attorney Linda Fazzino presented the Board with a Consent Order for Deborah DeCarlo. Ms. DeCarlo was not present and was not represented at this meeting. Katherine Pellerin moved, seconded by Mary Brown, to accept the Consent Order as presented. The motion passed unanimously.

CONSENT ORDER – DEBRA MELLIUM, LPN

Legal Office Attorney Diane Wilan presented the Board with a Consent Order for Debra Mellium. Ms. Mellium was not present and did not have representation at this meeting. Maria Pietrantuono moved, seconded by Heidi Darling, to accept the Consent Order as presented. The motion passed unanimously.

CONSENT ORDER – DANIEL S. ANTELL, RN

Legal Office Attorney Diane Wilan presented the Board with a Consent Order for Daniel Antell. Mr. Antell was not present and did not have representation at this meeting. Maria Pietrantuono moved, seconded by Donna Roberts, to accept the Consent Order as presented. The motion passed unanimously.

MOTION TO WITHDRAW STATEMENT OF CHARGES – VICKI MROSEK, RN

Legal Office Attorney Diane Wilan presented the Board with a Motion to Withdraw Statement of Charges as Ms. Mrosek has signed a Voluntary Surrender. Mary Brown moved, seconded by Heidi Darling, to accept the Motion to Withdraw as presented. The motion passed unanimously.

MOTION TO WITHDRAW STATEMENT OF CHARGES – TAMMY LABRECQUE, LPN

Legal Office Attorney Ellen M. Shanley presented the Board with a Motion to Withdraw Statement of Charges as Ms. Labrecque has signed a Voluntary Surrender. Katherine Pellerin moved, seconded by Maria Pietrantuono, to accept the Motion to Withdraw as presented. The motion passed unanimously.

HEARING – MUKAILA OBAJINMI, RN

Legal Office Attorney Matthew Antonetti was present representing the Department of Public Health. Ms. Obajinmi was not present and did not have representation at this hearing. There was a question as to whether Ms. Obajinmi received written notice of this hearing. Maria Pietrantuono moved, seconded by Heidi Darling, to continue this hearing to July 21, 2010. The motion passed unanimously.

HEARING – SAMANTHA TOWNE, RN

Legal Office Attorney Linda Fazzino was present representing the Department of Public Health. Ms. Towne was not present and did not have representation at this hearing. There was no testimony provided.

Maria Pietrantuono moved and Donna Roberts seconded to find Ms. Towne on all charges with the exception of 3iii. The motion passed unanimously.

Maria Pietrantuono moved and Katherine Pellerin seconded to revoke Ms. Towne's license. The motion passed with all in favor. For the record, Ms. Towne's license expired on October 31, 2009 and as of June 2, 2010 it has not been renewed.

HEARING – CATHERINE M. FLANNERY, LPN

Legal Office Attorney Linda Fazzina was present representing the Department of Public Health. Ms. Flannery was present without representation at this hearing. Testimony was provided by Ms. Flannery. There were questions regarding statutes due to the fact that Ms. Flannery was not licensed at the time of the allegations. Counsel for the Board, Joanne V. Yandow, instructed both parties to file written comments regarding the question of the licensure issue at the time of the allegations. This documentation is to be received in the Board Office by July 9, 2010. This hearing has been continued to July 21, 2010 at 8:45 AM.

ADJOURNMENT

It was the unanimous decision of the Board Members present that this meeting be adjourned at 1:25 PM.

The **Board of Examiners for Nursing** held a meeting on June 16, 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
Tarah Cherry, Public Member
Heidi Darling, LPN
Veronica Kivela, Public Member
Jennifer Long, APRN
Katherine Pellerin, RN
Maria Pietrantuono, RN

BOARD MEMBERS ABSENT: Donna Roberts, LPN
Kathy K. Shea, Public Member
Mertie Terry, Public Member

ALSO PRESENT: Stacy Owens, Counsel to the Board, DPH
Diane Cybulski, Supervising Nurse Consultant, DPH
Pamela Pelletier, Nurse Consultant, DPH
Bonnie Pinkerton, Nurse Consultant, DPH
Leslie Scoville, Staff Attorney, Legal Office, DPH
Ellen M. Shanley, 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 8:35 AM.

STUDENTS

There were no students in attendance.

CHAIR UPDATES

Chair Bouffard announced the resignation of Amanda Campbell. The Board Office received notification from Amanda Campbell that she must resign from the Board due to scheduling conflicts. In her e-mail Amanda wrote that it has been an incredible privilege to work with such amazing women, and she will take the lessons she has learned with her throughout her career. Amanda said that the Board welcomed a young, inexperienced nurse into an honored position and she truly cannot thank the Board enough. Amanda has been with the Board since February of 2008. Amanda will be truly missed.

SCHOOL ISSUES – THREE RIVERS COMMUNITY COLLEGE WAIVER REQUESTS

Pamela Pelletier presented the Board with a request for two temporary faculty education waivers for Three Rivers Community College starting in September 2010.

Katherine Pellerin, seconded by Maria Pietrantuono, to grant Tracy Cormier a one-year temporary faculty education waiver effective September, 2010. The motion passed with all in favor.

Mary Brown moved, seconded by Maria Pietrantuono, to grant Elizabeth Dowd a one-year temporary faculty education waiver effective September, 2010. The motion passed with all in favor.

REINSTATEMENT HEARING REQUEST – JENNIFER TELAGE-VENTURINI, LPN

Ms. Venturini was present at this meeting to request a reinstatement hearing from the Board. Ms. Venturini had approached the Board in October 2009 with a reinstatement hearing request. The Board denied Ms. Venturini's request stating enough time had not elapsed since the signing of the Memorandum of Decision in April of 2009. Mary Brown moved and Jennifer Long seconded to grant Ms. Venturini's request for a reinstatement hearing. The motion passed with all in favor. The hearing will be scheduled for August 18, 2010. Katherine Pellerin recused herself from this discussion and voting.

HEARING – CHRYSTAL MOORE, RN

Legal Office Attorney Leslie Scoville was present representing the Department of Public Health. Ms. Moore was present without representation at this hearing. Testimony was provided by Bonnie Pinkerton, RN, and Ms. Moore. The hearing concluded.

Mary Brown moved and Katherine Pellerin seconded that Ms. Moore be found on all charges. The motion passed unanimously.

Mary Brown moved and Heidi Darling seconded that Ms. Moore's license be placed on probation for four years with a civil penalty of \$500.00. Following the discussion, the motion failed as all were in opposition to the motion. A new motion was raised by Mary Brown, seconded by Maria Pietrantuono, for revocation. The motion passed unanimously.

MOTION FOR SUMMARY SUSPENSION – MATTHEW DALLACHIE, LPN

Legal Office Attorney Ellen M. Shanley presented the Board with a Motion for Summary Suspension for Matthew Dallachie. Mr. Dallachie was not present and did not have representation at this meeting. Katherine Pellerin moved and Mary Brown seconded to grant the Motion for Summary Suspension. The motion passed with all in favor. Chair Bouffard signed the Summary Suspension Order and the Notice of Hearing scheduling the hearing for July 21, 2010.

ADJOURNMENT

It was the unanimous decision of the Board Members present to adjourn this meeting at 10:06 AM.

