

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

In Re: Debra Hayes Murphy, R.N.

Petition No. 970812-010-058

CONSENT ORDER

WHEREAS, Debra Hayes Murphy (hereinafter "respondent") of Danbury, Connecticut has been issued license number R51303 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 February 4, 1997, she entered into a Consent Order (a true and complete copy of which is attached hereto marked as Attachment "A" and incorporated herein by this reference) imposing professional discipline against her New York registered professional nurse license.
2. The above described facts constitute grounds for disciplinary action pursuant to the General Statutes of Connecticut, 20-99(b).
3. Respondent is not presently practicing nursing in Connecticut.

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 R51303 to practice as a registered nurse in the State of Connecticut shall be suspended for a period of two years with said suspension immediately stayed.
4. Respondent agrees to fully comply with the terms and conditions of the disciplinary action ordered by the New York State Education Department and the Board of Regents in the New York Consent Order.
5. Respondent shall provide a copy of this Consent Order to all future employers in Connecticut for the duration of her stayed suspension.
6. During said stayed suspension, respondent shall:
 - A. Notify the Board and the Department in writing of any change of employment within fifteen (15) days of such change.
 - B. Notify the Board and the Department of any change in her home or business address within fifteen (15) days of such change.
8. Respondent shall supply the Board with proof of the successful completion of her terms of probation as a registered professional nurse in the State of New York.

9. All correspondence 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

10. 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.
11. 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.
12. 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.
13. 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.
14. Respondent understands this Consent Order is a matter of public record.
15. 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.

16. 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.
17. 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.
18. 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.

19. 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.
20. Respondent has had the opportunity to consult with an attorney prior to signing this document.

I, Debra Hayes Murphy, 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.

Debra L. Hayes Murphy
Debra Hayes Murphy

Subscribed and sworn to before me this 28th day of August, 1998.

STEPHEN SOSIN
NOTARY PUBLIC
MY COMMISSION EXPIRES MARCH 31, 1999

Stephen Sosin
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 10th day of September, 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 16th day of September, 1998, it is hereby ordered and accepted.

BY: [Signature]
Connecticut Board of Examiners for Nursing



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, N.Y. 12230

OFFICE OF THE PROFESSIONS
DIVISION OF PROFESSIONAL LICENSING SERVICES

RECEIVED

AUG 08 1997

DEPT. OF PUBLIC HEALTH
LEGAL OFFICE

STATE OF NEW YORK)

SS:

COUNTY OF ALBANY)

In accordance with the Civil Practice Law and Rules Article 45, Rule 4540, I, Rita Lee St. John, Senior Clerk in the Division of Professional Licensing Services of the New York State Education Department, have caused this certificate to be prepared. I certify that I have legal custody of the official original records of the Division of Professional Licensing Services and I attest that the attached are true and correct copies of the original documents in our files relating to **DEBRA LEE MURPHY**.

Witness my hand and the seal of the New York State Education Department this 30 July, 1997.

Rita Lee St. John, Senior Clerk
Professional Licensing Services

DATED
07/30/97

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RECEIVED

AUG 31 1998

DEPT. OF PUBLIC HEALTH
LEGAL OFFICE



The University of the State of New York

IN THE MATTER

OF

DEBRA LEE HAYES
a/k/a DEBRA LEE MURPHY
a/k/a DEBRA HAYES MURPHY
(Licensed Practical Nurse)
(Registered Professional Nurse)

ORIGINAL
VOTE AND ORDER
NOS. 16377 & 16378

Upon the application of DEBRA LEE HAYES a/k/a DEBRA LEE MURPHY a/k/a DEBRA HAYES MURPHY, under Calendar Nos. 16377 & 16378, which application is made a part hereof, and in accordance with the provisions of Title VIII of the Education Law, it was

VOTED (February 4, 1997): That the application of DEBRA LEE HAYES a/k/a DEBRA LEE MURPHY a/k/a DEBRA HAYES MURPHY, respondent, for a consent order be granted; and that the Associate Commissioner for the Professions be empowered to execute, for and on behalf of the Board of Regents, all orders necessary to carry out the terms of this vote;

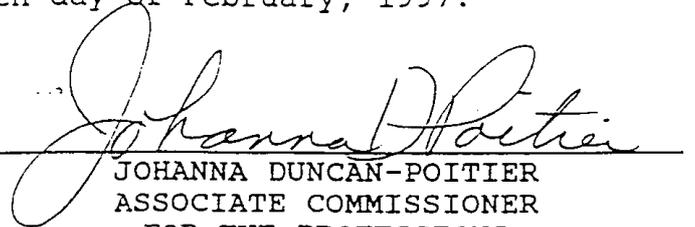
and it is

ORDERED: That, pursuant to the above vote of the Board of Regents, said vote and the provisions thereof are hereby adopted and SO ORDERED, and it is further

ORDERED that this order shall take effect as of the date of the personal service of this order upon the respondent or five days after mailing by certified mail.

DEBRA LEE HAYES (16377 & 16378)
a/k/a DEBRA LEE MURPHY
a/k/a DEBRA HAYES MURPHY

IN WITNESS WHEREOF, I, Johanna
Duncan-Poitier, Associate Commissioner
for the Professions, for and on behalf
of the State Education Department and
the Board of Regents, do hereunto set
my hand, at the City of Albany, this
4th day of February, 1997.



JOHANNA DUNCAN-POITIER
ASSOCIATE COMMISSIONER
FOR THE PROFESSIONS

DEBRA LEE HAYES a/k/a DEBRA LEE MURPHY
a/k/a DEBRA HAYES MURPHY

I am currently registered with the New York State Education Department to practice as a registered professional nurse in the State of New York from an address at: 1 Waterbury Lane, Danbury, Connecticut 06811.

That I have been charged with one (1) specification of professional misconduct, a copy of which is annexed hereto, made a part hereof, and marked as Exhibit "A".

I hereby admit guilt to the aforesaid specification of professional misconduct, charging me with being convicted of committing an act constituting a crime under New York State law (Petit Larceny, a class A misdemeanor).

I hereby agree to the penalty that my licenses to practice as a licensed practical nurse and as a registered professional nurse in the State of New York each be suspended for two (2) years; that execution of said suspensions be stayed; that I be placed on probation for two (2) years under the terms set forth in the exhibit annexed hereto, made a part hereof and marked as Exhibit "B"; that I be fined the sum of one thousand dollars (\$1,000.00) and that I be required to perform fifty (50) hours of public service, said fine to be paid and said public service to be performed in accordance with the aforesaid terms of probation.

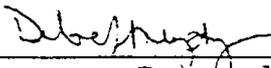
I hereby make this application to the Board of Regents and request that it be granted.

DEBRA LEE HAYES a/k/a DEBRA LEE MURPHY
a/k/a DEBRA HAYES MURPHY

I understand that in the event that the Board of Regents denies the application, nothing contained herein shall be binding upon me or construed to be an admission of any act of misconduct alleged or charged against me. Such application shall not be used against me in any way and shall be kept in strict confidence during the pendency of the disciplinary proceeding, and such denial by the Board of Regents shall be without prejudice to the continuance of the disciplinary proceeding and the final determination by the Board of Regents pursuant to the provisions of the Education Law.

I agree that in the event the Board of Regents grants my application, as set forth herein, an Order may be issued in accordance with the same.

No promises of any kind were made to me. I am making this application of my own free will and accord and not under duress, compulsion, or restraint of any kind or manner.



Respondent

Sworn to before me this

17th day of October, 1996



NOTARY PUBLIC

ROBERT S. ASWER
Notary Public, State of New York
No. 01212222
Commission Expires 10/30, 1998

EXHIBIT "A"

DEBRA LEE HAYES
a/k/a DEBRA LEE MURPHY
a/k/a DEBRA HAYES MURPHY

SPECIFICATION OF PROFESSIONAL MISCONDUCT

Respondent is charged with being convicted of committing an act constituting a crime under New York State law within the purview and meaning of Section 6509(5)(a)(i) of the Education Law of the State of New York, in that:

Pursuant to Superior Court Information No. 95-1418 filed in County Court, County of Westchester, State of New York, Respondent was accused of the crime of Petit Larceny, a class A misdemeanor, in violation of Section 155.25 of Penal Law of the State of New York.

Specifically, it was alleged that Respondent, from on or about August 1, 1989 to on or about January 31, 1995, in the County of Westchester, State of New York, with intent to deprive another of property and to appropriate the same to herself and to a third person, wrongfully took, obtained and withheld property, in the following manner: while enrolled as a provider in the New York State Medicaid program, acting in concert with Medicaid recipient S.L., Respondent submitted and caused to be submitted to Computer Sciences Corporation, a fiscal agent of the State of New York, numerous Medicaid claims which falsely represented that Respondent had provided licensed practical nursing services to said S.L. when, as Respondent well knew, the services had not been provided. In reliance upon these false representations, and as Respondent intended, the State

of New York paid Respondent monies to which she was not entitled.

Thereafter, on or about September 27, 1995, Respondent pleaded guilty to the aforesaid charge.

EXHIBIT "B"

TERMS OF PROBATION

DEBRA LEE HAYES
a/k/a DEBRA LEE MURPHY
a/k/a DEBRA HAYES MURPHY

CALENDAR NOS. 16377 (LPN) & 16378 (RN)

1. That Respondent, during the period of probation, shall be in compliance with the standards of conduct prescribed by the law governing Respondent's profession;
2. That Respondent shall submit written notification to the New York State Education Department, addressed to the Executive Director, Office of Professional Discipline, New York State Education Department, One Park Avenue - Sixth Floor, New York, NY 10016-5802, of any employment and/or practice, Respondent's residence, telephone number, or mailing address, and of any change in Respondent's employment, practice, residence, telephone number, or mailing address within or without the State of New York;
3. That Respondent shall pay the \$1,000.00 fine imposed upon Respondent, by certified or bank cashier's check(s), made payable to the order of the New York State Education Department, to be delivered to the Executive Director, Office of Professional Discipline, as aforesaid, as follows:
 - at least \$250 within the first six (6) months of the period of probation;
 - at least \$500 within the first nine (9) months of the period of probation;
 - a total of \$1000 within the first fifteen (15) months of the period of probation;
4. That Respondent shall, within the first fifteen (15) months of the period of probation, perform fifty (50) hours of public service to be selected by Respondent and previously approved, in writing, by the New York State Education Department and Respondent shall submit satisfactory proof of performing such public service, within seven (7) days after the completion thereof, to the Executive Director, Office of Professional Discipline, addressed as above;

DEBRA LEE HAYES
a/k/a DEBRA LEE MURPHY
a/k/a DEBRA HAYES MURPHY
CALENDAR NOS. 16377 (LPN) & 16378 (RN)

5. That Respondent shall submit written proof from the Division of Professional Licensing Services (DPLS), New York State Education Department (NYSED), that Respondent has paid all registration fees due and owing to the NYSED and Respondent shall cooperate with and submit whatever papers are requested by DPLS in regard to said registration fees, said proof from DPLS to be submitted by Respondent to the NYSED, addressed to the Executive Director, Office of Professional Discipline, as aforesaid, no later than the first three months of the period of probation;
6. That Respondent shall submit written proof to the NYSED, addressed to the Executive Director, Office of Professional Discipline, as aforesaid, that 1) Respondent is currently registered with the NYSED, unless Respondent submits written proof that Respondent has advised DPLS, NYSED, that Respondent is not engaging in the practice of Respondent's profession in the State of New York and does not desire to register, and that 2) Respondent has paid any fines which may have previously been imposed upon Respondent by the Board of Regents, said proof of the above to be submitted no later than the first two months of the period of probation;
7. That Respondent shall make quarterly visits to an employee of the Office of Professional Discipline, New York State Education Department, unless otherwise agreed to by said employee, for the purpose of said employee monitoring Respondent's terms of probation to assure compliance therewith, and Respondent shall cooperate with said employee, including the submission of information requested by said employee, regarding the aforesaid monitoring;
8. That upon receipt of evidence of noncompliance with or any other violation of any of the aforementioned terms of probation, the New York State Education Department may initiate a violation of probation proceeding and/or such other proceedings pursuant to the Education Law and/or Rules of the Board of Regents.

NEW YORK STATE EDUCATION DEPARTMENT
OFFICE OF PROFESSIONAL DISCIPLINE
STATE BOARD FOR NURSING

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IN THE MATTER

of the

Disciplinary Proceeding

against

DEBRA LEE HAYES
a/k/a DEBRA LEE MURPHY
a/k/a DEBRA HAYES MURPHY

APPLICATION FOR
CONSENT ORDER

CAL. NOS.
16377 (L.P.N.)
16378 (R.N.)

who is currently licensed to practice
as a(n) licensed practical nurse and
as a(n) registered professional nurse in
the State of New York.

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The undersigned agree to the above statement and to the
proposed penalty based on the terms and conditions thereof.

Dated: Oct 17 , 1996

Debra Hayes

Respondent

Dated: Oct 17 , 1996

Robert S. Roberts

Attorney for Respondent

Dated: Oct 25 , 1996

Armita D. Branch

Member of the State Board
for Nursing

Dated: November 13 , 1996

Charles J. Adams

Executive Director
Office of Professional Discipline

The undersigned, a member of the Board of Regents who has been
designated by the Chairman of the Regents Committee on Professional
Practice to review this Application for a Consent Order, has
reviewed said Application and recommends to the Board of Regents
that the Application be granted.

Dated: November 14 , 1996

Norma Gluck

Member, Board of Regents

AB:mec