

STATE OF CONNECTICUT
BOARD OF EXAMINERS FOR NURSING

Department of Health Services v.

Annette Kaufman, R.N.

License No. E50573

76 Tankwood Road

Wallingford CT 06492

CASE PETITION NO. 911030-10-060

MEMORANDUM OF DECISION

INTRODUCTION

The Board of Examiners for Nursing (hereinafter the "Board") was presented by the Department of Health Services (hereinafter the "Department") with a Statement of Charges and a Motion for Summary Suspension dated June 17, 1992.

The Statement of Charges alleged violations of certain provisions of Chapter 378 of the General Statutes of Connecticut by Annette Kaufman (hereinafter the "Respondent").

The Motion for Summary Suspension alleged that the continued nursing practice of the Respondent represented a clear and immediate danger to the public health and safety.

On June 18, 1992 the Board found that there was a clear and immediate danger based upon the evidence presented in the Motion for Summary Suspension. The Board ordered the Summary Suspension of the Respondent's nursing license, and issued a Notice of Hearing scheduling a hearing for July 9, 1992. (State Exhibit 1) The hearing took place on July 9, 1992 in Room 112, National Guard Armory, Maxim Road, Hartford, Connecticut.

Each member of the Board involved in this decision attests that he/she was present at the hearing or has reviewed the record, and that this decision is based entirely on the record and their specialized professional knowledge in evaluating the evidence.

FACTS

Based on the testimony given and the exhibits offered into evidence, the Board made the following findings of fact:

1. Annette Kaufman, hereinafter referred to as the Respondent, was issued Registered Nurse License Number E50573 on September 14, 1987 and was at all times referenced in the Statement of Charges, the holder of said license. (State's Exhibit 1)
2. The Respondent was aware of the time and location of the hearing. State's Exhibit 1 indicates that the Notice of Hearing was served on the Respondent by Deputy Sheriff.

3. The Respondent was present at the hearing but was not represented by counsel. (Hearing Transcript, July 9, 1992, p. 3) The Respondent filed an answer to the Statement of Charges. (Respondent's Exhibit A)
4. Pursuant to a Consent Order dated October 22, 1991 the Respondent's license, effective November 1, 1991, was placed on probation for two (2) years for diversion and abuse of the controlled substances Meperidine and Morphine, and for falsifying controlled substance receipt records. The terms of probation required that the Respondent submit to the Board bi-monthly random alcohol/drug screen reports which were negative for alcohol and drugs. The Respondent was also prohibited from obtaining for personal use and/or using any drug that was not prescribed for her by a licensed health care practitioner. (State's Exhibit 1)
5. That from on or about November 1988 to June 1992 the Respondent was employed as a registered nurse at Veteran's Memorial Medical Center, Meriden, Connecticut. (Respondent's Exhibit B)
6. That on May 30, 1992, while employed as a registered nurse at Veterans Memorial Medical Center, the Respondent signed out a 75 mg. dose of the controlled substance Meperidine (Demerol) on controlled drug administration record A57368 indicating that the medication was administered to patient Jeanne Bechtold. The Respondent signed out the Meperidine by forging the signature of another registered nurse. (State's Exhibit 1) (Hearing Transcript, July 9, 1992, pp. 25-28)

7. That the Respondent had no intention of administering the Meperidine to a patient. The Respondent kept the vial of Meperidine in her pocket until she subsequently destroyed it. (Hearing Transcript, July 9, 1992, pp. 25-28)
8. That despite the dose of Meperidine, which was signed out by the Respondent, was not administered to any patient, documentation of administration was charted in the medical record of patient Jeanne Bechtold. (State's Exhibit 1)
9. That the Respondent has abused the controlled substance Cocaine. (Hearing Transcript, July 9, 1992, p. 15)
10. That a urine specimen submitted by the Respondent for drug screening on October 9, 1991 was positive for the controlled substance Cocaine. (State's Exhibit 1)

DISCUSSION AND CONCLUSIONS

The FIRST COUNT PARAGRAPH 3 of the Statement of Charges alleges the Respondent, while employed as a registered nurse at Veteran's Memorial Medical Center, "a. diverted the controlled substance Demerol; b. failed to completely or properly or accurately make documentations in the medical or hospital records; and/or c. falsified one or more Controlled Substance Receipt Records."

The Respondent admitted to these charges. (Answer: Respondent's Exhibit A)

Based on the Respondent's admission and FACTS 5-8 the Board concludes the Respondent falsified a controlled substance administration record, by forging the signature of another registered nurse, for the purpose of diverting the controlled substance Meperidine (Demerol). That the Respondent also improperly documented in a patient's medical record that the Meperidine had been administered to the patient when in fact it had not.

The General Statutes of Connecticut Section 20-99(b) prohibits conduct which fails to conform to the accepted standards of the nursing profession, which includes "... (2) illegal conduct, incompetence or negligence in carrying out usual nursing functions...."

The Board concludes that the Respondent's conduct as specified in the First Count Paragraph 3 is a violation of the General Statutes of Connecticut Section 20-99(b)(2) and therefore renders the Respondent subject to disciplinary action pursuant to the General Statutes of Connecticut.

The Board further concludes that the Respondent's diversion of the controlled substance Meperidine is a violation of her probation, which prohibits her from obtaining for personal use any drug that has not been prescribed for her for a legitimate purpose.

The SECOND COUNT of the Statement of Charges alleges the Respondent, while licensed as a registered nurse in the State of Connecticut, on or about October 9, 1991 abused or utilized to excess the narcotic Cocaine and submitted to a random urine screen which was positive for Cocaine.

The Respondent admitted to these charges. (Answer: Respondent's Exhibit A)

Based on the Respondent's admission and FACTS 9-10 the Board concludes the Respondent has abused the narcotic Cocaine which was confirmed by a positive random urine screen.

The General Statutes of Connecticut Section 20-99(b) prohibits conduct which fails to conform to the accepted standards of the nursing profession, which includes "... (5) abuse or excessive use of drugs, including alcohol, narcotics or chemicals...."

The Board concludes that the Respondent's conduct as specified in the Second Count is a violation of the General Statutes of Connecticut Section 20-99(b)(5) and therefore renders the Respondent subject to disciplinary action pursuant to the General Statutes of Connecticut.

ORDER

Pursuant to its authority under the General Statutes of Connecticut Sections 19a-17 and 20-99, the Board of Examiners for Nursing hereby orders:

1. That for the First Count, the Respondent's probation shall no longer be in effect and the registered nurse license of the Respondent be revoked.
2. That for the Second Count, the registered nurse license of the Respondent be revoked.

3. That the date of revocation shall become effective on November 1, 1992.

The Board of Examiners for Nursing hereby informs the Respondent, Annette Kaufman, and the Department of Health Services of the State of Connecticut of this decision.

Dated at Hartford, Connecticut, this 10th day of September, 1992.

BOARD OF EXAMINERS FOR NURSING

By Janice Thibodeau

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