

STATE OF CONNECTICUT
BOARD OF EXAMINERS FOR NURSING

Department of Health Services v.
Elizabeth Anthony-Bonaldo, L.P.N., R.N.
L.P.N. License No. 014201
R.N. License No. E47234
181 Schoolside Lane
Guilford CT 06437
CASE PETITION NO. 920221-10-008
920831-11-020

Rec'd
2993
RECEIVED
DEPARTMENT OF HEALTH SERVICES
JAN 29 1993
HEARING & INVESTIGATING
DIVISION OF MEDICAL
QUALITY ASSURANCE

MEMORANDUM OF DECISION

INTRODUCTION

The Board of Examiners for Nursing (hereinafter the "Board") was presented by the Department of Health Services (hereinafter the "Department") with a Statement of Charges dated August 5, 1992 and September 3, 1992. (Department Exhibits 2 and 3) Both Statement of Charges alleged violations of certain provisions of Chapter 378 of the General Statutes of Connecticut by Elizabeth Anthony-Bonaldo (hereafter the "Respondent").

The Board issued a Notice of Hearing dated August 11, 1992 and September 10, 1992. (Department Exhibits 2 and 3) The hearing was scheduled and heard on October 29, 1992 in Room 112, National Guard Armory, Maxim Road, 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 their 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. Elizabeth Anthony-Bonaldo, hereinafter referred to as Respondent, was issued Licensed Practical Nurse License Number 014201 on May 17, 1974 and Connecticut Registered Nurse License Number E47234 on August 31, 1984 and was at all times referenced in the Statement of Charges the holder of said licenses.
(Department Exhibits 5, 6, 7 and 8)
2. Pursuant to the General Statutes of Connecticut, Section 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)
3. The Respondent was aware of the time and location of the hearing. Department Exhibits 2 and 3 indicate 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 present at the hearing but was not represented by counsel.

5. The Respondent provided a verbal answer to the Statement of Charges. (Hearing Transcript, October 29, 1992, p. 8)

6. That pursuant to a Memorandum of Decision dated January 26, 1982 the Licensed Practical Nurse license of the Respondent was suspended for a total period of six (6) months for diversion and abuse of controlled substances and for falsifying and forging hospital proof of use sheets while the Respondent was employed as a licensed practical nurse at Yale-New Haven Hospital, New Haven, Connecticut. (Department Exhibit 9)

7. Since on or about 1985 the Respondent has been employed as a registered nurse at Yale-New Haven Hospital, New Haven, Connecticut. (Hearing Transcript, October 29, 1992, p. 9)

8. That beginning on or about October 1991 and at subsequent times, the Respondent, while working as a registered nurse on the Labor and Delivery Unit at Yale-New Haven Hospital diverted the controlled substance Demerol. That the Respondent completed hospital records indicating that the diverted Demerol had been administered to patients who were not in need of the medication. That the Respondent diverted the Demerol for her own use. (Department Exhibit 4) (Hearing Transcript, October 29, 1992, pp. 18-19)

9. That the Respondent entered into and completed a chemical dependency treatment program at The Institute of Living, Hartford, Connecticut. (Respondent's Exhibit B, C, D) (Hearing Transcript, October 29, 1992, pp. 9-11)

10. That the Respondent is currently enrolled in the Yale-New Haven Hospital Employee Assistance Program which requires on-going substance abuse rehabilitation. (Respondent's Exhibit A) (Hearing Transcript, October 29, 1992, pp. 11)

DISCUSSION AND CONCLUSIONS

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

Elizabeth Anthony-Bonaldo held valid registered nurse and licensed practical nurse licenses in the State of Connecticut at all times referenced in the Statement of Charges.

The Notice of Hearing and both Statement of Charges sufficiently provided information as mandated by the General Statutes of Connecticut Sections 4-177, 4-182 and 19a-17.

The hearing was held in accordance with Chapters 54⁰⁰ 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, both 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 Section 4-182(c).

The FIRST COUNT of both Statement of Charges allege the Respondent, while licensed as a registered nurse and a licensed practical nurse and while employed as a nurse at Yale-New Haven Hospital, New Haven, Connecticut, during October 1992 and subsequent thereto, "diverted

Demerol...abused or utilized to excess said medication...failed to completely or properly or accurately make documentations in the medical or hospital records...falsified one or more controlled substance receipt records."

The Respondent admits these charges. (Hearing Transcript, October 29, 1992, p. 8)

The General Statutes of Connecticut Section 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... (5) abuse or excessive use of drugs, including alcohol, narcotics or chemicals... (6) fraud or material deception in the course of professional services or activities..."

Based on its findings and the Respondent's admission the Board concludes that the Respondent's conduct as specified in the First Count of both Statement of Charges fails to conform to the accepted standards of the nursing profession and are violations of the General Statutes of Connecticut Section 20-99(b)(2), (5) and (6). Therefore, the Respondent is subject to disciplinary action pursuant to the General Statutes of Connecticut.

ORDER

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

1. That for the First Count of each Statement of Charges the registered nurse and practical nurse licenses of the Respondent be placed on probation for a period of two (2) years.

2. If any of the following conditions of probation are not met, the Respondent's license may be immediately revoked.
 - A. She shall provide a copy of this Memorandum of Decision to any and all employers. The Board will be notified in writing by her employer(s) within thirty (30) days of the effective date, as to receipt of a copy of this Memorandum of Decision.

 - B. Should the Respondent change employment at any time during the probationary period, she shall provide a copy of this Memorandum of Decision to her employer and said employer shall notify the Board in writing, within thirty (30) days, as to receipt of a copy of this Memorandum of Decision.

 - C. The Respondent shall not accept employment as a nurse for a personnel provider service, Visiting Nurse Association or home health care agency for the period of her probation.

 - D. She shall cause bi-monthly employer reports to be submitted to the Board by her nursing supervisor (i.e. Director of Nursing) during the first year of probation. Bi-monthly employer reports are due on the first business day of January, March, May and September. Bi-monthly reports shall commence with the report due May 1, 1993.

- E. She shall cause quarterly employer reports to be submitted to the Board by her nursing supervisor (i.e. Director of Nursing) during the second year of probation. Quarterly reports are due on the first business day of January, April, July and October. Quarterly reports shall commence with the report due April 1, 1994.

- F. Said reports cited in D and E above, shall include documentation of her ability to safely and competently practice nursing. Said reports shall be issued to the Board at the address listed in paragraph Q below.

- G. At her own expense the Respondent shall engage in counseling with a licensed or certified therapist for the entire period of probation.

- H. She shall provide a copy of this Memorandum of Decision to her therapist. The Board shall be notified in writing, within thirty (30) days of the effective date, as to receipt of a copy of this Memorandum of Decision.

- I. She shall cause bi-monthly reports to be submitted to the Board by her therapist during the first year of probation. Bi-monthly therapist reports are due on the first business day of January, March, May, July, September and November. Bi-monthly reports shall commence with the report due May 1, 1993.

- J. She shall cause quarterly reports to be submitted to the Board by her therapist during the second year of probation. Quarterly therapist reports are due on the first business day of January, April, July and October. Quarterly reports shall commence with the report due April 1, 1994.
- K. She shall be responsible for submitting to random urine and/or blood screens for alcohol and drugs for the entire probationary period, as ordered by her therapist and/or personal physician. Said screens shall be legally defensible in that the specimen donor and chain of custody must be identified throughout the screening. She shall be responsible for notifying the laboratory, her therapist and/or personal physician and the Board of Examiners for Nursing of any drug(s) she is taking. There must be at least one such alcohol and drug screen bi-monthly for the first year of probation and quarterly for the second year of probation. Said screens shall be negative for alcohol and drugs. All positive results shall be confirmed by a second independent testing method. Reports of bi-monthly random alcohol and drug screens shall commence with the report due May 1, 1993. Reports of quarterly random alcohol and drug screens shall commence with the report due April 1, 1994.
- L. She shall not obtain for personal use and/or use alcohol or any drug that has not been prescribed for her for a legitimate purpose by a licensed health practitioner.

- M. For the entire probationary period the Respondent shall actively participate in Narcotics Anonymous, Alcoholics Anonymous, Nurses for Nurses or any other group for recovering professionals which utilizes the 12-Step structured recovery program. Documentation of participation in a 12-Step program shall be submitted to the Board on a bi-monthly basis during the first year of probation and on a quarterly basis during the second year of probation.
- N. Said reports cited in I and J above, shall include documentation of dates of treatment; an evaluation of her progress and alcohol and drug free status; and documentation of participation in a 12-Step program. Said reports shall be issued to the Board at the address cited in paragraph Q below.
- O. The Connecticut Board of Examiners for Nursing must be informed in writing prior to any change of employment.
- P. The Connecticut Board of Examiners for Nursing must be informed in writing prior to any change of address.
- Q. Any correspondence and reports are to be addressed to:

OFFICE OF THE BOARD OF EXAMINERS FOR NURSING
Department of Health Services
150 Washington Street
Hartford CT 06106

3. Any deviation from the terms of probation without prior written approval by the Board of Examiners for Nursing will constitute a violation of probation and will subject the Respondent to sanctions under the General Statutes of Connecticut, Section 19a-17(a) and (c) including but not limited to the revocation of her license. Any extension of time or grace period for reporting granted by the Connecticut Board of Examiners for Nursing shall not be a waiver or preclude the Board's right to take action at a later time. The Connecticut Board of Examiners for Nursing shall not be required to grant future extensions of time or grace periods. Notice of revocation or other disciplinary action shall be sent to her address of record (most current address reported to the Licensure and Renewal Section of the Division of Medical Quality Assurance of the Department of Health Services or the Connecticut Board of Examiners for Nursing).

4. This Memorandum of Decision becomes effective and the period of probation shall commence on March 15, 1993.

The Board of Examiners for Nursing hereby informs the Respondent, Elizabeth Anthony-Bonaldo, and the Department of Health Services of the State of Connecticut of this decision.

Dated at Wethersfield, Connecticut this 28th day of January 1993.

BOARD OF EXAMINERS FOR NURSING

By

Janice Thibodeau

ADT 3/15/95



STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH AND ADDICTION SERVICES
BUREAU OF HEALTH SYSTEM REGULATION

March 13, 1995

Elizabeth Anthony-Bonaldo
53 Orchard View Road
Guilford CT 06437

RE: RN License No. E47234
LPN License No. 014201

Dear Ms. Anthony-Bonaldo:

The probationary status of your registered and licensed practical nurse licenses has concluded. The probation requirements of your licenses will be removed effective March 15, 1995.

Renewal of your registered and practical nurse licenses is required, by law, annually during the month of your birth following the date of this letter. If the license is not renewed within ninety (90) days of the due date, it will become automatically void. This means that future reinstatement will require re-application.

State law requires you to notify this office within thirty (30) days of ANY change of address whether in or out of this state. Should you have any questions concerning this process contact this Department at 203-566-4979.

Sincerely,

Marie T. Hilliard, Ph.D., R.N.
Executive Officer
Board of Examiners for Nursing

MTH:jew
4290/36

cc: Richard J. Lynch, Assistant Attorney General
Donna Buntaine Brewer, Chief, Public Health Hearing Office
Debra Tomassone, Chief, Licensure & Registration
Joseph J. Gillen, Chief, Applications, Examinations and Licensure

Phone: TDD: 203-566-1279
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