STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
HEALTHCARE SYSTEMS BRANCH
BOARD OF EXAMINERS FOR NURSING

In Re: Lisa Topham, R.N. Petition No. 2009-2009102

CONSENT ORDER

WHEREAS, Lisa Topham, R.N., (hereinafter "respondent") of Newtown, Connecticut has been issued license number E48472 to practice as a registered nurse by the Department of Public Health (hereinafter "the Department") pursuant to Chapter 378 of the General Statutes of Connecticut, as amended; and,

WHEREAS, respondent hereby admits and acknowledges that:

1. At various times since on or about November 1, 2008, respondent has conducted a practice at Laser Rejuvenation Center. Respondent has assessed patients, used laser devices for hair removal and treatment of skin conditions, ordered and administered Botox, Restylane, Sculptra, and Juvederm, and directed the use of non-prescription medications, all without physician orders.
2. The above described facts constitute grounds for disciplinary action pursuant to the General Statutes of Connecticut, §20-99(b), including but not limited to §20-99(b)(2).

WHEREAS, respondent, in consideration of this Consent Order, has chosen not to contest the above admitted violations at a hearing in front of the Board of Examiners for Nursing (hereinafter "the Board"). Respondent further agrees that this Consent Order shall have the same effect as if ordered after a full hearing pursuant to §§19a-9, 19a-10, and 20-99(a) of the General Statutes of Connecticut.

NOW THEREFORE, pursuant to §19a-17 and §20-99(a) of the General Statutes of Connecticut, respondent hereby stipulates and agrees to the following:

1. Respondent waives her right to a hearing on the merits of this matter.
2. Respondent shall comply with all federal and state statutes and regulations applicable to her profession.
3. Respondent shall immediately cease and desist practice beyond the statutory scope of practice of registered nursing.
4. Respondent's license number E48472 is hereby reprimanded.
5. Respondent shall pay a civil penalty of five thousand dollars ($5,000.00) by certified or cashier's check payable to "Treasurer, State of Connecticut." The check shall reference the Petition Number on the face of the check, and shall be payable at the time respondent submits the executed Consent Order to the Department.
6. Respondent's license number E48472 to practice as a registered nurse in the State of Connecticut is hereby placed on probation until she has satisfied the following terms and conditions, which shall be completed within twelve months of the effective date of this Consent Order:

   A Respondent shall provide a copy of this Consent Order to all current and future employers for the duration of her probation.

   B. Respondent shall not be employed as a nurse for a personnel provider service, assisted living services agency, homemaker - home health aide agency, or home health care agency, and shall not be self-employed as a nurse for the period of her probation.

   C. Respondent shall notify the Board and the Department in writing of any change of employment within fifteen (15) days of such change.

D. Respondent shall notify the Board and the Department of any change in her home or business address within fifteen (15) days of such change.

E. Respondent shall attend and successfully complete coursework in nursing scope of practice, pre-approved by the Department. Within fifteen days of the completion of such coursework, respondent shall provide the Department with proof, to the Department's satisfaction, of the successful completion of such course(s). In conjunction with said course(s), respondent shall write an article about scope of practice in conformity with the Board Of Examiners For Nursing "Guidelines For Use Of Medical Protocols" and section 20-87a(a) of the Connecticut general statutes, for publication by the Connecticut Nurses Association in "Connecticut Nursing News".

F. All correspondence and reports shall be addressed to:

Bonnie Pinkerton
Department of Public Health
Practitioner Licensing and Investigations
410 Capitol Avenue, MS #12HSR
P.O. Box 340308
Hartford, CT 06134-0308

7. Any violation of the terms of this Consent Order without prior written approval by the Board shall constitute grounds for the Department to seek revocation of respondent's nursing license following notice and an opportunity to be heard.

8. Any extension of time or grace period for reporting granted by the Board shall not be a waiver or preclude the Board's right to take action at a later time. The Board shall not be required to grant future extensions of time or grace periods.

9. Legal notice of any action shall be deemed sufficient if sent to respondent's last known address of record reported to the Practitioner Licensing and Investigations Section of the Healthcare Systems Branch of the Department.

10. This Consent Order is effective on date it is approved and accepted by the Board.

11. Respondent understands this Consent Order is a matter of public record.

12. Respondent understands this Consent Order shall be deemed as evidence of the above admitted violations in any proceeding before the Board in which (1) her compliance with this same Consent Order is at issue, or (2) her compliance with §20-99(b) of the General Statutes of Connecticut, as amended, is at issue. Further, respondent understands that any discipline imposed by this Consent Order shall be reported to the National Practitioner Data Bank.

13. In the event respondent violates a term of this Consent Order, respondent agrees immediately to refrain from practicing as a registered nurse, upon request by the Department, with notice to the Board, for a period not to exceed 45 days. Respondent further agrees that failure to cooperate with the Department in its investigation during said 45 day period shall constitute grounds for the Department to seek a summary suspension of respondent's license. In any such summary action, respondent stipulates that failure to cooperate with the Department's investigation shall be considered by the Board and shall be given due weight by the Board in determining whether respondent's conduct constitutes a clear and immediate danger as required pursuant to Connecticut General Statutes, sections 4-182(c) and 19a-17(c). The Department and respondent understand that the Board has complete and final discretion as to whether a summary suspension is ordered.

14. In the event respondent violates any term of this Consent Order, said violation may also constitute grounds for the Department to seek a summary suspension of respondent's license before the Board.

15. This Consent Order and terms set forth herein are not subject to reconsideration, collateral attack or judicial review under any form or in any forum. Further, this Consent Order is not

subject to appeal or review under the provisions of Chapters 54 and 368a of the General Statutes of Connecticut, provided that this stipulation shall not deprive respondent of any other rights that respondent may have under the laws of the State of Connecticut or of the United States.

16. Respondent permits a representative of the Department to present this Consent Order and the factual basis for this Consent Order to the Board. The Department and respondent understand that the Board has complete and final discretion as to whether an executed Consent Order is approved or accepted.

17 This Consent Order is a revocable offer of settlement, which may be modified by mutual agreement or withdrawn by the Department at any time prior to its being executed by the last signatory.

18. Respondent has had the opportunity to consult with an attorney prior to signing this document.

19. The execution of this document has no bearing on any criminal liability without the written consent of the Director of the Medicaid Fraud Control Unit or the Bureau Chief of the Division of Criminal Justice's Statewide Prosecution Bureau. The purpose of this Consent Order is to resolve the pending administrative license disciplinary petition only, and is not intended to affect any civil or criminal liability or defense.

20. This Consent Order embodies the entire agreement of the parties with respect to this case. All previous communications or agreements regarding the subject matter of this consent order, whether oral or written, between the parties are superseded unless expressly incorporated herein or made a part hereof.

I, Lisa Topham, R.N., have read the above Consent Order, and I agree to the terms set forth therein. I further declare the execution of this Consent Order to be my free act and deed.

Lisa Topham, R.N.

Subscribed and sworn to before me this 18 day of Dec, 2010.

Donna Burns
Notary Public or person authorized
by law to administer an oath or affirmation

Donna Burns
NOTARY PUBLIC
MY COMMISSION EXPIRES 09/28/2013

The above Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 4th day of January, 2011, it is hereby accepted.

Jennifer Filippone, Section Chief
Practitioner Licensing and Investigations
Healthcare Systems Branch

The above Consent Order having been presented to the duly appointed agent of the Connecticut Board of Examiners for Nursing on the 19th day of January, 2011, it is hereby ordered and accepted.

BY: Patricia C Buff d
Connecticut Board of Examiners for Nursing

STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH

January 10, 2012

Lisa Topham, RN
17-A Farrell Road
Newtown, CT 06470

Re: Consent Order
Petition No. 2009-2009102
License No. E48472

Dear Ms. Topham:

Please accept this letter as notice that you have satisfied the terms of your license probation, effective January 10, 2012.

Notice will be sent to the Department's Licensure and Registration section to remove all restrictions from your license related to the above-referenced Consent Order.

Please be certain to retain a copy of this letter as documented proof that you have completed your license probation.

Thank you for your cooperation during this process, and good luck to you in the future.

Very truly yours,

Bonnie Pinkerton

Bonnie Pinkerton, RN, Nurse Consultant
Practitioner Licensing and Investigations Section

cc: J. Filippone
J. Wojick

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