

**STATE OF CONNECTICUT  
DEPARTMENT OF PUBLIC HEALTH  
HEALTHCARE QUALITY AND SAFETY BRANCH**

In Re: Kathleen Criado, L.P.N.

Petition No. 2011-1077

**CONSENT ORDER**

WHEREAS, Kathleen Criado (hereinafter "respondent") of Norwalk, Connecticut has been issued license number 008579 to practice as a licensed practical nurse by the Department of Public Health (hereinafter "the Department") pursuant to Chapter 378 of the General Statutes of Connecticut, as amended;

WHEREAS, respondent has at no time been issued a license to practice radiography by the Department under the General Statutes of Connecticut, Chapter 379c;

WHEREAS, the Department alleges that:

1. In or about 2009 and 2010, respondent engaged in the practice of radiography, without having a valid license to do so, by taking diagnostic x-rays while employed in a physician's office. Further, the taking of x-rays is not within the scope of nursing, as defined in the General Statutes of Connecticut, §20-87a.
2. The above described facts constitute grounds for disciplinary action pursuant to the General Statutes of Connecticut, §20-99(b);

WHEREAS, the Board of Examiners for Nursing (hereinafter "the Board") is authorized by the General Statutes of Connecticut §19a-11 and §19a-14(c) to issue an appropriate order to any person found to be violating an applicable statute; and,

WHEREAS, respondent, in consideration of this Consent Order, has chosen not to contest the above allegations at a hearing in front of 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 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(a) of the General Statutes of Connecticut.

NOW THEREFORE, pursuant to §§19a-11, 19a-14(b), 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 agrees to cease and desist in the practice of radiography or in any other practice that requires licensure in the State of Connecticut without first obtaining an appropriate license and/or in any other practice that is not within the scope of practice of nursing.
4. Respondent shall pay a civil penalty of five hundred dollars (\$500.00) by certified or cashier's check payable to "Treasurer, State of Connecticut." The check shall reference the Petition Number on the face of the check, and shall be payable at the time respondent submits the executed Consent Order to the Department.
5. Respondent's license number 008579 to practice as a licensed practical nurse in the State of Connecticut is hereby placed on probation, subject to the following terms and conditions:
  - A. Respondent shall attend and successfully complete a course in scope of nursing practice, pre-approved by the Department. Within fourteen (14) days of the completion of such

course, respondent shall provide the Department with proof, to the Department's satisfaction, of the successful completion of such course.

B. Respondent's probation shall terminate upon submission to the Department of proof, to the Department's satisfaction, of completion of the required coursework.

6. 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. Respondent shall pay all costs necessary to comply with this Consent Order.
7. 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.
8. Legal notice of any action shall be deemed sufficient if sent to respondent's last known address of record reported to the Practitioner Licensing and Investigations Section of the Healthcare Quality and Safety Branch of the Department.
9. 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.
10. Respondent understands this Consent Order is a matter of public record.
11. 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. Further, respondent understands that any discipline imposed by this Consent Order shall be reported to the National Practitioner Data Bank.

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. Respondent understands that this Consent Order shall not be subject to modification as a result of any claim that the terms contained herein may result in action by third parties, including, but not limited to, healthcare facilities and/or credentialing or licensure boards. Respondent assumes all responsibility for assessing such actions prior to the execution of this document. 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. This Consent Order is a revocable offer of settlement, which may be modified by mutual agreement or withdrawn by the Department at any time prior to its being executed by the last signatory.
15. Respondent has had the opportunity 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 State's Attorney's Office where the allegation occurred or Bureau Chief of the applicable unit in the Chief State's Attorney's Office. The purpose of this Consent Order is to resolve the pending administrative

license disciplinary petition only, and is not intended to affect any civil or criminal liability or defense.

17. This Consent Order embodies the entire agreement of the parties with respect to this case. All previous communications or agreements regarding the subject matter of this consent order, whether oral or written, between the parties are superseded unless expressly incorporated herein or made a part hereof.

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I, Kathleen Criado, 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.

Kathleen J. Criado  
Kathleen Criado

Subscribed and sworn to before me this 27<sup>th</sup> day of April, 2012.

Alicia C. Davidson  
Notary Public or person authorized  
by law to administer an oath or affirmation

**ALICIA C. DAVIDSON**  
**NOTARY PUBLIC**  
MY COMMISSION EXPIRES JAN. 31, 2014

The above Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 14<sup>th</sup> day of May, 2012, it is hereby accepted.

Jennifer Filippone  
Jennifer Filippone, Section Chief,  
Practitioner Licensing and Investigations  
Healthcare Quality and Safety Branch

The above Consent Order having been presented to the duly appointed agent of the Connecticut Board of Examiners for Nursing on the 6<sup>th</sup> day of June, 2012, it is hereby ordered and accepted.

BY: Patricia C. Bufford  
Connecticut Board of Examiners for Nursing

s:llf/Criado/CO



# STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH

July 23, 2012

Kathleen Criado, LPN  
11 Mills Street  
Norwalk, CT 06850

Re: Consent Order  
Petition No. 2011-1077  
License No. 008579

Dear Ms. Criado:

Please accept this letter as notice that you have satisfied the terms of your license probation, effective July 23, 2012.

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 a copy of this letter as documented proof that you have completed your license probation.

Thank you for your cooperation during this process, and good luck to you in the future.

Very truly yours,

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

cc: J. Filippone  
J. Wojick



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