

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
BUREAU OF REGULATORY SERVICES**

In Re: Louise Giardina, RN

Petition No. 2001-0117-010-005

CONSENT ORDER

WHEREAS, Louise Giardina (hereinafter "respondent") of Woodbridge, Connecticut has been issued license number E49898 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. On August 28, 2000, respondent was the responsible nurse on duty at Harborside Healthcare – Willows Rehabilitation and Nursing Center, a long term care facility located in Woodbridge, Connecticut. At approximately 5 p.m. respondent left the facility with only an LPN in charge. There was no RN on duty to supervise nursing care at the facility from 5 p.m. until 11 p.m.
2. The above described facts constitute grounds for disciplinary action pursuant to the General Statutes of Connecticut, 20-99(b)(2).

WHEREAS, respondent, in consideration of this Consent Order, has chosen not to contest the above allegations 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(b) 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's license number E49898 to practice as a registered nurse in the State of Connecticut is hereby placed on probation for one year, subject to the following terms and conditions:
 - A. She shall pay a civil penalty of two thousand (\$2000) dollars. One thousand dollars is due within the first three months of the effective date of this Consent Order; one thousand dollars is due within six months of the effective date of this Consent Order.
 - B. Respondent shall provide a copy of this Consent Order to all current and future employers for the duration of her probation.
 - C. Respondent shall be responsible for the provision of written reports directly to the Board and the Department from her nursing supervisor (i.e., Director of Nursing) monthly for the period of probation. Respondent shall provide a copy of this Consent Order to any and all employers if employed as a nurse during the probationary period. The Board and the Department shall be notified in writing by any employer(s) within fifteen (15) days of the commencement of employment as to the receipt of a copy of this Consent Order. Employer reports shall include documentation of respondent's ability to safely and competently practice nursing, and shall be issued to the Board and the Department at the address cited in paragraph 3G below

- D. Respondent shall notify the Board and the Department in writing of any change of employment within fifteen (15) days of such change.
- E. Respondent shall notify the Board and the Department of any change in her home or business address within fifteen (15) days of such change.
- F. All reports required by the terms of this Consent Order shall be due according to a schedule to be established by the Department of Public Health.
- G. All correspondence and reports shall be addressed to:

Bonnie Pinkerton
Department of Public Health
Division of Health Systems Regulation
410 Capitol Avenue, MS #12HSR
P.O. Box 340308
Hartford, CT 06134-0308

- 4. 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.
- 5. 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.
- 6. Legal notice of any action shall be deemed sufficient if sent to respondent's last known address of record reported to the Licensure and Registration Section of the Division of Health Systems Regulation of the Department.
- 7. This Consent Order is effective on the first day of the month immediately following the month in which this Consent Order is approved and accepted by the Board.
- 8. Respondent understands this Consent Order is a matter of public record.

9. Respondent understands this Consent Order may be considered 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.
10. In the event respondent violates any term of this Consent Order, said violation may constitute grounds for the Department to seek a summary suspension of respondent's license before the Board.
11. 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.
12. 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.
13. Respondent has had the opportunity to consult with an attorney prior to signing this document.

I, Louise Giardinia, 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.

Louise M. Giardinia
Louise Giardinia

Subscribed and sworn to before me this 12 day of July, 2001.

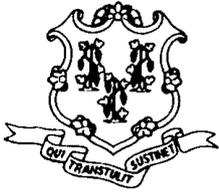
Debra J. Turcotte
Notary Public or person authorized
by law to administer an oath or affirmation
Comm'r of the Superior Court

The above Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 18th day of July, 2001, it is hereby accepted.

Debra Turcotte
Debra Turcotte, Director
Division of Health Systems Regulation

The above Consent Order having been presented to the duly appointed agent of the Connecticut Board of Examiners for Nursing on the 15th day of August, 2001, it is hereby ordered and accepted.

BY: *Nancy J. Bafina*
Connecticut Board of Examiners for Nursing



STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH

September 26, 2002

Louise Giardina, RN
220 Coral Drive
Fairfield, CT 06432

Re: Consent Order
Petition No. 2001-0117-010-005
License No. E49898
DOB: 6/17/63

Dear Ms. Giardina:

Please accept this letter as notice that you have satisfied the terms of your license probation, effective September 1, 2002.

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 this letter as documented proof that you have completed your license probation.

Thank you for your cooperation during this process.

Very truly yours,

Bonnie Pinkerton, RNC
Division of Health Systems Regulation

cc: J. Filippone
J. Wojick



Phone: (860) 509-7400
Telephone Device for the Deaf (860) 509-7191
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