

Patricia Stone, RN  
123 York Street  
New Haven, CT 06511

**STATE OF CONNECTICUT  
BOARD OF EXAMINERS FOR NURSING**

State of Connecticut  
Department of Public Health  
vs.  
Patricia Stone, RN  
Registered Nurse License No. E52336  
Respondent.

CASE PETITION NO. 950127-010-010

MEMORANDUM OF DECISION

**PROCEDURAL BACKGROUND**

The Board of Examiners for Nursing (hereinafter the "Board") was presented by the Department of Public Health (hereinafter the "Department") with a Statement of Charges dated February 26, 1998 (Department Exhibit 1-C). The Statement of Charges alleged violations of certain provisions of Chapter 378 of the Connecticut General Statutes by Patricia Stone, RN (hereinafter "Respondent") which would subject Respondent's Registered Nurse license to disciplinary action pursuant to the Connecticut General Statutes.

The Board issued a Notice of Hearing dated March 4, 1998, scheduling a hearing for April 15, 1998. (Department Exhibit 1-D1).

Respondent was provided notice of the hearing and charges against her. Department Exhibit 1 indicates that the Notice of Hearing and Statement of Charges were delivered by certified mail to Respondent's address of record on March 13, 1998 (Department Exhibit 1-D2).

The hearing scheduled for April 15, 1998 was continued, at the request of Respondent, to allow Respondent to obtain an attorney.

The hearing was rescheduled and took place on May 20, 1998, in the Town Council Chambers, Wethersfield Town Hall, 505 Silas Deane Highway, Wethersfield, Connecticut (Department Exhibit 1-D3).

Respondent nor her attorney were present at the hearing. (Hearing Transcript, May 20, 1998, pp. 2-3)

A Notice of Continuance of Formal Hearing was delivered by certified mail to Respondent's address of record on March 26, 1998 (Department Exhibit 1-D4).

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, the law, and the Board's specialized professional knowledge in evaluating the evidence.

#### FACTS

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

1. Respondent, was issued Registered Nurse License Number E52336 on August 24, 1989. Respondent was the holder of said license at all times referenced in the Statement of Charges. (Department Exhibit 1-E8)
2. On or about July 1993 to December 1994, Respondent was employed as a registered nurse at the Connecticut Mental Health Center, New Haven, Connecticut (hereinafter "CMHC"). Respondent's work performance at CMHC was unsatisfactory due to frequent errors in transcribing, dispensing and documentation of medications. (Department Exhibit 1-A1)
3. On or about June 24, 1996 and July 3, 1996 Respondent was seen for a psychiatric evaluation performed by Gerald Flamm, MD, New Haven, Connecticut. Dr. Flamm's diagnosis of Respondent was "adjustment reaction with anxiety and depression". (Department Exhibit 2-A3)

4. From June 6, 1997 to September 26, 1997 respondent underwent a neuropsychological evaluation performed by Emily Littman, Ph.D., Waterbury, Connecticut. Dr. Littman's evaluation revealed Respondent had bilateral impairments in sensory motor functioning and significant problems in attention, problem solving ability and adaptive capacities. Dr. Littman concluded Respondent's weakness in terms of poor attention and poor adaptive problem solving strategies and suggested Respondent could have too many difficulties as a floor nurse. (Department Exhibit 2-B1-8)

### DISCUSSION AND CONCLUSIONS

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

Patricia Stone, RN 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 legal notice as mandated by Connecticut General Statutes §4-177(a) and (b), and §4-182(c). The hearing was held in accordance with Chapters 54 and 368a of the Connecticut General Statutes as well as §19a-9-1 through §19a-9-29 of the Regulations of Connecticut State Agencies.

The Notice of Hearing, Statement of Charges and the hearing process provided Respondent with the opportunity to demonstrate compliance with all lawful requirements for the retention of her license as required by Connecticut General Statutes §4-182(c).

The Department bears the burden of proof by a preponderance of the evidence in this matter.

PARAGRAPH 2 of the Statement of Charges alleges Respondent has an emotional disorder or mental illness that does and/or may affect her practice as a registered nurse.

The Respondent did not submit an answer to the Statement of Charges. Pursuant to §19a-9-20 of the Regulations of Connecticut State Agencies the Board deems the charges in the Statement of Charges to be admitted.

The General Statutes of Connecticut §20-99 provides in relevant part:

“(a) The Board of Examiners for Nursing shall have jurisdiction to hear all charges of conduct which fails to conform to the accepted standards of the nursing profession brought against persons licensed to practice nursing. After holding a hearing... said board, if it finds such person to be guilty, may revoke or suspend his or her license or take any of the actions set forth in section 19a-17...(b) Conduct which fails to conform to the accepted standards of the nursing profession includes, but is not limited to, the following:...(4) emotional disorder or mental illness....”

The Board concludes that Respondent's conduct as alleged in Paragraph 2 of the Statement of Charges is proven by a preponderance of the evidence presented in this matter. The Board further concludes that said conduct failed to conform to the accepted standards of the nursing profession pursuant to Connecticut General Statutes §20-99(b)(4). Therefore, Respondent is subject to disciplinary action pursuant to §19a-17 of the Connecticut General Statutes.

### **ORDER**

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

1. That for Paragraph 2 of the Statement of Charges, Respondent's Registered Nurse license, No. E52336, is revoked effective the date this Memorandum of Decision is signed by the Board of Examiners for Nursing..

Dated at Hartford, Connecticut this 16th day of December 1998.

BOARD OF EXAMINERS FOR NURSING

By Nancy J. Bafunt

**CERTIFICATION**

I hereby certify that, pursuant to Connecticut General Statutes §4-180(c), a copy of the foregoing Memorandum of Decision was sent this 16th day of December 1998, by certified mail, return receipt requested to:

Patricia Stone  
123 York Street  
New Haven, CT 06511

Certified Mail Return Receipt Requested NO. P505284350

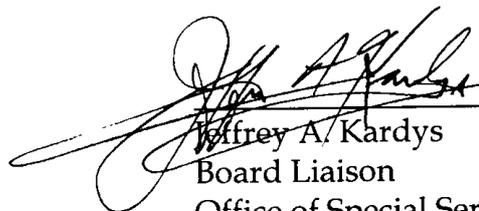
and

Robert Walzer, Esq.  
PO Box 1694  
New Canaan, CT 06840

Certified Mail Return Receipt Requested NO. P505284351

and by inter-departmental mail to:

Stephen Miltimore, Staff Attorney  
Legal Office  
Department of Public Health  
410 Capitol Avenue, MS #12LEG  
Hartford, CT 06134



Jeffrey A. Kardys  
Board Liaison  
Office of Special Services - Adjudications