

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
HEALTHCARE SYSTEMS BRANCH**

In Re: David V. Capra, R.N.

Petition No. 2006-0623-010-051

CONSENT ORDER

WHEREAS, David V. Capra (hereinafter "respondent") of Newington, Connecticut has been issued license number E55761 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, the Department alleges that:

1. At all relevant times respondent worked as a registered nurse at the University of Connecticut John Dempsey Medical Center in Farmington, Connecticut (hereinafter "the facility").
2. On August 5, 2005 respondent treated female patient E.W. at the facility. While the patient was being prepared for a percutaneous endoscopic gastrostomy tube placement procedure, respondent failed to ensure that the compressed air line was turned off prior to placing the compressed air line into the patient's nasal gastric tube.
3. The above-described facts constitute grounds for disciplinary action pursuant to the General Statutes of Connecticut, 20-99(b), including but not limited to 20-99(b)(2).

WHEREAS, respondent, in consideration of this Consent Order, has chosen not to contest the above Respondent does not admit to having violated any statute or regulation, including but not limited to §20-99(b) of the General Statutes of Connecticut. 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(a) of the General Statutes of Connecticut.

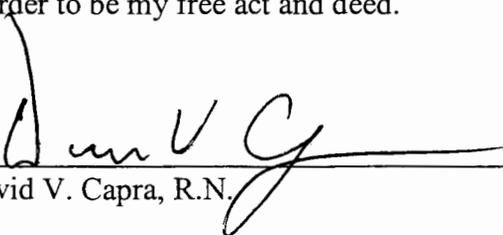
NOW THEREFORE, pursuant to §19a-17 and §20-99(a) of the General Statutes of Connecticut, respondent hereby stipulates and agrees to the following:

1. Respondent waives his right to a hearing on the merits of this matter.
2. Respondent's license number E55761 to practice as a registered nurse in the State of Connecticut is hereby reprimanded.
3. Respondent shall comply with all federal and state statutes and regulations applicable to his profession.
4. 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.
5. Respondent understands this Consent Order is a matter of public record.
6. The Department's allegations as contained in this Consent Order shall be deemed true in any subsequent proceeding before the Board in which (1) his compliance with this same order is at issue, or (2) his compliance with §20-99(b) of the General Statutes of Connecticut, as amended, is at issue. Further, respondent understands that any discipline imposed by this Consent Order, except for a civil penalty, shall be reported to the National Practitioner Data Bank
7. 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.

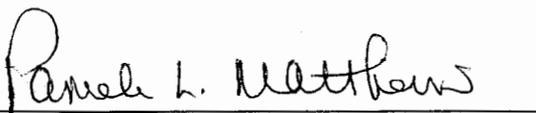
8. Respondent permits a representative of the Department to present this Consent Order and the factual basis for this Consent Order to the Board. The Department and respondent understand that the Board has complete and final discretion as to whether an executed Consent Order is approved or accepted.
9. This Consent Order is a revocable offer of settlement, which may be modified by mutual agreement or withdrawn by the Department at any time prior to its being executed by the last signatory.
- 10 Respondent has had the opportunity to consult with an attorney prior to signing this document.
11. The execution of this document has no bearing on any criminal liability without the written consent of the Director of the Medicaid Fraud Control Unit or the Bureau Chief of the Division of Criminal Justice's Statewide Prosecution Bureau.

I, David V. Capra, 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.


David V. Capra, R.N.

Subscribed and sworn to before me this 4th day of August, 2007.

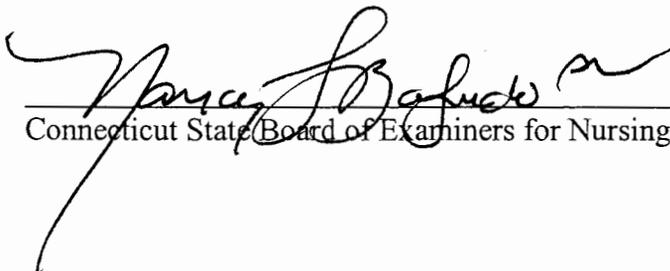
PAMELA L. MATTHEWS
NOTARY PUBLIC
My Commission Expires April 30, 2012


Notary Public or person authorized
by law to administer an oath or affirmation

The above Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 16th day of August, 2007, it is hereby accepted.


Jennifer Filippone, Section Chief,
Practitioner Licensing and Investigations
Healthcare Systems Branch

The above Consent Order having been presented to the duly appointed agent of the Connecticut State Board of Examiners for Nursing on the 19 day of September, 2007, it is hereby ordered and accepted.

BY: 
Connecticut State Board of Examiners for Nursing