

STATE OF CONNECTICUT  
BOARD OF EXAMINERS FOR NURSING

Department of Health Services v.  
Barbara Andrade, R.N., License No. R37015  
8A Lorena Street  
East Norwalk, CT 06855

CASE PETITION NO. 880112-10-004

MEMORANDUM OF DECISION

INTRODUCTION

The Board of Examiners for Nursing (hereinafter the "Board") was presented by the Department of Health Services (hereinafter the "Department") with a Statement of Charges dated January 31, 1989. The Statement of Charges alleged violations of certain provisions of Chapter 378, Connecticut General Statutes. The Board issued a Notice of Hearing dated February 1, 1989. A Notice of Continuance of Formal Hearing was issued on March 1, 1989. The hearing took place on March 8, 1989 in Room 112, National Guard Armory, Maxim Road, Hartford, Connecticut.

Each member of the Board involved in this decision attests that he/she has reviewed the record, and that this decision is based entirely on the record and their specialized professional knowledge in evaluating the evidence.

## FINDINGS OF FACTS

Based on the testimony given and the exhibits offered into evidence, the Board made the following findings of fact:

1. Barbara Andrade, hereinafter referred to as Respondent, was issued Connecticut Registered Nurse license number R37015 on September 30, 1983.
2. The Respondent was aware of the time and location of the hearing. Department Exhibit 4 indicates that notice of the location and time of this hearing were delivered by certified mail to the Respondent's Attorney. The Respondent was present at the hearing and not represented by counsel. (Transcript of Hearing, March 8, 1989, p. 4).
3. The Respondent, while working as a registered nurse at St. Joseph's Medical Center in Stamford, Connecticut, in October, 1987 failed to properly waste a controlled substance.
4. The Respondent, while working as a registered nurse at St. Joseph's Medical Center in Stamford, Connecticut, in October, 1987 failed to properly document waste of a controlled substance.
5. The Respondent, while working as a registered nurse at St. Joseph's Medical Center in Stamford, Connecticut, in October, 1987 failed to completely, properly and accurately make documentations in the medical or hospital records.
6. The Respondent, while working as a registered nurse at Fairfield Manor Health Care in Norwalk, Connecticut, in April, 1988 failed to follow a physician's order.
7. The Respondent, while working as registered nurse at Fairfield Manor Health Care in Norwalk, Connecticut, in April, 1988 failed to completely, accurately or properly make documentations in hospital or medical records.

8. The Respondent, while working as registered nurse at Fairfield Manor Health Care in Norwalk, Connecticut, in April, 1988 failed to conduct a change of shift inventory regarding the controlled substances when she came on duty.

#### DISCUSSION AND CONCLUSIONS

The First Count, Subsection 3a, alleges that while employed as a registered nurse at St. Joseph's Medical Center, in Stamford, Connecticut the Respondent diverted one or more of the Controlled Substances Demerol or Morphine. The Respondent denies this charge (Transcript of Hearing, dated March 3, 1989, p. 54).

The above referenced conduct is a violation of Connecticut General Statutes Section 20-99(b)(2), which includes "... (2) illegal conduct, incompetence or negligence in carrying out usual nursing functions...." The Board concludes that insufficient evidence exists to find the Respondent as charged in the First Count, Subsection 3a. Thus, the charge is dismissed.

The First Count, Subsection 3b, alleges that while employed as a registered nurse at St. Joseph's Medical Center during October, 1987 the Respondent failed to properly waste a controlled substance. The Respondent admits these charges (Transcript of Hearing, dated March 8, 1989, p. 52)

The above referenced conduct is a violation of Connecticut General Statutes Section 20-99(b)(2), which includes "... (2) illegal conduct, incompetence or negligence in carrying out usual nursing functions...." Therefore, the Board has determined that the Respondent has violated Connecticut General Statutes Section 20-99(b)(2), as specified in the First Count, Subsection 3b.

failed to document waste of a controlled substance. The Respondent admits this charge (Transcript of Hearing, dated March 8, 1989, p. 52).

The above referenced conduct is a violation of the Connecticut General Statutes Section 20-99(b)(2) which includes: "... (2) illegal conduct, incompetence or negligence in carrying out usual nursing functions...." Therefore, the Board concludes that Respondent has violated Connecticut General Statutes Section 20-99(b)(2), as specified in the First Count, Subsection 3c.

The First Count, Subsection 3d, alleges that the Respondent diluted, substituted or otherwise altered morphine and/or Demerol. The Respondent neither admits or denies this charge.

The above referenced conduct is a violation of the Connecticut General Statutes Section 20-99(b)(2) which includes: "... (2) illegal conduct, incompetence or negligence in carrying out usual nursing functions...." The Board concludes that insufficient evidence exists to find the Respondent as charged in the First Count, Subsection 3d. Thus, the charge is dismissed.

The First Count, Subsection 3e, alleges that the Respondent failed to completely, properly or accurately make documentations in the medical or hospital records. The Respondent admits this charge (Transcript of Hearing, dated March 8, 1989, p. 52).

The above referenced conduct is a violation of the Connecticut General Statutes Section 20-99(b)(2) which includes: "... (2) illegal conduct, incompetence or negligence in carrying out usual nursing functions...." Therefore, the Board concludes that Respondent has violated Connecticut General Statutes Section 20-99(b)(2), as specified in the First Count, Subsection 3e.

The First Count, Subsection 3f, alleges that the Respondent falsified one or more Controlled Substance Receipt Records. The Respondent neither admits or denies this charge.

The above referenced conduct is a violation of the Connecticut General Statutes Section 20-99(b)(2), which includes: "... (2) illegal conduct, incompetence or negligence in carrying out usual nursing functions...." The Board concludes that insufficient evidence to find the Respondent on this charge. Thus, the charge is dismissed.

The Second Count, Subsection, 3a, alleges that while employed at Fairfield Manor Health Care, diverted one or more of the controlled substances Lomotil, Phenobarbital, Valium or Tranxene. The Respondent denies this charge (Transcript of Hearing, dated March 3, 1989, p. 53).

The above referenced conduct is a violation of the Connecticut General Statutes Section 20-99(b)(2), which includes: "... (2) illegal conduct, incompetence or negligence in carrying out usual nursing functions...." The Board concludes that insufficient evidence exists to find the Respondent as charged in the Second Count, Subsection 3a. Thus, the charge is dismissed.

The Second Count, Subsection 3b, alleges that while employed at Fairfield Manor Health Care, failed to follow a physicians order. The Respondent admits this charge (Department Exhibit 7, pp. 14, 15, & 16).

The above referenced conduct is a violation of the Connecticut General Statutes Section 20-99(b)(2) which includes: "... (2) illegal conduct, incompetence or negligence in carrying out usual nursing functions...." Therefore, the Board concludes that Respondent has violated Connecticut General Statutes Section 20-99(b)(2), as specified in the Second Count, Subsection 3b.

The Second Count, Subsection 3c, alleges that while employed as a registered nurse at Fairfield Manor Health Care the Respondent failed to completely, accurately or properly make documentations in hospital or medical records. The Respondent admits this charge (Transcript of Hearing, dated March 8, 1989, p. 54)

The above referenced conduct is a violation of the Connecticut General Statutes 20-99(b)(2) which includes: "... (2) illegal conduct, incompetence, or negligence in carrying out usual nursing functions...." Therefore, the Board concludes that the Respondent has violated Connecticut General Statutes, 20-99 (b)(2) as specified in the Second Count, Subsection 3c.

The Second Count, Subsection 3d, alleges that the Respondent failed to appropriately assess a patient's condition prior to administration of medication. The Respondent neither admits or denies this charge.

The above referenced conduct is a violation of the Connecticut General Statutes 20-99(b)(2) which includes: "... (2) illegal conduct, incompetence, or negligence in carrying out usual nursing functions...." The Board concludes that insufficient evidence exists to find the Respondent on this charge. Thus, the charge is dismissed.

The Second Count, Subsection 3e, alleges that while employed as a registered nurse at Fairfield Manor Health Care, in Fairfield, Connecticut, the Respondent failed to conduct a change of shift inventory regarding the controlled substances when she came on duty. The Respondent admits this charge (Department Transcript of Hearing, dated March 8, 1989, pp. 52 and 53).

The above referenced conduct is a violation of the Connecticut General Statutes 20-99(b)(2) which includes: "... (2) illegal conduct, incompetence, or negligence in carrying out usual nursing functions...." Therefore, the Board concludes that the Respondent has violated Connecticut General Statutes, 20-99(b)(2) as specified in the Second Count, Subsection 3e.

ORDER

It is the decision of the Board of Examiners for Nursing that the Respondent receive a written reprimand.

This document shall serve as said written reprimand.

The Board of Examiners for Nursing hereby informs the Respondent and the Department of Health Services of the State of Connecticut of this decision.

Dated at Hartford, Connecticut, this 14<sup>th</sup> day of September, 1989.

BOARD OF EXAMINERS FOR NURSING

By Bette Jean M. Murphy RN

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