

STATE OF CONNECTICUT
BOARD OF EXAMINERS FOR NURSING

Department of Health Services v.
Maureen Walsh R.N., License No. R42391
120 Warren Avenue
East Providence, RI 02914

CASE PETITION NO. 890306-10-014

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 August 11, 1989.

The Statement of Charges alleged violations of certain provisions of Chapter 378, Connecticut General Statutes. The Board issued a Notice of Hearing dated August 11, 1989. The hearing took place on September 27, 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.

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

1. Maureen Walsh, hereinafter referred to as the "Respondent", was issued Connecticut Registered Nurse license number R42391 on January 4, 1988.

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

3. 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 to the Respondent address of record. The Respondent was not present or represented by counsel at the hearing.

4. The Respondent, was currently under Suspension of her nursing license, pursuant to a previous Memorandum of Decision dated September 14, 1989.

5. The Respondent, on or about October 25, 1988, obtained the controlled substance Fiorinal by fraud, deceit, subterfuge or misrepresentation.

DISCUSSION AND CONCLUSIONS

The First Count, Section 2, alleges that the Respondent, obtained the controlled substance Fiorinal by fraud, deceit, subterfuge or misrepresentation. The Respondent neither admits or denies this charge.

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...." and a violation of Connecticut General Statutes Section 20-99(b)(5), which includes "... (5) abuse or excessive use of drugs, including alcohol, narcotics or chemicals...."

The Board has determined that the Respondent on or about October 25, 1988, obtained the controlled substance Fiorinal by fraud, deceit, subterfuge or misrepresentation. A Police Narrative written and sworn to by Dennis Algieri and witnessed by Cindy A. Soccio, Special Assistant Attorney General, in Providence, Rhode Island, states that a prescription for Fiorinal #100, dated October 20, 1988 on a prescription pad from the Miriam Hospital with P. Goodman, M.D.'s name on it was written for the Respondent (Department Exhibit 5). The inspector obtained a written statement from Dr. Peggy Goodman, of Rhode Island Hospital on April 10, 1989. In this statement Dr. Goodman indicated that she did not write or authorize Prescription #102256 for the Respondent. She also stated that the signature on the prescription was not hers (Department Exhibit 5 and 6). The Inspector also obtained a statement from Karen Kopian, R.Ph. of the Rite Aid Pharmacy, University Heights, on April 6, 1989. She indicated that she dispensed Prescription # 102256 on August 25, 1988 to a subject who she chose out of a photo lineup. The photo was that of the Respondent (Department Exhibit 5 and 6). The act of obtaining a prescription by fraud, deceit, subterfuge or misrepresentation constitutes abuse and or excessive use of

said medication. Therefore, the Board concludes that the Respondent has violated Connecticut General Statutes Section 20-99(b)(2) and 20-99(b)(5), as specified in the First Count, Section 2.

ORDER

It is the decision of those members of the Board of Examiners for Nursing who were present and voting that for the First Count:

1. The license of the Respondent be Revoked.
4. The effective date of this revocation shall commence on July 1, 1990.

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 14th day of April, 1990.

BOARD OF EXAMINERS FOR NURSING

BY: Sally Jean Sh. Murphy, R.N.

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