

STATE OF CONNECTICUT
BOARD OF EXAMINERS FOR NURSING

Department of Public Health v.

Patricia Arre, R.N.

Registered Nurse License No. E52187

189 Stratton Brook Road

Simsbury CT 06070

CASE PETITION NO. 941109-10-106

MEMORANDUM OF DECISION

INTRODUCTION

The Board of Examiners for Nursing (hereinafter the "Board") was presented by the Department of Public Health ^{1/} (hereinafter the "Department") with a Statement of Charges dated February 27, 1995 (Department Exhibit 1). The Statement of Charges alleged violations of certain provisions of Chapter 378 of the General Statutes of Connecticut by Patricia Arre (hereinafter the "Respondent").

The Board issued a Notice of Hearing dated February 28, 1995 scheduling a hearing for May 3, 1995. (Department Exhibit 1) The hearing took place on May 3, 1995 at the Department of Public Health and Addiction Services, Second Floor Hearing Room, 20 Trinity Street, 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 the Board's specialized professional knowledge in evaluating the evidence.

^{1/} Prior to July 1, 1995 the Department of Public Health was known as the Department of Public Health and Addiction Services. (Connecticut Public Act 95-257)

FACTS

Based on the testimony given and the exhibits offered into evidence, the Board makes the following Findings of Fact.

1. Patricia Arre, hereinafter referred to as the Respondent, was issued Registered Nurse License Number E52187 on August 24, 1989 and has been the holder of said license at all times referenced in the Statement of Charges. (Department Exhibit 1-B)
2. Pursuant to the General Statutes of Connecticut, §4-182(c), the Respondent was provided full opportunity prior to the institution of agency action to show compliance with all the terms for the retention of her license. (Department Exhibit 1)
3. The Respondent was aware of the time and location of the hearing. Department Exhibit 1 indicates that the Notice of Hearing and Statement of Charges were delivered to the Respondent by certified mail.
4. The Respondent was present during the hearing but was not represented by counsel. (Hearing Transcript, April 15, 1995) (Hearing Transcript, May 3, 1995, pp. 2-3)
5. During the hearing the Respondent verbally answered the Statement of Charges. (Hearing Transcript, May 3, 1995, pp. 5-6)
6. Beginning on or about April 1994 to on or about September 1994 the Respondent was employed as a registered nurse at Greenwood Health Center, Hartford, Connecticut. (Department Exhibit 1-A6) (Respondent's Exhibit A)
7. During August and September 1994, while working as a registered nurse at Greenwood Health Center, the Respondent diverted for her own use from facility stocks, the controlled substances Methadone and Tylox. (Department Exhibit 1-A) (Hearing Transcript, May 3, 1995, pp. 5-6)

8. During August and September 1994, while working as a registered nurse at Greenwood Health Center, the Respondent falsified one or more controlled substance administration and/or receipt records, and caused one or more patient accounts to be charged for medications not administered. (Department Exhibit 1-A) (Answer: Hearing Transcript, May 3, 1995, pp. 5-6)
9. The Respondent is not currently practicing nursing and is of the opinion that she is not ready to resume the practice of nursing. (Hearing Transcript, May 3, 1995, pp. 7, 12)

DISCUSSION AND CONCLUSIONS

In consideration of the above Findings of Fact, the following conclusions are rendered:

Patricia Arre held a valid registered nurse license in the State of Connecticut at all times referenced in the Statement of Charges.

The Notice of Hearing and Statement of Charges sufficiently provided information as mandated by the General Statutes of Connecticut §4-177 and §4-182.

The hearing was held in accordance with Chapters 54 and 368a of the General Statutes of Connecticut as well as §19-2a-1 through §19-2a-30 of the Regulations of Connecticut State Agencies. The Notice of Hearing, Statement of Charges and the hearing process provided the Respondent with the opportunity to demonstrate compliance with all lawful requirements for the retention of her license as required by the General Statutes of Connecticut §4-182(c).

PARAGRAPH 2 of the Statement of Charges alleges that between approximately August of 1994 and September 1994, while working as a registered nurse at Greenwood Health Center, Hartford, Connecticut the Respondent:

- "a. diverted the controlled substance Methadone from facility stocks for her own use;
- b. falsified one or more controlled substance administration and/or receipt records; and/or,
- c. caused one or more patient accounts to be charged for medications not administered."

The Respondent admits these charges. (Answer: Hearing Transcript, May 3, 1995, pp. 5-6)

The General Statutes of Connecticut §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... (5) abuse or excessive use of drugs, including alcohol, narcotics or chemicals... (6) fraud or material deception in the course of professional services or activities...."

Based on its findings and the Respondent's admission, the Board concludes that the Respondent's conduct as specified in the Statement of Charges Paragraph 2 is proven and are violations of the General Statutes of Connecticut §20-99(2), (5) and (6). Therefore, the Respondent is subject to disciplinary action pursuant to §19a-17 of the General Statutes of Connecticut.

ORDER

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

1. That for Paragraph 2 of the Statement of Charges, the Respondent's registered nurse license, No. E52187, be **revoked**.
2. Revocation shall become effective on the date this Memorandum of Decision is signed by the Board of Examiners for Nursing.
3. At any future time should the Respondent apply for reinstatement of her registered nurse license, she must present evidence to the satisfaction of the Board that she is able to safely and completely practice nursing, including but not limited to, that she has been alcohol and drug free; that she has engaged in therapy and counseling for substance abuse; and that she has actively participated in a 12-Step structured recovery program.

The Respondent, Patricia Arre, is hereby directed to immediately surrender Registered Nurse License No. E52187 to the Board of Examiners for Nursing, Department of Public Health, 150 Washington Street, Hartford, Connecticut 06106.

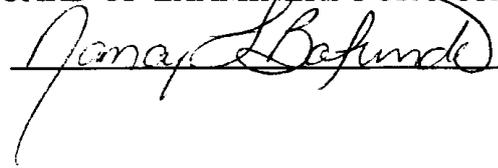
The Board of Examiners for Nursing hereby informs the Respondent, Patricia Arre, and the Department of Public Health of the State of Connecticut of this decision.

Dated at Hartford, Connecticut this 31st day of August, 1995.

BOARD OF EXAMINERS FOR NURSING

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By

A handwritten signature in cursive script, appearing to read "James L. Befunde", is written over a horizontal line.