

The **Board of Examiners for Nursing** held a meeting on March 5, 2014 at the Department of Public Health Complex, Conference Room 470-A.B, 410 Capitol Avenue, Hartford, Connecticut.

BOARD MEMBERS PRESENT: Patricia C. Bouffard, RN, Chair
Mary M. Brown, RN
Lisa S. Freeman, Public Member
Jennifer Long, APRN
Geraldine Marrocco, RN

BOARD MEMBERS ABSENT: Ellen M. Komar, RN
Gina M. Reiners, RN
Carrie Simon, Public Member

ALSO PRESENT: Joanne V. Yandow, Counsel to the Board, DPH
Jennifer Filippone, Section Chief, PLIS, DPH
Pamela Pelletier-Stevens, Nurse Consultant, DPH
Linda Fazzina, Staff Attorney, Licensure Regulation and Compliance, DPH
Joelle Newton, Staff Attorney, Licensure Regulation and Compliance, DPH
Ellen M. Shanley, 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

Chair Bouffard welcomed students from the University of Hartford

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

CHAIR UPDATES

Chair Bouffard, Mary Brown, and Geraldine Marrocco will be attending the NCSBN Mid-Year Meeting in Kansas City, Missouri March 10-12, 2014

Chair Bouffard did a presentation at Northwestern CT Community College regarding the duties and jurisdiction of the Board and how it is related to the importance of nursing practice.

OPEN FORUM

There were no comments or questions from the audience.

ADDITIONAL AGENDA ITEMS AND REORDERING OF AGENDA

The March 4, 2014 Revised Agenda was provided to the Board Members and visitors.

Attorney Joelle Newton will be presenting a Motion to Withdraw Statement of Charges on the Jill Bennett-Granda as Ms. Bennett-Granda, RN, has signed a Voluntary Surrender.

LEGISLATIVE UPDATE

Jennifer Filippone provided the Board an overview of the bills which would be of interest to the Board.

The Governor's Bill SB36 would eliminate the APRN Collaborative Agreement after three years of collaborative practice. The Public Hearing was held on February 28, 2014 at the Legislative Office Building before the Public Health Committee. Dr. Mullen testified on behalf of the Department of Public Health. Some people have concerns that this bill would be making APRNs "Physicians" and this is not true.

The Department is working on proposed language regarding Medical Assistants as the Connecticut Society of Medical Assistants (CSMA) and the American Association Medical Assistants (AAMA) jointly submitted a scope of practice request to enable physicians to delegate medication administration to certified medical assistants, and establish mandatory education and training requirements and a recognized scope of practice for medical assistants who engage in medication administration. More specifically, CSMA and AAMA are requesting a scope of practice change that would enable licensed physicians to delegate: (1) the administration of medication orally or by inhalation; and (2) the administration of intramuscular, intradermal, and subcutaneous injections (including vaccinations/ immunizations) to medical assistants working under their direct supervision in outpatient settings who (1) have graduated from an accredited, postsecondary medical assisting program that is accredited by either the Commission on Accreditation of Allied Health Education Programs or the Accrediting Bureau of Health Education Schools; and (2) have a current medical assisting credential acceptable to and recognized by the Connecticut Department of Public Health. For purposes of this request, "direct supervision" is defined as the overseeing/delegating/supervising physician being on the premises and reasonably available although not necessarily in the same room.

The Natureopaths will be submitting a bill requesting full prescriptive authority and ability to perform minor office procedures. To date, the bill has not been submitted. Also, there is the usual legislation regarding coaches and teachers and Epi-Pens.

SCHOOL ISSUES – LPN WORK GROUP UPDATE

The first meeting of the LPN Work Group was held on Friday, February 28, 2014. Jennifer Filippone, Chair Bouffard, and Pamela Pelletier-Stevens were present at this meeting. Currently the nursing school regulations state that it has to be clock hours for LPNs and no simulation. The private LPN programs are requesting credit hours and simulation for LPNs.

Everyone that attended this meeting expressed their individual concerns regarding the above issue. Chair Bouffard will be attending the NCSBN Mid-Year Meeting being held in Kansas City, Missouri March 10-12, 2014 and will discuss this issue with Member Board LPN Programs at the meeting to see what other states do. Also, Jennifer Filippone will be attending an NCSBN and will inquire how other states are handling this as the Board Office had received correspondence on February 12, 2014 from Stone Academy advising the Board of their intent to revise the current LPN curriculum.

Chair Bouffard asked that all Board Members review the nursing school regulations to see if any other changes are warranted as they will be opening up the school regulations. The current nursing school regulations went into effect in 2004.

SCOPE OF PRACTICE – CORRESPONDENCE/STATISTICS ON INQUIRIES

Pamela Pelletier-Stevens reviewed the calls received into the Board Office during the month of January, 2014. There was discussion regarding the Governor's Bill SB36 and the APRN Collaborative Agreement Hearing before the Public Health Committee on February 28, 2013. Dr. Mullen provided testimony at the Public Hearing on behalf of the Department of Public Health. There were several NCSBN telephonic surveys including one regarding the NCLEX pass rate requirements. Ms. Pelletier-Stevens discussed the problems with the survey monkey tool which is being used to capture the annual nursing education program statistics regarding all RN and LPN Nursing Programs. Ms. Pelletier-Stevens is hoping that a full report will be available for the Board's May 7, 2014 Business Meeting.

NCSBN UPDATES

Chair Bouffard, Mary Brown, and Geraldine Marrocco, will be attending the NCSBN Mid-Year Meeting in Kansas City, Missouri March 10 – 12, 2014.

MINUTES – FEBRUARY 19, 2014

Janice E. Wojick presented the Board with the minutes from the Board's February 19, 2014 meeting. Jennifer Long moved to accept the minutes as edited. The motion was seconded by Geraldine Marrocco and passed with two abstentions: Mary Brown and Lisa Freeman.

MOTION FOR SUMMARY SUSPENSION – TAMMARA MOREY, LPN

DPH Staff Attorney Ellen M. Shanley presented the Board with a Motion for Summary Suspension for Tammara Morey. Ms. Morey was not present and did not have representation at this meeting.

Mary Brown moved and Geraldine Marrocco 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 March 19, 2014.

MOTION FOR SUMMARY SUSPENSION – JENNIFER COTE, LPN

DPH Staff Attorney Ellen M. Shanley presented the Board with a Motion for Summary Suspension for Jennifer Cote. Ms. Cote was not present and did not have representation at this meeting.

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 March 19, 2014.

MOTION TO WITHDRAW STATEMENT OF CHARGES – JILL BENNETT-GRANDA, RN

DPH Staff Attorney Joelle Newton presented the Board with a Motion to Withdraw Statement of Charges for Jill Bennett-Granda, RN, as Ms. Bennett-Granda had signed a Voluntary Surrender. Ms. Bennett-Granda was not and did not have representation at this meeting.

Geraldine Marrocco moved and Jennifer Long seconded to grant the Department's Motion to Withdraw Statement of Charges as Ms. Bennett-Granda had signed a Voluntary Surrender.

CONSENT ORDER – DONNA PLESZ, RN

DPH Staff Attorney Joelle Newton presented the Board with a Consent Order for Donna Plesz. Ms. Plesz was not present and did not have representation at this meeting. Mary Brown moved to accept the Consent Order as presented. The motion was seconded by Geraldine Marrocco and passed unanimously. Chair Bouffard signed the Consent Order. Chair Bouffard and several of the Board Members stated that the documentation in this report was horrendous which made the report very difficult to read. Chair Bouffard will inform the Commissioner of this problem.

CONSENT ORDER – AMANDA ESPINOZA, LPN

DPH Staff Attorney Joelle Newton presented the Board with a Consent Order for Amanda Espinoza. Ms. Espinoza was not present as she is currently living in Alabama. Ms. Espinoza did not have representation at this meeting. Jennifer Long moved to table this Consent Order. The motion was seconded by Lisa Freeman and passed unanimously. It was the recommendation of the Board that Ms. Espinoza also complete a 16-hour supervised med pass within the first three months of her probation. Tolling language should be included in this Consent Order to start after the probationary period is completed. The Board had grave concerns with the number of patients and the number of medications. Patient assessment should be done before the pouring of medications.

MEMORANDUM OF DECISION – NICOLE SANTO, LPN

The Board reviewed the above Memorandum of Decision which was e-mailed to all Board Members prior to this meeting. Jennifer Long moved to accept the Memorandum of Decision as written. The motion was seconded by Geraldine Marrocco and passed unanimously. Chair Bouffard signed this Order which places Ms. Santo's license on probation for four years with conditions.

HEARING – CANDACE KLANESKI, LPN

DPH Staff Attorney Linda Fazzino was present representing the Department of Public Health. Ms. Klaneski was present with counsel, Attorney Mary Alice Moore Leonhardt. Testimony was provided by Ms. Klaneski.

Geraldine Marrocco moved that Ms. Klaneski be found on all charges. The motion was seconded by Mary Brown and passed unanimously.

Geraldine Marrocco moved that charges against Ms. Klaneski's license be dismissed as the charges do not rise to the level of Board discipline. The motion was seconded by Mary Brown and passed unanimously.

The Board took a ten minute recess.

HEARING – PATRICIA CONKLIN, RN

DPH Staff Attorney Linda Fazzino was present representing the Department of Public Health. Ms. Conklin was present with counsel, Attorney Mary Alice Moore Leonhardt. Due to the fact that Attorney Moore-Leonhardt did not have the entire medical record for Ms. Conklin, Geraldine Marrocco moved, which was seconded by Lisa Freeman, to reschedule the hearing to April 2, 2014 in order to allow time for the respondent to produce her entire medical record to the Department. The motion passed unanimously.

ADJOURNMENT

It was the unanimous decision of the Board Members present to adjourn this meeting at 11:36 AM at which time Chair Bouffard spoke to the students from the University of Hartford.

Patricia C. Bouffard, D.N.Sc., Chair
Board of Examiners for Nursing

The **Board of Examiners for Nursing** held a meeting on March 19, 2014 at the Department of Public Health Complex, Conference Room 470-A.B, 410 Capitol Avenue, Hartford, Connecticut.

BOARD MEMBERS PRESENT: Patricia C. Bouffard, RN, Chair
Lisa S. Freeman, Public Member
Jennifer Long, APRN
Geraldine Marrocco, RN
Gina M. Reiners, RN
Carrie Simon, Public Member

BOARD MEMBERS ABSENT: Mary M. Brown, RN
Ellen M. Komar, RN

ALSO PRESENT: Stacy M. Schulman, Counsel to the Board, DPH
Jennifer Filippone, Section Chief, PLIS, DPH
Leslie Scoville, Staff Attorney, Licensure Regulation and Compliance, 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

Chair Patricia Bouffard called the meeting to order at 8:35 AM.

STUDENTS

Chair Bouffard welcomed students from Southern CT State University, Central CT State University, and the University of Hartford.

Chair Bouffard will provide the students with an overview of the Board's responsibilities, jurisdiction, and nursing education programs at the conclusion of today's meeting.

LEGISLATIVE UPDATE

Jennifer Filippone was present to provide an update regarding the progress of the 2014 Legislative Session which are of interest to this Board: **APRN – Senate Bill 36** - Public Hearing was held on March 5, 2014; bill voted out of Public Health Committee; **Medical Orders for Life Sustaining Treatment – Senate Bill 413** - Public Hearing was held on March 14, 2014; **Medical Spas – Senate Bill 418** - Public Hearing was held on March 14, 2014; **Medical Assistants – Senate Bill 459** - Public Hearing to be held today and, **Compassionate Aid in Dying for Terminally Ill Patients – House Bill 5326** – Public Hearing held on March 17, 2014.

Ms. Filippone will e-mail Janice Wojick the links to the actual Bills, the CGA Website to track progress on all bills, the link to the testimony for each bill, and the DPH 2014 Scope Report to be forwarded to all of the Board Members.

MOTION TO REOPEN CONSENT ORDER – ROBBIN CAPP, RN

Attorney Jeremy Weingast was present with his client, Ms. Robbin Cappa, and Staff Attorney David Tilles was present representing the Department of Public Health. Prior to today's meeting each Board Member was mailed the Respondent's Motion to Modify Consent Order and the Department's Objection to Respondent's Motion to Modify Consent Order. The Board discussed the Respondent's Motion and the Department's Objection and stated that the Board's main concern is to protect the public which is the reason that these safeguards are in place.

Consent Orders also are designed to help the nurse along the path to her recovery and it has only been a very short time since this Consent Order was issued. After review and discussion of the documentation presented by the Respondent and the Department, Jennifer Long moved that the Board deny the Respondent's Motion to Reopen Consent Order. The motion was seconded by Gina Reiners and passed unanimously.

MOTION TO WITHDRAW STATEMENT OF CHARGES – PATRICIA JOHNSON, LPN

Staff Attorney Ellen M. Shanley presented the Board with a Motion to Withdraw Statement of Charges for Patricia Johnson as Ms. Johnson signed a Voluntary Agreement Not to Renew or Reinstate License on February 24, 2014. Geraldine Marrocco moved to grant the Department's Motion to Withdraw Statement of Charges. The motion was seconded by Gina Reiners and passed unanimously. Chair Bouffard signed the Motion to Withdraw Statement of Charges.

PREHEARING REVIEW – NINA M. VECCHIARELLI, RN

Staff Attorney Leslie Scoville was present representing the Department. Ms. Vecchiarelli was present with counsel, Attorney Mary Alice Moore Leonhardt. The Board stated that they were very disturbed about this whole situation. It was the recommendation of the Board that Ms. Vecchiarelli's license be reprimanded and that she successfully complete the following educational practice courses: safe injection practice and infection control including disease transmission. All coursework must be approved by the Department of Public Health Monitoring Unit.

HEARING – TAMMARA MOREY, LPN

Staff Attorney Ellen M. Shanley was present representing the Department of Public Health. Ms. Morey was not present and did not have representation at this meeting. Ms. Morey called the Board Office late yesterday afternoon stating that she would not be able to make it for 8:30 AM as she has to bring her daughter to school for 8:55 AM. She was then asked whether or not she would be attending the hearing. She stated she would be attending and was told that the Board would be informed that she would be arriving late. The Board rearranged their agenda to accommodate Ms. Morey's request.

HEARING – JENNIFER COTE, LPN

Staff Attorney Leslie Scoville was present representing the Department of Public Health. Ms. Cote was not present and did not have representation at this meeting. Gina Reiners recused herself from discussion and voting regarding this case. There was no testimony provided. The Department entered the Investigation Report into the record. Attorney Scoville made an Oral Motion to Deem Allegations Admitted. In view of the fact that Ms. Cote was not in attendance and the fact that she did not file an Answer to the Statement of Charges, Jennifer Long moved to grant the Department's request to Deem the Allegations Admitted. The motion was seconded by Geraldine Marrocco and passed unanimously.

Jennifer Long moved to revoke Ms. Cote's LPN License based on the documents provided to the Board from the Department of Public Health as Ms. Cote did not file an Answer to the Statement of Charges and did not appear for today's hearing. The motion was seconded by Carrie Simon and passed unanimously.

HEARING – LAURIE B. MATHERS, LPN

Staff Attorney Leslie Scoville was present representing the Department of Public Health. Ms. Mather's was present with counsel, Attorney Peter Soulsby. The Board took a ten minute recess to have copies made of Respondent's Answer. Testimony was provided by Ms. Mathers and Ms. Najma Jabeen, RN, Ms. Mathers' current supervisor at Chelsea Place.

Gina Reiners moved that Ms. Mathers be found as charged with the exception of 3.b. The motion was seconded by Geraldine Marrocco and passed unanimously.

Gina Reiners moved, after discussion and friendly amendments, that Ms. Mathers' license be placed on probation for one-year with monthly employer reports, bimonthly therapist reports, an Ethics Course approved by the Department of Public Health, and there is to be no key restriction. The motion passed unanimously.

ADJOURNMENT

It was the unanimous decision of the Board Members present to adjourn this meeting at 11:15 AM.

Patricia C. Bouffard, D.N.Sc., Chair
Board of Examiners for Nursing