

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
HEALTHCARE SYSTEMS BRANCH**

In Re: Frances Mazzeo, L.P.N.

Petition No. 2008-0211-011-010

CONSENT ORDER

WHEREAS, Frances Mazzeo (hereinafter "respondent") of Prospect, Connecticut has been issued license number 013786 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, respondent hereby admits and acknowledges that:

1. On June 21, 2007, while working as a nurse at Haven Health Center, a skilled nursing facility located in Waterbury, CT, respondent poured medications and delegated the actual administration to another nurse who then administered the medications to the wrong resident.
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 admitted violation or allegation at a hearing in front of the Board of Examiners for Nursing (hereinafter "the Board"), 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.

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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 013786 to practice as a practical nurse in the State of Connecticut is hereby reprimanded.
4. Respondent's license number 013786 shall be placed on probation for one (1) year or until completion of the following terms and conditions, whichever occurs first:
 - A. Within the first three (3) months of the probationary period, respondent shall attend and successfully complete a course in medication administration, pre-approved by the Department. Within thirty (30) days of completing such course, respondent shall provide the Department with proof, to the Department's satisfaction, of the successful completion of such course.
 - B. After completion of the course referenced in paragraph 4A, respondent shall have a registered nurse supervisor, pre-approved by the Department, observe respondent pass medications for at least ten (10) hours. The supervisor shall, within thirty (30) days of completing said ten (10) hours of observation, report to the Department that he or she has personally observed respondent pass medications, and that such procedures were performed with reasonable skill and safety. If the supervisor reports that such procedures were not performed with reasonable skill and safety, such report shall be deemed a violation of this Consent Order.

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- C. Once respondent has successfully completed the course referenced in paragraph 4A and ten hours of observation referenced in paragraph 4B, the terms of probation shall be deemed to have been satisfied.
- D. Respondent shall provide a copy of this Consent Order to all current and future employers for the duration of her probation.
- E. 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.
- F. Respondent shall notify the Board and the Department in writing of any change of employment within fifteen (15) days of such change.
- G. Respondent shall notify the Board and the Department of any change in her home or business address within fifteen (15) days of such change.
- 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
Practitioner Licensing and Investigations
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.

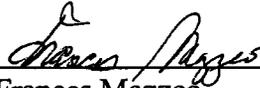
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6. Any extension of time or grace period for reporting granted by the Board shall not be a waiver or preclude the Board's right to take action at a later time. The Board shall not be required to grant future extensions of time or grace periods.
7. Legal notice of any action shall be deemed sufficient if sent to respondent's last known address of record reported to the Practitioner Licensing and Investigations Section of the Healthcare Systems Branch 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. 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. Further, respondent understands that any discipline imposed by this Consent Order, except for a civil penalty, shall be reported to the National Practitioner Data Bank
11. 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.
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. 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 Bureau Chief of the Division of Criminal Justice's Statewide Prosecution Bureau.
17. This Consent Order embodies the entire agreement of the parties with respect to this case. All previous communications or agreements, whether oral or written, between the parties are superseded unless expressly incorporated herein or made a part hereof.

I, Frances Mazzeo, 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.



Frances Mazzeo

Subscribed and sworn to before me this 3rd day of September, 2008.



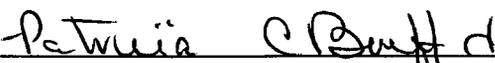
Notary Public or person authorized
~~by law to administer an oath or affirmation~~
William L. Stevens
Commissioner of the Superior Court

The above Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 25th day of September, 2008, it is hereby accepted.



Jennifer Filippone, Section Chief,
Practitioner Licensing and Investigations
Healthcare Systems Branch

The above Consent Order having been presented to the duly appointed agent of the Connecticut Board of Examiners for Nursing on the 5th day of November, 2008, it is hereby ordered and accepted.

BY: 

Connecticut Board of Examiners for Nursing