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STATE OF CONNECTICUT
BOARD OF EXAMINERS FOR NURSING

IN RE:

LYNNE E. WILCOX, R.N. License Number R 33412
59 Bailey Road
North Haven, Connecticut 06473

MEMORANDUM OF DECISION

The Board of Examiners for Nursing was presented by the Department of Health Services with a Notice of Hearing and Complaint dated September 29, 1981.

The Statement of Charges alleged violations of certain provisions of Chapter 378, Connecticut General Statutes. The Notice of Hearing provided that the hearing would take place on November 10, 1981 at 9:00 a.m., in the Department of Health Services, 79 Elm Street, Hartford, Connecticut.

Each member of the Board of Examiners for Nursing involved in this decision attests that he/she has reviewed the record, and that this decision is based entirely on the record.

FACT

1. Lynne E. Wilcox, R.N., the respondent, was at all pertinent times licensed to practice nursing as a registered nurse in Connecticut, with registration number R 33412.

2. Pursuant to Connecticut General Statutes, Section 4-182(c), the respondent was provided a full opportunity prior to the institution of agency action to show compliance with all the terms for the retention of her license.

3. On or about October 5, 1980, while employed as a registered nurse at Yale-New Haven Hospital, New Haven, Connecticut, the respondent (a) unlawfully, incompetently, and negligently failed to keep proper hospital records concerning controlled narcotic substances administered, dispensed or otherwise disposed of by her; (b) unlawfully obtained Percodan and Tylox, controlled narcotic substances; and (c) unlawfully diverted Percodan and Tylox, controlled narcotic substances, for her own use.

4. On or about December 12, 1980, while employed as a registered nurse at the Hospital of St. Raphael, New Haven, Connecticut, the respondent (a) unlawfully, incompetently, and negligently failed to keep proper hospital records concerning controlled narcotic substances administered, dispensed or otherwise disposed of by her; (b) unlawfully obtained Percodan and Percocet, controlled narcotic substances, for her own use; and (c) unlawfully diverted Percodan and Percocet, controlled narcotic substances, for her own use.

DISCUSSION

FIRST COUNT

5. The First Count alleges that the respondent violated the following provisions of Conn. Gen. Stat. § 20-99 by unlawfully, incompetently and negligently failing to keep proper records concerning controlled narcotic substances administered,

dispensed or otherwise disposed of by her while employed as registered nurse at Yale-New Haven Hospital:

... (b) (2) illegal conduct, incompetence or negligence in carrying out usual nursing functions.

The inescapable conclusion drawn from the facts found above is that the respondent has violated Conn. Gen. Stat. § 20-99 as specified in the First Count.

SECOND COUNT

6. The Second Count alleges that the respondent violated the following provisions of Conn. Gen. Stat. § 20-99 by unlawfully obtaining Percodan and Tylox, controlled narcotic substances, while employed as a registered nurse at Yale-New Haven Hospital:

... (b) (2) illegal conduct, incompetence or negligence in carrying out usual nursing functions.

... (b) (5) abuse or excessive use of drugs, including alcohol, narcotics or chemicals.

The inescapable conclusion drawn from the facts found above is that the respondent has violated Conn. Gen. Stat. § 20-99 as specified in the Second Count.

THIRD COUNT

7. The Third Count alleges that the respondent violated the following provisions of Conn. Gen. Stat. § 20-99 by unlawfully diverting Percodan and Tylox, controlled narcotic substances, for her own use while employed as a registered nurse at Yale-New Haven Hospital:

... (b) (2) illegal conduct, incompetence or negligence in carrying out usual nursing functions.

... (b) (5) abuse or excessive use of drugs, including alcohol, narcotics, or chemicals...

The inescapable conclusion drawn from the facts found above is that the respondent has violated Conn. Gen. Stat. § 20-99 as specified in the Third Count.

FOURTH COUNT

8. The Fourth Count alleges that the respondent violated the following provisions of Conn. Gen. Stat. § 20-99 by unlawfully, incompetently and negligently failing to keep proper records concerning controlled narcotic substances administered, dispensed or otherwise disposed of by her while employed as a registered nurse at the Hospital of St. Raphael, New Haven, Connecticut:

... (b) (2) illegal conduct, incompetence or negligence in carrying out usual nursing functions.

The inescapable conclusion drawn from the facts found above is that the respondent has violated Conn. Gen. Stat. § 20-99 as specified in the Fourth Count.

FIFTH COUNT

9. The Fifth Count alleges that the respondent violated the following provisions of Conn. Gen. Stat. § 20-99 by unlawfully obtaining Percodan and Perocet, controlled narcotic substances, while employed as a registered nurse at the Hospital of St. Raphael:

... (b) (2) illegal conduct, incompetence or negligence in carrying out usual nursing functions.

... (b) (5) abuse or excessive use of drugs, including alcohol, narcotics or chemicals.

The inescapable conclusion drawn from the facts found above is that the respondent has violated Conn. Gen. Stat. § 20-99 as specified in the Fifth Count.

SIXTH COUNT

10. The Sixth Count alleges that the respondent violated the following provisions of Conn. Gen. Stat. § 20-99 by unlawfully, incompetently and negligently failing to keep proper records concerning controlled narcotic substances administered, dispensed or otherwise disposed of by her while employed as a registered nurse at the Hospital of St. Raphael:

... (b) (2) illegal conduct, incompetence or negligence in carrying out usual nursing functions.

... (b) (5) abuse or excessive use of drugs, including alcohol, narcotics or chemicals.

The inescapable conclusion drawn from the facts found above is that the respondent has violated Conn. Gen. Stat. § 20-99 as specified in the Sixth Count.

ORDER

11. It is the unanimous decision of the Board of Examiners for Nursing that:

(a) The license of the respondent be suspended for a total period of two years determined as follows:

i. as to the counts one, two, and three, suspension

for a period of two years commencing February 15, 1982;

ii: as to counts four, five and six, suspension for a period of two years, which period is to run concurrently with that specified as to counts one, two and three.

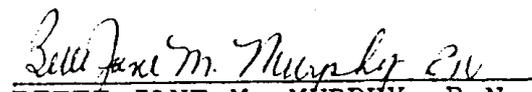
(b) At the end of said suspension, the respondent may be reinstated after submission of medical documentation that she is able to resume the practice of nursing.

12. The respondent, Lynne E. Wilcox, is hereby directed to surrender her license and current registration to the Board of Examiners for Nursing at 79 Elm Street, Hartford, Connecticut 06115, by February 15, 1982.

13. The Board of Examiners for Nursing herewith advises the Department of Health Services of the State of Connecticut of this decision and directs that the certificate of registration license of Lynne E. Wilcox, R.N. be suspended in accordance herewith.

Dated at Hartford, Connecticut this 26th day of January, 1982.

BOARD OF EXAMINERS FOR NURSING


BETTE JANE M. MURPHY, R.N.
Chairman