

CERTIFIED MAIL - RETURN RECEIPT REQUESTED NO. hand-delivered 11/17/94

STATE OF CONNECTICUT  
DEPARTMENT OF PUBLIC HEALTH AND ADDICTION SERVICES  
BUREAU OF HEALTH SYSTEM REGULATION  
DIVISION OF MEDICAL QUALITY ASSURANCE

In re: Robert Roawden, R.N.

Petition No. 940826-10-084

PRELICENSURE CONSENT ORDER

WHEREAS, Robert Roawden of Westport, Connecticut (hereinafter "respondent") has applied for licensure to practice as a registered nurse by the Department of Public Health and Addiction Services (hereinafter "the Department") pursuant to Chapter 378 of the General Statutes of Connecticut, as amended; and,

WHEREAS, respondent admits and acknowledges that:

1. The Department has at no time issued respondent a license to practice the occupation of registered nurse under Chapter 378 the General Statutes of Connecticut.
2. On October 7, 1988, respondent was arrested for possession of cocaine. On January 4, 1989, respondent pled guilty to possession of narcotics, in violation of the General Statutes of Connecticut §21a-279(a) for which he was sentenced to an eighteen month period of incarceration, execution stayed, with three years of probation. He satisfactorily complied with the terms of his probation and was discharged on January 4, 1992.
3. By the actions described in paragraph 2 above, respondent has committed acts which, if respondent had been licensed at the time,

would violate the accepted standards of practice for registered nurses; therefore, respondent is subject to denial of his application for licensure pursuant to §19a-14 of the General Statutes of Connecticut.

NOW THEREFORE, pursuant to §19a-14 of the General Statutes of Connecticut, Robert Rowden hereby stipulates and agrees to the following:

1. That he waives the right to a hearing on the merits of this matter.
2. That upon satisfying the requirements for licensure as a registered nurse as set forth in Chapter 378 of the General Statutes of Connecticut, respondent's license to practice as a registered nurse will be issued.
3. That his license to practice as a registered nurse in the State of Connecticut shall, upon issuance, be placed immediately on ~~probation~~ for three (3) years subject to the following terms and conditions:
  - A. Respondent shall not obtain for personal use and/or use alcohol, controlled substances or legend drugs that have not been prescribed for him for a legitimate therapeutic purpose by a licensed health care professional authorized to prescribe medications.
    - (1) At his own expense, he shall submit to observed random urine screens for drugs and alcohol at a testing facility approved by the Department as ordered by a monitor preapproved by the Department (hereinafter "the monitor"). Laboratory reports of random alcohol and drug screens shall be submitted directly to the Department by the monitor or by the testing laboratory. All such observed random drug

and alcohol screens shall be legally defensible in that the specimen donor and chain of custody can be identified throughout the screening process. All laboratory reports shall indicate that the chain of custody procedure has been followed.

- (2) He shall be responsible for notifying the laboratory, the monitor, and the Department of any drug(s) he is taking.
- (3) There must be at least one (1) such observed random alcohol/drug screen and accompanying laboratory report weekly for the first year of his probation.
- (4) All screens shall be negative for the presence of drugs and alcohol.
- (5) All positive screens shall be confirmed by gas chromatograph/mass spectrometer (GC/MS) testing.
- (6) Respondent is hereby advised that the ingestion of poppy seeds has, from time to time, been raised as a defense to a positive screen result for morphine and/or opiates. For that reason, respondent agrees to refrain from ingesting poppy seeds in any food substance during the term of this Preliminary Consent Order. In the event respondent has a positive screen for morphine and/or opiates, respondent agrees that the ingestion of poppy seeds shall not constitute a defense to such a screen.

B. Respondent shall be responsible for the provision of written reports from the monitor directly to the Department monthly for the first year of his probation. Such reports shall include documentation of dates of screens, respondent's drug and alcohol

free status as established by the observed random urine screens for drugs and alcohol, and copies of all laboratory reports.

- C. Notwithstanding the foregoing, the monitor shall immediately report to the Department any confirmed positive alcohol/drug screen and any conduct or condition on respondent's part which does or may violate any federal or state statute or regulation applicable to his profession.
- D. Respondent shall provide a copy of this Prelicensure Consent Order to the monitor and to all current and future employers for the duration of his probation.
- E. Respondent shall not accept employment as a nurse for a personnel provider service, visiting nurse agency or home health care agency, and shall not be self-employed as a nurse for the period of his probation.
- F. Respondent shall be responsible for the provision of written reports directly to the Department from his nursing supervisor (i.e., Director of Nursing) monthly for the first year of his probation; bimonthly for the second year of probation; and, quarterly for the third year of probation. Employer reports shall include documentation of respondent's ability to safely and competently practice nursing, and shall be issued to the Department at the address cited in paragraph 3J below.
- G. Respondent shall notify the Department in writing of any change of employment within fifteen (15) days of such change.
- H. Respondent shall notify the Department of any change in his home and/or business address within fifteen (15) days of such change.

I. All reports required in paragraph 3B and 3F are due according to the following schedule:

- (1) Monthly reports are due on the tenth business day of every month commencing with the reports due \_\_\_\_\_.
- (2) Bi-monthly reports are due on the tenth business day of January, March, May, July, September and November commencing with the reports due \_\_\_\_\_.
- (3) Quarterly reports are due on the tenth business day of January, April, July and October. Quarterly reports shall commence with the reports due \_\_\_\_\_.

J. All correspondence and reports shall be addressed to:

Lynne A. Hurley, Investigator  
Department of Public Health and Addiction Services  
150 Washington Street  
Hartford, CT 06106

4. That respondent shall comply with all federal and state statutes and regulations applicable to his profession.
5. That, in the event respondent is unemployed as a nurse for periods of thirty (30) consecutive days or longer, or is employed as a nurse less than twenty (20) hours per week, respondent shall so notify the Department in writing. The Department has the discretion as to whether such period(s) may be counted towards reducing the period of probation.
6. That any violation of the term(s) of this Prelicensure Consent Order without prior written approval of the Department shall constitute a violation. A violation of any term(s) of this Prelicensure Consent Order shall result in the right of the Department in its discretion to immediately deem respondent's registered nurse's license

rescinded. Any extension of time or grace period for reporting granted by the Department shall not be a waiver or preclude the Department's right to take action at a later time. The Department shall not be required to grant future extensions of time or grace periods. Respondent waives any right to a hearing on the issue of violation of the terms of this Prelicensure Consent Order.

7. That legal notice of any action shall be deemed sufficient if sent to respondent's last known address of record reported to the Licensure and Renewal Section of the Division of Medical Quality Assurance of the Department.
8. That this Prelicensure Consent Order is effective upon issuance of respondent's license.
9. That respondent understands that this Prelicensure Consent Order is a matter of public record.
10. That he understands that this Prelicensure Consent Order may be considered as evidence of the above-admitted violations in any proceeding before the Board of Examiners for Nursing in which his compliance with §20-99 of the General Statutes of Connecticut, as amended, is at issue.
11. That in the event respondent violates any term of this Consent Order, respondent agrees immediately to refrain from practicing as a registered nurse, upon request by the Department for a period not to exceed forty-five (45) days. During that time period, respondent further agrees to cooperate with the Department in its investigation of the violation, and to submit to and complete a medical,

psychiatric or psychological evaluation, if requested to do so by the Department; and, that the results of the evaluation shall be submitted directly to the Department. Respondent further agrees that failure to cooperate with the Department in its investigation during said forty-five day period shall constitute grounds for the Department to seek a summary suspension of respondent's license. In any such summary action, respondent stipulates that his failure to cooperate with the Department's investigation shall, as a matter of law, constitute a clear and immediate danger as required pursuant to Connecticut General Statutes §§4-182(c) and 19a-17(c).

12. That this Prelicensure 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 Prelicensure 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 him of any other rights that he may have under the laws of the State of Connecticut or of the United States.
13. That this Prelicensure 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.
14. That respondent has had the opportunity to consult with an attorney prior to signing this Prelicensure Consent Order.

I, Robert Rowden,<sup>JR. ARJ</sup> have read the above Prelicensure Consent Order, and I agree and admit to the terms and allegations set forth therein. I further declare the execution of this Prelicensure Consent Order to be my free act and deed.

Robert Rowden Jr.  
Robert Rowden JR.

Subscribed and sworn to before me this 18<sup>th</sup> day of November 1994.

Lyndell M. Biddle-Lewis  
~~Notary Public~~ or person authorized  
by law to administer an oath or  
affirmation  
*Commissioner of the Superior Court*

The above Prelicensure Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health and Addiction Services on the 18<sup>th</sup> day of November 1994, it is hereby ordered and accepted.

Stanley K. Peck  
Stanley K. Peck, Director  
Division of Medical Quality Assurance

RAS:  
0188Q/20-27  
9/94

**STATE OF CONNECTICUT**

DEPARTMENT OF PUBLIC HEALTH



January 12, 1998

Robert Roawden  
82 Jones Street  
West Haven, CT 06516

RE: Registered Nurse License No. E57384

Dear Mr. Roawden:

Please be advised that you have successfully fulfilled the terms of probation of your registered nurse license. The probationary status of your license has been removed with an effective date of January 1, 1998.

Should you have any questions concerning this matter, please contact me at 860-509-7400.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jeffrey A. Kardys".

Jeffrey A. Kardys  
Special Investigator  
Health Systems Regulation

JAK/  
PROBEND.DOC

cc: Debra Tomassone, HSS, Licensure & Registration  
Bonnie Pinkerton, Nurse Consultant, Health Systems Regulation  
Barbara Pearson, RN, MA, CS



Phone: 860-509-7400 FAX 860-509-7650  
Telephone Device for the Deaf (860) 509-7191  
410 Capitol Avenue - MS # 12 HSR  
P.O. Box 340308 Hartford, CT 06134  
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