

STATE OF CONNECTICUT
BOARD OF EXAMINERS FOR NURSING

Department of Public Health and Addiction Services v.

~~Maureen~~ Cormack, L.P.N.

Licensed Practical Nurse License No. 012071

275 Housatonic Drive

Devon CT 06460

CASE PETITION NO. 930805-11-033

MEMORANDUM OF DECISION

INTRODUCTION

The Board of Examiners for Nursing (hereinafter the "Board") was presented by the Department of Public Health and Addiction Services (hereinafter the "Department") with a Statement of Charges dated November 2, 1994. (Department Exhibit 1-B2) The Statement of Charges alleged violations of certain provisions of Chapter 378 of the General Statutes of Connecticut by Maureen Cormack (hereinafter the "Respondent").

The Board issued a Notice of Hearing dated December 7, 1994 scheduling a hearing for February 22, 1995 (Department Exhibit 1-B1). The hearing took place on February 22, 1995 at the Department of Public Health and Addiction Services, Second Floor Hearing Room, 20 Trinity Street, Hartford, Connecticut.

Each member of the Board involved in this decision attests that he/she was present at the hearing or has reviewed the record, and that this decision is based entirely on the record and the Board's specialized professional knowledge in evaluating the evidence.

FACTS

Based on the testimony given and the exhibits offered into evidence, the Board made the following Findings of Fact.

1. Maureen Cormack, hereinafter referred to as the Respondent, was issued Licensed Practical Nurse License Number 012071 on December 28, 1971 and was the holder of said license at all times referred to in the Statement of Charges. (Department Exhibit 1-B4)
2. Pursuant to the General Statutes of Connecticut, §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. (Department Exhibit 1-A)
3. The Respondent was given due notice of the hearing and the charges against her. Department Exhibit 1-B indicates that the Notice of Hearing and Statement of Charges were delivered by certified mail to the Respondent's address of record.
4. The Respondent was not present during the hearing and was not represented by counsel. (Hearing Transcript, February 22, 1995, p. 2)
5. During June and July 1993 the Respondent was employed as a licensed practical nurse at Golden Heights Health Center, Bridgeport, Connecticut. (Hearing Transcript, February 22, 1995, pp. 10-11)
6. On June 25, June 29, June 30, July 1, July 6, July 7 and July 8, 1993, while working as a licensed practical nurse at Golden Heights Health Center on the 7:00 AM to 3:00 PM Shift, the Respondent was responsible for administering scheduled medications to patients C.D.; G.M.; R.I.; G.V.; E.C.; C.L.; H.R.; P.C.; L.V.; P.B.; and A.Y.. (Department Exhibits 1-C through 1-O) (Hearing Transcript, February 22, 1995, p. 13, 15)

7. While working as a licensed practical nurse at Golden Heights Health Center on the dates cited in FACT 6, the Respondent failed to administer scheduled medication to patients. (Department Exhibits 1-C through 1-O) Medication count audits conducted on said dates and patient records indicate that for patients under the Respondent's care, the inventory of medications at 6:00 AM equaled the inventory at 3:00 PM despite the patients having orders to receive medications between these times. (Department Exhibits 1-C and 1-D)

8. While working as a licensed practice nurse at Golden Heights Health Center on the dates cited in FACT 6, the Respondent made entries on patient medication administration records falsely indicating that the scheduled medications which she failed to administer (FACT 7) were administered to patients. (Department Exhibits 1-E through 1-O)

DISCUSSION AND CONCLUSIONS

In consideration of the above Findings of Fact, the following conclusions are rendered:

Maureen Cormack held a valid licensed practical nurse license in the State of Connecticut at all times referenced in the Statement of Charges.

The Notice of Hearing and Statement of Charges sufficiently provided information as mandated by the General Statutes of Connecticut §4-177 and §4-182.

The hearing was held in accordance with Chapters 54 and 368a of the General Statutes of Connecticut as well as §19-2a-1 through §19-2a-30 of the Regulations of Connecticut State Agencies. The Notice of Hearing, Statement of Charges and the hearing process provided the Respondent with the opportunity to demonstrate compliance with all lawful requirements for the retention of her license as required by the General Statutes of Connecticut §4-182(c).

PARAGRAPH 3 of the Statement of Charges alleges that during June 1993 and subsequent thereto, while working as a licensed practical nurse at Golden Heights Health Center, Bridgeport, Connecticut, the Respondent:

- "a. failed to administer medications to patients at the facility; and/or,
- b. falsified medication administration records, patient medical records and/or other facility records."

The Respondent was not present at the hearing to answer these charges. Therefore, the Board deems these charges admitted.

The General Statutes of Connecticut §20-99(b) prohibits conduct which fails to conform to the accepted standards of the nursing profession, which includes "... (2) illegal conduct, incompetence or negligence in carrying out usual nursing functions... (6) fraud or material deception in the course of professional services or activities...."

Based on its findings, the Board concludes that the Respondent violated the General Statutes of Connecticut §20-99(b)(2) and (6) by failing to administer medications to patients and by falsifying medication records as specified in Paragraph 3 of the Statement of Charges. Therefore, the Respondent is subject to disciplinary action pursuant to §19a-17 of the General Statutes of Connecticut.

ORDER

Pursuant to its authority under §19a-17 and §20-99 of the General Statutes of Connecticut, the Board of Examiners for Nursing hereby orders the following:

1. That for Paragraph 3 of the Statement of Charges, the Respondent's licensed practical nurse license, No. 012071, be **revoked**.
2. Revocation shall become effective on the date this Memorandum of Decision is signed by the Board of Examiners for Nursing.

The Respondent, Maureen Cormack, is hereby directed to immediately surrender Licensed Practical Nurse License No. 012071 to the Board of Examiners for Nursing, Department of Public Health and Addiction Services, 150 Washington Street, Hartford, Connecticut 06106.

The Board of Examiners for Nursing hereby informs the Respondent, Maureen Cormack and the Department of Public Health and Addiction Services of the State of Connecticut of this decision.

Dated at Hartford, Connecticut this 14th day of June, 1995.

BOARD OF EXAMINERS FOR NURSING

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By 