

STATE OF CONNECTICUT
BOARD OF EXAMINERS FOR NURSING

Department of Public Health and Addiction Services v.

Julie Meeske, R.N.

Registered Nurse License No. E54511

101 Iron Works Road

Clinton CT 06413

CASE PETITION NO. 940111-10-005

MEMORANDUM OF DECISION

INTRODUCTION

The Board of Examiners for Nursing (hereinafter the "Board") was presented by the Department of Public Health and Addiction Services (hereinafter the "Department") with a Statement of Charges and Motion for Summary Suspension dated February 25, 1994.

The Statement of Charges alleged, in three (3) counts, violations of certain provisions of Chapter 378 of the General Statutes of Connecticut by Julie Meeske (hereinafter the "Respondent").

Based on the allegations in the Statement of Charges and accompanying affidavits and reports, the Board found that the continued practice of the Respondent represented a clear and immediate danger to public health and safety.

The Board ordered the Summary Suspension of the Respondent's nursing license, and issued a Notice of Hearing dated March 10, 1994 scheduling a hearing for March 30, 1994. (Department Exhibit 1)

The hearing took place on March 30, 1994 and April 27, 1994 in Room 112, National Guard Armory, Maxim Road, Hartford, Connecticut.

During the hearing on March 30, 1994 the Respondent submitted an Application for More Definite and Detailed Statement. (Respondent's Exhibit A) Following oral argument, the Board ordered that paragraph 6 of the Second Count be stricken and that the words "and condition" be stricken from paragraph 7 of the Second Count. (Hearing Transcript, March 30, 1994, pp. 2-10)

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 his/her 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. Julie Meeske, hereinafter referred to as the Respondent, was issued Registered Nurse License Number E54511 on March 23, 1992 and was at all times referred to in the Statement of Charges the holder of said license. (Department Exhibit 1-G)
2. The Respondent was aware of the time and location of the hearing. The Summary Suspension Order, Notice of Hearing and Statement of Charges were served on the Respondent by Deputy Sheriff. (Department Exhibit 1)
3. The Respondent was present on both hearing dates and was represented by counsel. (Hearing Transcript, March 30, 1994, p. 15) (Hearing Transcript, April 27, 1994, p. 2)
4. During the hearing the Respondent submitted a written Answer to the Statement of Charges, as amended. (Respondent Exhibit B-A)

5. That pursuant to a Consent Order dated May 13, 1993 the registered nurse license of the Respondent was placed on probation for a period of three (3) years effective June 1, 1993, for diversion and abuse of the controlled substance Demerol, tampering with injectable Demerol and falsifying drug control and medication administration records, while the Respondent was employed as a registered nurse at Bridgeport Hospital, Bridgeport, Connecticut during December 1992. (Department Exhibit 1-A)
6. That the probation of the Respondent's registered nurse license included the condition that the Respondent shall not obtain for personal use and/or use alcohol or any drug that has not been prescribed for her for a legitimate purpose by a licensed health care practitioner. (Department Exhibit 1-A)
7. That during December 1993 the Respondent was employed as a registered nurse at Bridgeport Hospital, Bridgeport, Connecticut. (Hearing Transcript, April 27, 1994, p. 4)
8. That from on or about December 14, 1993 to on or about December 22, 1993 while working as a registered nurse at Bridgeport Hospital, the Respondent diverted the controlled substance Demerol. (Department Exhibit 1-D) (Respondent Exhibit B-A) (Hearing Transcript, April 27, 1994, p. 11)
9. That the Respondent diverted the controlled substance Demerol by withdrawing Demerol from medication vials and replacing it with normal saline or the medication Vistaril. (Department Exhibit 1-D) (Respondent Exhibit B-A) (Hearing Transcript, April 27, 1994, pp. 11, 13)
10. That the Respondent diverted the Demerol for her own personal use and that the Respondent used the Demerol while on duty. (Department Exhibit 1-D) (Hearing Transcript, April 27, 1994, p. 11)

11. That on one occasion between December 14, 1993 and December 22, 1993, while working as a registered nurse at Bridgeport Hospital, the Respondent administered Morphine to a patient instead of Demerol which was ordered by the patient's physician. That the Demerol which was ordered was diverted by the Respondent for her own use. (Department Exhibit 1-D) (Hearing Transcript, April 27, 1994, pp. 11-12)
12. That during December 1993 while working as a registered nurse at Bridgeport Hospital, the Respondent falsified one or more controlled substance receipt and/or administration records. (Respondent Exhibit B-A)
13. That during December 1993 while working as a registered nurse at Bridgeport Hospital, the Respondent caused one or more medications which she withdrew from hospital stocks for particular patients, but not administered to them, to be charged to the accounts of such patients. (Respondent Exhibit B-A)
14. That the Respondent did not have a valid prescription for the Demerol which she diverted from Bridgeport Hospital during December 1993. (Respondent Exhibit B-A)

DISCUSSION AND CONCLUSIONS

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

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

The Summary Suspension Order, Notice of Hearing and Statement of Charges sufficiently provided information as mandated by the General Statutes of Connecticut Sections 4-177, 4-182 and 19a-17.

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).

The FIRST COUNT PARAGRAPH 2 of the Statement of Charges alleges that on or about December 1993, while working as a nurse at Bridgeport Hospital, Bridgeport, Connecticut the Respondent:

- "a. diverted to herself the controlled substance Demerol from hospital stocks; and/or,
- b. falsified one or more controlled substance receipt and/or administration records; and/or,
- c. abuse and/or utilized to excess the controlled substance Demerol; and/or,
- d. caused one or more medications withdrawn by respondent from hospital stocks for particular patients, but not administrated to them, to be charged to the accounts of such patients."

The Respondent admits these charges. (Answer: Respondent's Exhibit B-A)

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 First Count is proven and that said conduct violates the General Statutes of Connecticut §20-99(b)(2)(5) and (6). Therefore, the Respondent is subject to disciplinary action pursuant to §19a-17 of the General Statutes of Connecticut .

The SECOND COUNT of the Statement of Charges, as amended, alleges that on or before December of 1993, the Respondent abused and/or used to excess the controlled substances Percocet and Demerol.

The Respondent admits this charge as it pertains to the abuse and excessive use of the controlled substance Demerol during December 1993 but denies this charge as it pertains to the controlled substance Percocet and conduct before December 1993. (Answer: Respondent's Exhibit B-A)

The General Statutes of Connecticut §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...."

Based on its findings and the Respondent's admission the Board concludes that the Respondent's conduct of abusing and/or excessive use of the controlled substance Demerol on or before December 1993, as alleged in the Second Count, is proven but that no evidence was presented pertaining to the controlled substance Percocet. The Board concludes that the Respondent's conduct is a violation of the General Statutes of Connecticut §20-99(b)(5), therefore the Respondent is subject to disciplinary action pursuant to §19a-17 of the General Statutes of Connecticut.

The THIRD COUNT of the Statement of Charges alleges that the Respondent, by using the controlled substance Demerol which she obtained from Bridgeport Hospital during 1993, violated the terms of probation as set forth in the Consent Order dated May 1993 in that she failed to refrain from obtaining for her personal use and/or using any drug unless it was prescribed for her for a legitimate therapeutic purpose.

The Respondent admits this charge. (Answer: Respondent's Exhibit B-A)

Based on its findings and the Respondent's admission the Board concludes that the Respondent's conduct as specified in the Third Count is proven and constitutes a violation of the probation of the Respondent's registered nurse license as set forth in the Consent Order dated May, 1993. Therefore, the Respondent is subject to disciplinary action pursuant to §19a-17 of the General Statutes of Connecticut.

ORDER

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

1. That for the First Count, the Second Count and the Third Count the Respondent's registered nurse license, No. E54511, be revoked.

2. Revocation shall become effective on the date this Memorandum of Decision is signed by the Chairperson of the Board of Examiners for Nursing.

The Board of Examiners for Nursing finds the misconduct regarding the First Count, Second Count and the Third Count is severable and each specific offense warrants the disciplinary action imposed.

The Board of Examiners for Nursing hereby informs the Respondent, Julie Meeske and the Department of Public Health and Addiction Services of the State of Connecticut of this decision.

Dated at Hartford, Connecticut this 8th day of September, 1994.

BOARD OF EXAMINERS FOR NURSING

By

Janice A. Thibodeau

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