11- 007174

STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH

July 9, 2007

Sarah Ann Martin, LPN
15 Kneen Ct.
Shelton, CT 06484

Re: Consent Order
Petition No. 2005-0404-011-009
License No. 007174

Dear Ms. Martin:

Please accept this letter as notice that you have satisfied the terms of your license probation, effective April 1, 2007.

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.

Please be certain to retain this letter as documented proof that you have completed your license probation.

Very truly yours,

Bonnie Pinkerton

Bonnie Pinkerton, RN, Nurse Consultant
Practitioner Licensing and Investigations Section

cc: J. Filippone
J. Wojick

Phone: (860) 509-7400
Telephone Device for the Deaf (860) 509-7191
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P.O. Box 340308 Hartford, CT 06134
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STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
BUREAU OF HEALTHCARE SYSTEMS

In Re: Sarah Ann Martin, LPN Petition No. 2005-0404-011-009

CONSENT ORDER

WHEREAS, Sarah Ann Martin (hereinafter "respondent") of Shelton, Connecticut has been issued license number 007174 to practice as a practical nurse by the Department of Public Health (hereinafter "the Department") pursuant to Chapter 378 of the General Statutes of Connecticut, as amended; and,

WHEREAS, the Department alleges that:

1. On February 23, 2005, respondent was working as a nurse at Wicke Health Care Center in Shelton, Connecticut. As respondent was assisting resident LS, who has a diagnosis of dementia and is resistive to care, he pinched her on her buttocks. Respondent then slapped the resident on his face, made derogatory comments to him, and then wheeled him in his wheelchair into the Day Room where she placed him in a corner.
2. The above-described facts constitute grounds for disciplinary action pursuant to the General Statutes of Connecticut, 20-99(b)(2).

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 does not admit to having violated any statute or regulation, including but not limited to §20-99(b) of the General Statutes of Connecticut. Respondent 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.

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 007174 to practice as a practical nurse in the State of Connecticut is hereby reprimanded.
4. Respondent's license shall be placed on probation for a period of one (1) year, subject to the following terms and conditions:
   A. Within the first six (6) months of the period of probation, respondent shall attend and successfully complete eight (8) hours in continuing education coursework, pre-approved by the Department, in patient management. Within thirty (30) days of the completion of such coursework, respondent shall provide the Department with proof, to the Department's satisfaction, of the successful completion of such coursework.
   B. Respondent shall provide a copy of this Consent Order to all current and future employers for the duration of her probation.
   C. Respondent shall be responsible for the provision of written reports directly to the Board and the Department from her nursing supervisor (i.e., Director of Nursing) quarterly for the entire probationary period. The Board and the Department shall be notified in writing by any employer(s) within fifteen (15) days of the commencement of

employment as to the receipt of a copy of this Consent Order. Employer reports shall include documentation of respondent's ability to safely and competently practice nursing, and shall be issued to the Board and the Department at the address cited in paragraph 3I below.

D. Respondent shall not be employed 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.

E. Respondent shall notify the Board and the Department in writing of any change of employment within fifteen (15) days of such change.

F. Respondent shall notify the Board and the Department of any change in her home or business address within fifteen (15) days of such change.

G. If respondent pursues further training or is engaged at the time of the implementation of the Consent Order in an educational program in any subject area that is regulated by the Department, respondent shall provide a copy of this Consent Order to the educational institution or, if not an institution, to respondent's instructor. Such institution or instructor shall notify the Department of receipt of the Consent Order within fifteen (15) days of receipt.

H. All reports required by the terms of this Consent Order shall be due according to a schedule to be established by the Department of Public Health.

I. All correspondence and reports shall be addressed to:

Bonnie Pinkerton
Department of Public Health
Division of Health Systems Regulation
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. 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.

7. Legal notice of any action shall be deemed sufficient if sent to respondent's last known address of record reported to the Office of Practitioner Licensing and Certification of the Bureau of Healthcare Systems of the Department.

8. 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.

9. Respondent understands this Consent Order is a matter of public record.

10. The Department's allegations as contained in this Consent Order shall be deemed true in any subsequent proceeding before the Board in which (1) her compliance with this same order is at issue, or (2) her compliance with §20-99(b) of the General Statutes of Connecticut, as amended, is at issue.

11. In the event respondent violates a term of this Consent Order, respondent agrees immediately to refrain from practicing as a licensed practical nurse, upon request by the Department, with notice to the Board, for a period not to exceed forty-five (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.

12. 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.

13. 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.

14. 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.

15. Respondent has the right 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.

I, Sarah Ann Martin, 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.

Sarah Ann Martin

Sarah Ann Martin

Subscribed and sworn to before me this 14 day of Feb., 2006.

Margaret Della Monica

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 21st day of February, 2006, it is hereby accepted.

Jennifer Filippone

~~Marianne Horn, Director,~~
~~Division of Health Systems Regulation~~
Bureau of Healthcare Systems

The above Consent Order having been presented to the duly appointed agent of the Connecticut Board of Examiners for Nursing on the 1 day of March, 2006, it is hereby ordered and accepted.

BY: Nancy B. Fredericks RN

Connecticut Board of Examiners for Nursing

RAS/Martin:LPN/legal/BOENCO/41205