

The **Board of Examiners for Nursing** held a meeting on August 21, 2013 at the Legislative Office Building, Room 1-A, 300 Capitol Avenue, Hartford, Connecticut.

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**BOARD MEMBERS PRESENT:** Patricia C. Bouffard, RN, Chair  
Lisa Freeman, Public Member (leaving 11:30 AM)  
Ellen M. Komar, RN  
Jennifer Long, APRN  
Geraldine Marrocco, RN  
Carrie Simon, Public Member

**BOARD MEMBERS ABSENT:** Mary M. Brown, RN  
Gina M. Reiners, RN

**ALSO PRESENT:** Stacy M. Schulman, Counsel to the Board, DPH  
Jennifer Filippone, Section Chief, PLIS, DPH  
Deborah Brown, Health Program Assistant, DPH  
Pamela Pelletier-Stevens, Nurse Consultant, DPH  
Ellen M. Shanley, Staff Attorney, Licensure Regulation and Compliance, DPH  
David Tilles, Staff Attorney, Licensure Regulation and Compliance, DPH  
Janice E. Wojick, Administrative Assistant, DPH  
Gail Gregoriades, Court Reporter

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Chair Patricia Bouffard called the meeting to order at 8:30 AM.

#### STUDENTS

Chair Bouffard welcomed students from Lincoln Technical Institute – Hamden Campus.

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

#### WELCOME

Chair Bouffard welcomed Lisa Freeman and Geraldine Marrocco to the Board of Examiners for Nursing. On August 1, 2013 Governor Malloy appointed Ms. Freeman to serve as a Public Member and Geraldine Marrocco to serve as an RN Member.

#### ADDITIONAL AGENDA ITEMS AND REORDERING OF AGENDA

##### Reinstatement Application Review - Linda Ricciardi, RN

Jennifer Filippone and Deborah Brown were present for the Department and Ms. Ricciardi was also present. The Board reviewed the documents provided. After the discussion and review of the documents presented, the Board stated that Ms. Ricciardi’s experience speaks for itself and she has kept her nursing skills up. Jennifer Long moved, seconded by Geraldine Marrocco, that Ms. Ricciardi’s RN license be reinstated without additional stipulations. The motion passed unanimously.

#### SCHOOL ISSUES – PORTER AND CHESTER INSTITUTE CAMPUS SUPERVISOR CHANGES

Present from the program were Patricia Donovan, Corporate Director, Karyn Therrien, and Grace Clark.

## ROCKY HILL CAMPUS

Karyn Therrien has been selected to replace Maribel Rivera-Smith as the LPN Supervisor at the Rocky Hill Campus. Ms. Therrien assumed responsibility at that campus on July 1, 2013.

After discussion and review of the documents presented, Jennifer Long moved, seconded by Carrie Simon, that Ms. Therrien's credentials meet the criteria specified in the Nursing Program Regulations for Campus Supervisor. The motion passed unanimously.

## STRATFORD CAMPUS

Grace Clark has been selected to replace Maureen Consiglio as the LPN Supervisor at the Stratford Campus. Ms. Clark assumed responsibility at that campus on August 5, 2013.

After discussion and review of the documents presented, Ellen Komar moved, seconded by Carrie Simon, that Ms. Clark's credentials meet the criteria specified in the Nursing Program Regulations for Campus Supervisor. The motion passed unanimously.

## SCHOOL ISSUES – QUINNIPIAC COLLEGE – WAIVER REQUESTS

Lisa O'Connor, Director of the Undergraduate Nursing Program, was present to request the waiver for Ryann Sullivan-Nocereto. After discussion and review of the documents presented, Geraldine Marrocco moved, which was seconded by Jennifer Long, to grant the one-year faculty education waiver for Ryann Sullivan-Nocereto. The motion passed unanimously.

## SCHOOL ISSUES – GATEWAY COMMUNITY COLLEGE – WAIVER REQUESTS

Sheila Solernou, Division Director of Nursing and Allied Health at Gateway, was present to request three one-year temporary faculty education waivers for their nursing program. Gateway currently does not have any temporary waivers. These waivers will not exceed the 10% outlined in the regulations.

Jennifer Long moved, seconded by Carrie Simon, to grant the one-year faculty education waiver for Nancy Clements. The motion passed unanimously.

Geraldine Marrocco moved, seconded by Ellen Komar, to grant the one-year faculty education waiver for Donna McKeehan. The motion passed unanimously.

Jennifer Long moved, seconded by Ellen Komar, to grant the one-year faculty education waiver for Nana Boahemaa. The motion passed unanimously.

## SCHOOL ISSUES – THREE RIVERS COMMUNITY COLLEGE – WAIVER REQUEST

Ellen Freeman, Director of Nursing and Allied Health at Three Rivers, was present to request a waiver for Stephanie Greaney. Geraldine Marrocco moved, seconded by Carrie Simon, to grant the one-year faculty education waiver for Stephanie Greaney. The motion passed unanimously.

## FAIRFIELD UNIVERSITY – WAIVER REQUESTS

Present from the program were Dean Lynn Babington and Dr. Theresa Quell to present the temporary faculty education waiver requests to the Board. Fairfield currently has 41 faculty members and the maximum temporary waiver request allowable by regulation is four and/or equal to 10%.

Jennifer Long moved, seconded by Ellen Komar, to grant the one-year faculty education waiver for Priscilla R. Schumack. The motion passed unanimously.

Carrie Simon moved, seconded by Geraldine Marrocco, to grant the one-year faculty education waiver for Nicole M. Russo. The motion passed unanimously.

Jennifer Long moved, seconded by Ellen Komar, to grant the one-year faculty education waiver for Cassandra DePinto. The motion passed unanimously.

Jennifer Long moved, seconded by Ellen Komar, to grant the one-year faculty education waiver for Stephanie Bilotta pending documentation received in the Board Office regarding Ms. Bilotta's name change. The motion passed unanimously.

MOTION TO WITHDRAW STATEMENT OF CHARGES  
MICHELE NOVELLA, RN, APRN – CHRISTINE PIMER, RN

DPH Staff Attorney Ellen M. Shanley presented the Board with two Motions to Withdraw Statement of Charges. At the July 17, 2013 Board Meeting the Department presented Prehearing Reviews for both cases. After review and discussion, it was the recommendation of the Board to dismiss the charges for both nurses. The Department concurred and presented the Motions to Withdraw Statement of Charges. Due to the fact that the majority of the quorum was not in attendance at the July 17, 2013 Board Meeting, it was the advice of the Board's Counsel, Attorney Stacy Schulman, to table the voting at this time. Both Motions will be placed on the September 4, 2013 Agenda.

MOTION FOR SUMMARY SUSPENSION – JANE A. SMITH, LPN

DPH Staff Attorney David Tilles presented the Board with a Motion for Summary Suspension for Jane Smith. Ms. Smith was not present and did not have representation at this meeting.

Jennifer Long moved, Lisa Freeman seconded, to grant the Department's Motion for Summary Suspension. The motion passed unanimously. Chair Bouffard signed the Summary Suspension Order and the Notice of Hearing scheduling the hearing for September 4, 2013.

MOTION FOR SUMMARY SUSPENSION – ROBBIN CAPP, RN

DPH Staff Attorney David Tilles presented the Board with a Motion for Summary Suspension for Robbin Cappa. Ms. Cappa was present with counsel, Attorney Jeremy Weingast.

Jennifer Long moved and Lisa Freeman seconded to grant the Department's Motion for Summary Suspension. The motion passed unanimously.

Chair Bouffard signed the Summary Suspension Order and the Notice of Hearing scheduling the hearing for September 4, 2013. Ms. Cappa was hand served by Janice E. Wojick the signed Notice of Hearing, the Statement of Charges, and the Summary Suspension Order prior to leaving the Board Meeting. Attorney Weingast was asked to file an Appearance if he had not already done so. Attorney Weingast also requested a continuance to which Chair Bouffard responded that he put his request in writing. Possible hearing dates were discussed.

MEMORANDA OF DECISION

Prior to today's meeting, all Board Members were e-mailed the following two Memoranda of Decision.

JENNIFER GAUDINO, LPN

Ellen Komar moved, seconded by Carrie Simon, to affirm the Board's prior decision to revoke Ms. Gaudino's license. The motion passed with all in favor with two abstentions: Lisa Freeman and Geraldine Marrocco.

## JILL WITHEY, LPN

Carrie Simon moved, seconded by Jennifer Long, to affirm the Board's prior decision to revoke Ms. Withey's license. The motion passed with all in favor with two abstentions: Lisa Freeman and Geraldine Marrocco.

Break: 9:40 AM – 9:59 AM

## HEARING – EILEEN HARTMAN, RN

DPH Staff Attorney David Tilles was present representing the Department of Public Health. The first hearing in this matter was scheduled for April 17, 2013 in which Ms. Hartman did not make an appearance and there was no proof of service. The Board rescheduled the hearing to June 5, 2013. Ms. Hartman left a voice mail message for Attorney Tilles stating that she would not be attending the hearing and was requesting a continuance. The Board granted the continuance to July 17, 2013. Ms. Hartman again requested a continuance, which was granted, which brings us to today's hearing. The July 16, 2013 Continuance Ruling stated that absent extreme, unforeseen circumstances, no further continuances would be granted.

Ms. Hartman was present pro se. Testimony was provided by Yolanta Gawinski, DPH Health Program Supervisor, and Ms. Hartman. During Ms. Hartman's testimony, Jennifer Long moved to enter into Executive Session in order to question Ms. Hartman regarding her medical records. The motion was seconded by Ellen Komar and passed unanimously at which time the room was cleared of all visitors. When testimony was completed, Ellen Komar moved, and Geraldine Marrocco seconded to move out of Executive Session. The motion passed unanimously and the public was invited back into the hearing.

The Board stated that they were struggling with the fact of non-compliance of providing any treatment records during the hearing. Jennifer Long moved and Ellen Komar seconded that Ms. Hartman be found as charged. The motion passed unanimously.

Jennifer Long moved and Ellen Komar seconded that Ms. Hartman's license be revoked. The motion passed unanimously. The Board again stated that there were no records provided at the hearing. There was no objective evidence other than Ms. Hartman's testimony that she was in a recovery program.

## HEARING – DONALD MUSGRAVE, RN

DPH Staff Attorney Ellen M. Shanley was present representing the Department of Public Health. Mr. Musgrave was not present and did not have representation at this hearing. Lisa Freeman left at this time.

Attorney Shanley presented a Motion to Amend Statement of Charges adding a new allegation, as a result of new information received after the filing of the initial Statement of Charges.

Attorney Shanley made an Oral Motion to Deem Allegations Admitted as Mr. Musgrave did not file a written Answer and did not attend today's hearing.

Attorney Shanley stated that Mr. Musgrave had a Compliance Conference scheduled at the Department on August 20, 2013. Mr. Musgrave did not appear for this meeting and did not contact the Office of Licensure Regulation and Compliance to offer an explanation as to why he was not in attendance at the Compliance Conference.

Jennifer Long moved that Mr. Musgrave be found as charged. The motion was seconded by Carrie Simon and passed unanimously.

Jennifer Long stated that based on the violation of his Consent Order, the addition of the new charge, the fact that he did not appear for today's hearing, the fact that he did not file an Answer to the Statement of Charges as ordered in the Notice of Hearing, he violated the scope of his practice and responsibility, this leaves the Board no choice but to revoke his license. The motion was seconded by Carrie Simon and passed unanimously.

Board's Counsel, Attorney Stacy Schulman, spoke to the Board Members regarding the difference between recusals and abstentions.

#### HEARING – BETHANY F. BOZZUTO, LPN

DPH Staff Attorney David Tilles was present representing the Department of Public Health. The first hearing in this case was held on June 19, 2013 at which time treatment records were not provided by Ms. Bozzuto. The Board continued the hearing to allow Ms. Bozzuto time to get the treatment records, and therapist reports which she discussed in her opening statement including drug screen reports, as well as documents regarding participation in AA, and employer reports. Chair Bouffard instructed Ms. Bozzuto, on the record, to submit the records to the Department for review no later than August 7, 2013 by 4:00 PM. Attorney Tilles stated that his office did not receive any records and has had no communication with Ms. Bozzuto since the June 19, 2013 hearing. All Board Members were provided the June 19, 2013 transcript and all Board Members not present at the June 19<sup>th</sup> hearing were provided with the hearing exhibits prior to today's hearing.

Ms. Bozzuto was not present and did not have representation at this hearing. Attorney Tilles made opening/closing remarks and the record was closed.

Carrie Simon moved and Jennifer Long seconded that Ms. Bozzuto be found as charged. The motion passed unanimously.

Carrie Simon moved that Ms. Bozzuto's license be revoked. The motion was seconded by Geraldine Marrocco and passed unanimously.

#### ADJOURNMENT

It was the unanimous decision of the Board Members present to adjourn this meeting at 12:10 PM.

Patricia C. Bouffard, Chair  
Board of Examiners for Nursing