

The **Board of Examiners for Nursing** held a meeting on May 1, 2013 at the Department of Public Health Complex, Room 470-A/B, 410 Capitol Avenue, Hartford, Connecticut.

BOARD MEMBERS PRESENT: Patricia C. Bouffard, RN, Chair
Mary M. Brown, RN
Ellen M. Komar, RN
Jennifer Long, APRN
Gina M. Reiners, RN

BOARD MEMBERS ABSENT: Maria Pietrantuono, RN
Carrie Simon, Public Member

ALSO PRESENT: Stacy S. Schulman, Counsel to the Board, DPH
Jennifer Filippone, Section Chief, PLIS, DPH
Diane Cybulski, Supervising Nurse Consultant, DPH
Matthew Antonetti, Staff Attorney, Licensure Regulation and Compliance, DPH
Leslie Scoville, 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 8:30 AM.

STUDENTS

There were no students present at today's meeting.

CHAIR UPDATES

Chair Bouffard spoke to the graduating class at Naugatuck Valley Community College regarding the mission and the duties of the Board.

OPEN FORUM

The audience congratulated Gina Reiners appointment to the Board.

ADDITIONAL AGENDA ITEMS AND REORDERING OF AGENDA

Revised Agendas were provided for today's meeting

LEGISLATIVE UPDATE – 2013 SESSION ENDS JUNE 5, 2013

Jennifer Filippone provided an update to the Board

SCHOOL ISSUES – UNIVERSITY OF SAINT JOSEPH – AN ACCELERATED SECOND DEGREE PROGRAM

This review and discussion is regarding the approval of the Accelerated Second Degree Program (ASD Program) at the University of Saint Joseph Connecticut (USJ-CT). Dean Sandra G. Affenito, Dr. Joyce Fontana, Pamela Aselton, Interim Chair of the Department of Nursing, and Marianne (Mimi) Snyder, Director of Accelerated Second Degree Nursing Program, were present from USJ-CT for this discussion. USJ-CT is seeking reinstatement of the ASD Program which has been suspended for the last two years. The history of the ASD Program was provided to the Board. The last group admitted to the ASD Program was in 2009. Dr. Aselton stated that the program received accreditation from CCNE on April 21, 2004 to extend through June 30, 2014.

CCNE will be arriving at USJ-CT in the Fall of 2013 for their next on-site evaluation. After discussion and review of the documents presented, Mary Brown moved to table the approval of the ASD Program. The motion was seconded by Jennifer Long, and passed with all in favor with the exception of Gina Reiners who recused herself from the discussion and the voting. The Board outlined the additional documents needed for approval. Chair Bouffard did advise Dr. Aselton that the Board must receive notification of any further changes to any of their pre-licensure nursing programs in a timely manner. This request for approval will be placed on the May 15, 2013 Nursing Board Agenda.

SCHOOL ISSUES – MIDLAND COLLEGE – KUMASI, GHANA

The Board's agenda packets included an FYI regarding the above school's interest in establishing an LPN Program in Connecticut. Pamela Pelletier-Stevens responded to their request in writing explaining the process which is quite lengthy. The facility requesting the establishment of the LPN Program must first have a building located in Connecticut and must seek accreditation from the Office of Financial & Academic Affairs for Higher Education, prior to applying for consideration of licensure (see School Regulations Section 10-96, Part VI, entitled Vocational Schools, Education & Rehabilitation - contact person is Patricia Santoro, Director of Academic Affairs). The Board cannot move forward to approve a Private LPN School without the proper credentialing.

SCOPE OF PRACTICE CALLS – MARCH 2013

Diane Cybulski reviewed the calls received during the month of March 2013. Most calls were the usual calls received each month although there were a few calls regarding mandatory overtime during storms.

NATIONAL COUNCIL OF STATE BOARDS OF NURSING UPDATE

Pam Pelletier-Stevens and Diane Cybulski will be attending the NCSBN Nurse Investigator Conference June 5th through 8th, 2013 in Annapolis, Maryland

PLIS is working on the implementation of NURSYS

MOTION FOR SUMMARY SUSPENSION – HERBERT TERRY, III, LPN

Attorney David Tilles presented the Board with a Motion for Summary Suspension for Herbert Terry, III. Mr. Terry was not present and did not have representation at this meeting. Jennifer Long moved, seconded by Ellen Komar, 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 May 15, 2013 at 8:30 AM.

CONSENT ORDER – DANIELLE McKEOWN, RN

Attorney Matthew Antonetti presented the Board with a Consent Order for Ms. McKeown. Ms. McKeown was not present at this meeting and did not have representation at this meeting. Jennifer Long moved, seconded by Gina Reiners, to accept the Consent Order as written. The motion passed unanimously.

CONSENT ORDER – NELIZEHAYDEE OLMEDA, RN

Attorney Diane Wilan presented the Board with a Consent Order for Ms. Olmeda. Ms. Olmeda was not present at this meeting and did not have representation at this meeting. Mary Brown moved, which was seconded by Gina Reiners, to accept the Consent Order as written. The motion passed unanimously.

REINSTATEMENT HEARING – JUDITH FOLLERT, RN

Attorney Joelle Newton was present representing the Department of Public Health. Ms. Follert was present with counsel, Attorney Robert A. Salerno, who made an oral request for a continuance of today's hearing. Mary Brown moved, seconded by Jennifer Long, to grant the continuance to September 4, 2013. The motion passed unanimously.

HEARING – BRITNEY MARCANTONIO, RN

Attorney Leslie Scoville was present representing the Department of Public Health. Attorney Scoville presented the Board with an Oral Motion to Withdraw Statement of Charges as Ms. Marcantonio had just signed a Voluntary Surrender affidavit. Gina Reiners moved, seconded by Mary Brown, to accept the Oral Motion to Withdraw Statement of Charges. The motion passed unanimously.

ADJOURNMENT

It was the unanimous decision of the Board Members present to adjourn at 9:45 AM.

Patricia C. Bouffard, Chair
Board of Examiners for Nursing

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BOARD MEMBERS PRESENT: Patricia C. Bouffard, RN, Chair
Mary M. Brown, RN
Jennifer Long, APRN
Gina M. Reiners, RN
Carrie Simon, Public Member

BOARD MEMBERS ABSENT: Ellen M. Komar, RN
Maria Pietrantuono, RN

ALSO PRESENT: Joanne V. Yandow, 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
Leslie Scoville, 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

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

STUDENTS

There were no students in attendance at this meeting.

ADDITIONAL AGENDA ITEMS AND REORDERING OF AGENDA

Board Members received the Revised Agendas at the start of today's meeting.

UNIVERSITY OF SAINT JOSEPH CONNECTICUT – ACCELERATED SECOND DEGREE PROGRAM

This is a continuation of the May 1, 2013 meeting regarding approval of the Accelerated Second Degree Program at the University of Saint Joseph Connecticut (USJ-CT). Pamela Aselton, Interim Chair of the Department of Nursing, and Marianne (Mimi) Snyder, Director of Accelerated Second Degree Nursing Program, were both present from USJ-CT for this discussion. Dr. Aselton stated that the program received accreditation from CCNE on April 21, 2004 to extend through June 30, 2014. CCNE will be arriving at USJ-CT in the Fall of 2013 for their next on-site evaluation. After review of the documentation provided by the program and today's discussion, Mary Brown moved to approve the reopening of the Second Degree Accelerated Program at USJ-CT. The motion was seconded by Jennifer Long and passed with all in favor with the exception of Gina Reiners who recused herself from the discussion and the voting. Chair Bouffard did advise Dr. Aselton that the Board must receive notification of any additional changes to any of their pre-licensure programs in a timely manner. Also, Deborah Brown will be notified to authorize a NCLEX number for the Accelerated Second Degree Program.

MOTION TO WITHDRAW STATEMENT OF CHARGES – HERBERT TERRY, III, LPN

DPH Staff Attorney David Tilles presented the Board with a Motion to Withdraw Statement of Charges as Mr. Terry has voluntarily surrendered his license.

Jennifer Long moved and Gina Reiners seconded to grant the Motion to Withdraw the Statement of Charges. The motion passed unanimously. Chair Bouffard signed the Motion to Withdraw which becomes effective immediately upon signature.

MOTION TO WITHDRAW STATEMENT OF CHARGES – MARLENE S. SILVA, RN

DPH Staff Attorney Leslie Scoville presented the Board with a Motion to Withdraw Statement of Charges as Ms. Silva has voluntarily surrendered his license.

Gina Reiners moved and Carrie Simon seconded to grant the Motion to Withdraw the Statement of Charges. The motion passed unanimously. Chair Bouffard signed the Motion to Withdraw which becomes effective immediately upon signature.

MOTION FOR SUMMARY SUSPENSION – AMBER KALOUSTIAN, RN

Staff Attorney Leslie Scoville presented the Board with a Motion for Summary Suspension for Amber Kaloustian. Ms. Kaloustian was present without representation at this meeting. Ms. Kaloustian's counsel, Attorney Mony B. P. Yin, was not available to attend due to a scheduling conflict. Ms. Kaloustian had an objection to the Motion for Summary Suspension for the Board. The Board Members were advised not to accept this document as this would be ex parte communication as Ms. Kaloustian had retained counsel yesterday.

Mary Brown moved and Gina Reiners 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 June 5, 2013 at 9:00 AM.

MEMORANDA OF DECISION

The Board reviewed the following Memoranda of Decision.

EDELIN LESPERANCE, RN

Carrie Simon moved and Jennifer Long seconded to affirm the Board's prior decision to reprimand Ms. Lesperance's license and place her registered nurse license on probation for a period of six months in order to complete a course in professional ethics. Within 30 days of the signature of this Memorandum of Decision Ms. Lesperance is to pay the Department of Public Health a civil penalty of \$2,500.00. The motion passed unanimously.

TINA M. NUGENT, LPN

Carrie Simon moved and Jennifer Long seconded to affirm the Board's prior decision to suspend Ms. Nugent's license for a period of three months followed by probation for a period of one year, and is successfully complete a course in medication administration, she must complete 40 hours of one-on-one supervised medication administration. The motion passed with all in favor with the exception of Gina Reiners who abstained as she was not present at the hearing.

NICOLE ZUKOWSKI, RN

Carrie Simon moved and Mary Brown seconded to affirm the Board's prior decision to revoke Ms. Zukowski's registered nurse license effective immediately upon signature. The motion passed with all in favor with the exception of Gina Reiners who was not present at the hearing.

HEARING – JILL WITHEY, LPN

Staff Attorney Leslie Scoville was present representing the Department of Public Health. Ms. Withey was not present at this hearing. Today is the third scheduled hearing for Ms. Withey. Ms. Withey was not in attendance for today's hearing. At the March 20, 2013 hearing the Board continued the hearing to allow Ms. Withey time to produce the treatment documents by April 22nd which gave her one month. The Board requested up to date and inclusive treatment records including the HAVEN records. The hearing was scheduled for May 15, 2013 and neither the Department nor the Board has heard from Ms. Withey.

The Board went forward with the hearing. At the March 20, 2013 hearing Ms. Withey admitted verbally to all of the charges. There was no testimony provided today.

Gina Reiners moved that we could find Ms. Withey on all charges as she had verbally admitted to all of the charges. The motion was seconded by Carrie Simon and passed unanimously.

Gina Reiners moved, which was seconded by Carrie Simon, that Ms. Withey's license be revoked. The Board gave Ms. Withey an opportunity to submit updated treatment records and she did not contact DPH or the Board Office. The motion passed unanimously.

ADJOURNMENT

It was the unanimous decision of the Board Members present to adjourn this meeting at 9:37 AM.

Patricia C. Bouffard, Chair
Board of Examiners for Nursing