

STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
HEALTHCARE SYSTEMS BRANCH

In Re: Cynthia A. Ricker

Petition No. 2008-1231-010-140

CONSENT ORDER

WHEREAS, Cynthia A. Ricker (hereinafter "respondent") of Tucson, Arizona has been issued license number R36390 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, respondent hereby admits and acknowledges that:

1. On or about July 28, 2008, the Arizona State Board of Nursing issued an Order In The Matter Of Professional Nurse License No.: RN049353 Issued To: Cynthia Alice Ricker, Respondent (hereinafter "the Arizona Order") that placed respondent's Arizona nursing license on probation for thirty-six (36) months and assessed a civil penalty in the amount of Five Hundred Dollars (\$500.00). Said disciplinary action was based, in part, on respondent's failure to self-report two (2) guilty pleas in connection with driving under the influence charges entered in Tucson Municipal Court and on a substance abuse evaluation, completed on or about June 4, 2008, which recommended random drug urine screens and substance abuse treatment.
2. The above described facts constitute grounds for disciplinary action pursuant to the General Statutes of Connecticut, §20-99(b), including but not limited to:
 - a. §20-99 (b)(2); and/or,
 - b. §20-99 (b)(5);

WHEREAS, respondent, in consideration of this Consent Order, has chosen not to contest the above admitted violations at a hearing in front of the Board of Examiners for Nursing (hereinafter "the Board"). 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; and

WHEREAS, respondent currently resides in Arizona, but presently maintains an active Connecticut nursing license.

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 her right to a hearing on the merits of this matter.
2. Respondent shall comply with all federal and state statutes and regulations applicable to her profession.
3. If respondent intends to resume the practice of nursing in Connecticut, respondent shall give notice in writing to the Department no less than ninety (90) days before said commencement of practice. Along with said written notice, respondent agrees to provide the Department with written documentation demonstrating, to the satisfaction of the Department, that she is in compliance with the Arizona Order. Respondent shall not return to the practice of nursing without written pre-approval from the Department. Respondent further agrees that the Department, in its sole discretion, may require additional documentation from respondent and/or require respondent satisfy other conditions or terms as a condition precedent to respondent's return to practice in Connecticut.

If requested to do so by the Department, respondent further agrees to complete the following:

- a. submit to and complete a medical, psychiatric/psychological evaluation and/or skills evaluation by a provider pre-approved by the Department. The results of such evaluation shall be submitted directly to the Department;
- b. execute releases for any records requested by the Department including, but not limited to, psychiatric/psychological care, employment records, treatment and disability records and monitoring and/or professional assistance program records; For purposes of this document, psychiatric/psychological care includes any substance and/or alcohol abuse treatment; and/or
- c. submit a certified copy of her entire file, including all screens, therapy and employer reports and any other documents from any State other than Connecticut which impose conditions on respondent to maintain her license.

Respondent understands that any return to the practice of nursing in Connecticut without pre-approval from the Department shall constitute a violation of this Consent Order and may subject the respondent to further disciplinary action.

4. All correspondence shall be addressed to:

Bonnie Pinkerton
Department of Public Health
Practitioner Licensing and Investigations
410 Capitol Avenue, MS #12HSR
P.O. Box 340308
Hartford, CT 06134-0308

5. Any violation of the terms of this Consent Order without prior written approval by the Board shall constitute grounds for the Department to seek revocation of respondent's nursing license following notice and an opportunity to be heard.

6. Legal notice of any action shall be deemed sufficient if sent to respondent's last known address of record reported to the Practitioner Licensing and Investigations Section of the Healthcare Systems Branch of the Department.
7. 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.
8. Respondent understands this Consent Order is a matter of public record.
9. Respondent understands this Consent Order may be considered as evidence of the above admitted violations in any proceeding before the Board in which (1) her compliance with this same Consent Order is at issue, or (2) her 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.
10. In the event respondent violates a term of this Consent Order, respondent agrees immediately to refrain from practicing as a registered nurse, upon request by the Department, with notice to the Board, for a period not to exceed 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 45 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 failure to cooperate with the Department's investigation shall be considered by the Board and shall be given due weight by the Board in determining whether respondent's

conduct constitutes a clear and immediate danger as required pursuant to Connecticut General Statutes, sections 4-182(c) and 19a-17(c). The Department and respondent understand that the Board has complete and final discretion as to whether a summary suspension is ordered.

11. In the event respondent violates any term of this Consent Order, said violation may also constitute grounds for the Department to seek a summary suspension of respondent's license before the Board.
12. 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.
13. 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.
14. 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.
15. Respondent has had the opportunity to consult with an attorney prior to signing this document.
16. 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. The purpose of this Consent

Order is to resolve the pending administrative license disciplinary petition only, and is not intended to affect any civil or criminal liability or defense.

17. This Consent Order embodies the entire agreement of the parties with respect to this case. All previous communications or agreements regarding the subject matter of this consent order, whether oral or written, between the parties are superseded unless expressly incorporated herein or made a part hereof.

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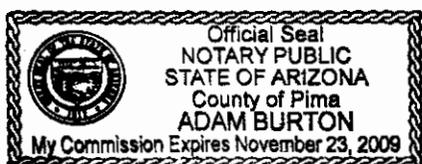
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I, Cynthia A. Ricker, have read the above Consent Order, and I agree to the terms set forth therein. I further declare the execution of this Consent Order to be my free act and deed.

Cynthia A. Ricker
Cynthia A. Ricker

Subscribed and sworn to before me this 11 day of April, 2009.



Adam Burton
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 23rd day of April, 2009, it is hereby accepted.

Jennifer Filippone
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 Board of Examiners for Nursing on the 6th day of May, 2009, it is hereby ordered and accepted.

BY: Patricia (Bunford)
Connecticut Board of Examiners for Nursing

s:llf/Ricker/CO

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