

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
BUREAU OF REGULATORY SERVICES**

In Re: Nancy Oelsner, R.N.

Petition No. 970606-010-041

CONSENT ORDER

WHEREAS, Nancy Oelsner, (hereinafter "respondent") of Carmel, N.Y., has been issued license number R41857 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 holds registered nurse license 340185 and licensed practical nurse license 148658, both issued by the State of New York; and,

WHEREAS, respondent hereby admits and acknowledges that:

1. From approximately autumn of 1995 to approximately January of 1997, while working as a nurse at Putnam Hospital Center in Carmel, New York, respondent diverted the controlled substances Percocet and Stadol from the hospital's stock for her own personal use.
2. On March 3, 1997, respondent entered the New York State Education Department's Professional Assistance Program (PAP) for the treatment of addictive illness.
3. Respondent will continue to participate in this program until at least May 14, 1999.
4. 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 allegations 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(b) 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 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. Respondent's license number R41857 to practice as a registered nurse in the State of Connecticut is hereby placed on probation until proof is received from the PAP that she has successfully completed such program, subject to the following terms and conditions:
 - A. All reports required by the PAP shall be forwarded to the Connecticut Board of Examiners for Nursing, to be received on a quarterly basis.
 - B. Said reports shall indicate compliance with all terms and requirements of the PAP.
 - C. Respondent shall not obtain or use controlled substances, legend drugs or alcohol in any form unless prescribed or recommended for a legitimate therapeutic purpose by a licensed health care professional authorized to prescribe medications.
 - D. Respondent shall provide a copy of this Consent Order to all current and future Connecticut employers for the duration of her probation.

- E. Respondent shall not accept employment in Connecticut as a nurse for a personnel provider service, Assisted Living Services Agency, Homemaker - Home Health Aide Agency, or home health care agency, and shall not be self-employed as a nurse for the period of her probation.
- F. Respondent shall notify the Board and the Department in writing of any change of employment within fifteen (15) days of such change.
- G. Respondent shall notify the Board and the Department of any change in her home or business address within fifteen (15) days of such change.
- H. All reports required in paragraphs 3A are due on the tenth business day of January, April, July and October, commencing with the report due October, 1998.
- I. All correspondence and reports shall be addressed to:

Jeffrey Kardys
Department of Public Health
Division of Health Systems Regulation
410 Capitol Avenue, MS #12HSR
P.O. Box 340308
Hartford, CT 06134-0308

- 4. 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 the respondent's nursing license following notice and an opportunity to be heard.
- 5. Any extension of time or grace period for reporting granted by the Board shall not be a waiver or preclude the Board's right to take action at a later time. The Board shall not be required to grant future extensions of time or grace periods.

6. Legal notice of any action shall be deemed sufficient if sent to respondent's last known address of record reported to the Licensure and Registration Section of the Division of Health Systems Regulation 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.
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 her 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. Respondent has had the opportunity to consult with an attorney prior to signing this document.

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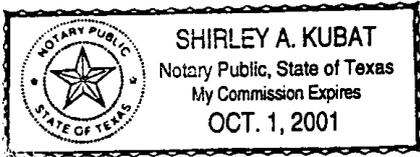
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I, Nancy Oelsner, R.N., have read the above Consent Order, and I agree to the terms set forth therein.
I further declare the execution of this Consent Order to be my free act and deed.

Nancy Oelsner
Nancy Oelsner

Subscribed and sworn to before me this 15 day of June, 1998.



Shirley A. Kubat
Notary Public or person authorized
by law to administer an oath or affirmation

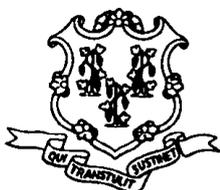
The above Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 19th day of June, 1998, it is hereby accepted.

Cynthia Denne
Cynthia Denne, Director
Division of Health Systems Regulation

The above Consent Order having been presented to the duly appointed agent of the Connecticut Board of Examiners for Nursing on the 15th day of July, 1998, it is hereby ordered and accepted.

BY: Nancy J. Bell
Connecticut Board of Examiners for Nursing

S: sm. Oelsner/legal/co. 4/98

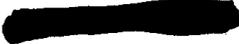


STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH

April 3, 2000

Nancy Oelsner, RN
904 Kingsway
Carmel, New York 10512

Re: Consent Order
Petition No. 970606-010-041
License No. R41857


Dear Ms. Oelsner:

Please accept this letter as notice that you have satisfied the terms of your license probation, effective the date of this letter.

Notice will be sent to the Department's Licensure and Registration section to remove all restrictions from your license related to the above-referenced Consent Order.

Thank you for your cooperation during this process.

Very truly yours,

A handwritten signature in cursive script that reads "Bonnie Pinkerton".

Bonnie Pinkerton, RNC
Division of Health Systems Regulation

cc: D. Tomassone
J. Wojick



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