

Elaine Greider, L.P.N.  
27 Pleasantville Avenue  
Oakville, CT 06779

**STATE OF CONNECTICUT  
BOARD OF EXAMINERS FOR NURSING**

Department of Public Health

Petition No. 990809-011-019

vs.

Elaine Greider, LPN, Lic. No.015120  
Respondent

**MEMORANDUM OF DECISION**

***Procedural Background***

The Board of Examiners for Nursing (hereinafter "the Board") was presented by the Department of Public Health (hereinafter the "Department") with an Interim Consent Order executed by Elaine Greider (hereinafter "respondent") and the Department (Dept. Exh. 2-B). The Interim Consent Order provided for the Licensed Practical Nurse license of respondent to be suspended until January 19, 2000. The Interim Consent Order was accepted by the Board on September 15, 1999. The Board was presented by the Department with a Second Interim Consent Order which it accepted on January 19, 2000 (Dept. Exh. 2-C). The Second Interim Consent Order provided for an extension of the suspension of the respondent's Licensed Practical Nurse license pending a resolution of allegations by the Department that the respondent engaged in conduct which fails to conform to the accepted standards of the nursing profession.

The Board was presented by the Department with a Statement of Charges dated March 8, 2000 (Dept. Exh. 1). The Statement of Charges alleged violations of certain provisions of Chapter 378 of the General Statutes of Connecticut by the respondent which would subject respondent's Licensed Practical Nurse license to disciplinary action pursuant to the General Statutes of Connecticut.

The Board issued a Notice of Hearing dated March 10, 2000, scheduling a hearing for April 12, 2000. Dept. Exh. 1.

Respondent was provided notice of the hearing and charges against her. Department Exhibit 1 indicates that the Notice of Hearing and Statement of Charges were delivered by certified mail to respondent on March 14, 2000.

The hearing took place on April 12, 2000, at the Wethersfield Town Hall, 505 Silas Deane Highway, Wethersfield, Connecticut.

Respondent was present during the hearing but was not represented by counsel. Respondent was offered the opportunity to continue the hearing to obtain an attorney. Respondent declined the offer. Transcript, April 12, 2000, pp. 2-3, 14-15.

Respondent orally answered the Statement of Charges. Transcript, April 12, 2000, pp. 13-14.

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, the law, and the Board's specialized professional knowledge in evaluating the evidence.

### *Findings of Fact*

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

1. Respondent was issued Licensed Practical Nurse license number 0515120 on June 2, 1975. Respondent was the holder of said license at all times referenced in the Statement of Charges. Dept. Exh. 2F
2. Pursuant to a Memorandum of Decision dated July 27, 1982, respondent's Licensed Practical Nurse license was suspended for a period of two and one-half years effective August 15, 1982. The suspension was ordered based on findings that respondent diverted and abused the controlled substances Demerol and Morphine while employed as a Licensed Practical Nurse at Waterbury Hospital, Waterbury, Connecticut during 1981. Dept. Exh. 2G-10-14.
3. During 1995, respondent began employment as a Licensed Practical Nurse at Abbott Terrace Health Care Center, Waterbury, Connecticut. Dept. Exh. 2A-6
4. At various times in July 1999, while working as a Licensed Practical Nurse at Abbott Terrace Health Care Center, respondent administered Ambien and Oxycodone with APAP to at least six patients who had no physician's order for such medications. Respondent medicated the patients because they were agitated. Dept. Exh. A-6; Respondent's Exh. 1, 2; Transcript, April 12, 2000, p. 13.
6. On September 16, 1999 and September 28, 1999, respondent underwent a psychiatric evaluation performed by Kunjathan Thankappan, M.D., Watertown, Connecticut. Dr. Thankappan diagnosed respondent as having an adjustment disorder with depressed mood and an obsessive compulsive personality disorder. Dr. Thankappan concludes that respondent is not able to practice nursing with reasonable skill and safety without adequate supervision. Dept. Exh. 2D.
7. On January 29, 2000, respondent underwent a psychological evaluation performed by Sidney Horowitz, Ph.D., Waterbury, Connecticut. Dr. Horowitz reports that respondent admitted to giving medication to patients without a consulting physician. Dr. Horowitz concludes that respondent suffers from an anxiety disorder which may be better managed with individual psychotherapy. Dept. Exh. 2E.

*Conclusions of Law and Discussion*

In consideration of the above Findings of Fact, the following conclusions are rendered: Elaine Greider 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 provided sufficient legal notice as mandated by the General Statutes of Connecticut §4-177(a) and (b), and §4-182(c). The hearing was held in accordance with Chapters 54 and 368a of the General Statutes of Connecticut as well as §19a-9-1 through §19a-9-29 of the Regulations of Connecticut State Agencies.

The Notice of Hearing, Statement of Charges and the hearing process provided 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).

The Department bears the burden of proof by a preponderance of the evidence in this matter.

The **FIRST COUNT** of the Statement of Charges, alleges that at various times in July of 1999, while working as a licensed practical nurse at Abbott Terrace Health Care Center, respondent administered Ambien and Oxycodone with APAP, to at least six patients who had no physician's order for such medications after signing out the medication for patients who did have prn orders for them.

Respondent admits this charge. Transcript, April 12, 2000, p. 13.

Based on its findings and respondent's admission, the Board concludes that respondent's conduct as alleged in the First Count of the Statement of Charges is proven by a preponderance of the evidence presented.

The **SECOND COUNT** of the Statement of Charges alleges that the respondent suffers an anxiety disorder which does and/or may impede her ability to practice nursing safely and competently.

Respondent denies she has an anxiety disorder. Transcript, April 12, 2000, p. 14.

The Board concludes that sufficient evidence was presented that respondent suffers from an anxiety disorder and that respondent is unable to practice nursing with reasonable skill and safety. The Board concludes that the Second Count of the Statement of Charges is proven by a preponderance of the evidence presented.

The General Statutes of Connecticut §20-99 provides in relevant part:

(a) The Board of Examiners for Nursing shall have jurisdiction to hear all charges of conduct which fails to conform to the accepted standards of the nursing profession brought against persons licensed to practice nursing. After holding a hearing . . . said board, if it finds such person to be guilty, may revoke or suspend his or her license or take any of the actions set forth in section 19a-17 . . . (b) Conduct which fails to conform to the accepted standards of the nursing profession includes, but is not limited to, the following . . . (2) illegal conduct, incompetence or negligence in performing usual nursing functions . . . (4) emotional disorder or mental illness . . .

The Board concludes that respondent's conduct as alleged in the First Count constitutes a violation of the General Statutes of Connecticut §20-99(b)(2), and that respondent's conduct as alleged in the Second Count constitutes a violation of the General Statutes of Connecticut §20-99(b)(4). Therefore, respondent's license 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:

For the First Count and the Second Count of the Statement of Charges, respondent's licensed practical nurse license, No. 015120, is revoked effective the date this Memorandum of Decision is signed by the Board of Examiners for Nursing.

Dated at Hartford, Connecticut this 4<sup>th</sup> day of October, 2000.

BOARD OF EXAMINERS FOR NURSING

By  \_\_\_\_\_

STATE OF CONNECTICUT  
DEPARTMENT OF PUBLIC HEALTH  
BUREAU OF REGULATORY SERVICES

In Re: Elaine Greider, L.P.N.

Petition No. 990809-011-019

SECOND INTERIM CONSENT ORDER

WHEREAS, Elaine Greider, of Oakville, Connecticut, (hereinafter "respondent") entered into an Interim Consent Order on September 15, 1999 (a true and complete copy of which is attached hereto marked as Attachment "A"); and,

WHEREAS, the Department and respondent wish to modify the aforementioned Interim Consent Order;

NOW THEREFORE, in Paragraph 1 of the Interim Consent Order, the words "Respondent's license number 015120 to practice as a licensed practical nurse shall be suspended until January 19, 2000." are changed to "Respondent's license number 015120 to practice as a licensed practical nurse shall be suspended until February 2, 2000 or such date as the Board of Examiners for Nursing concludes its proceedings in this petition."

All the other terms and conditions of the Interim Consent Order remain in effect. This SECOND Amended Interim Consent Order is effective upon the order and acceptance of the Board.

I, Elaine Greider , have read the above Interim Consent Order, and I agree to the terms set forth therein. I further declare the execution of this Interim Consent Order to be my free act and deed.

Elaine Greider  
Elaine Greider

Subscribed and sworn to before me this 13 day of January 2000.

Janice D'Ambrosi  
Notary Public or person authorized  
by law to administer an oath or  
affirmation  
**JANICE D'AMBROSI**  
**NOTARY PUBLIC**  
My Commission Expires June 30, 2003

The above Interim Consent Order having been presented to the duly appointed agent of the  
Commissioner of the Department of Public Health on the 18th day of January 2000

Kathleen Zarrella  
Kathleen Zarrella, Director  
Division of Health Systems Regulation

The above Interim Consent Order having been presented to the Board of Examiners for Nursing  
on the 19th day of January 2000, it is hereby ordered and accepted.

BY: Mary Ellen O'Sullivan  
Board of Examiners for Nursing

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**STATE OF CONNECTICUT  
DEPARTMENT OF PUBLIC HEALTH  
BUREAU OF REGULATORY SERVICES**

In re: Elaine Greider

Petition No. 990809-011-019

**INTERIM CONSENT ORDER**

WHEREAS, Elaine Greider, of Oakville, Connecticut (hereinafter "respondent") has been issued license number 015120 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; and,

WHEREAS, the Department has received information regarding respondent's alleged diversion and abuse of controlled medications.

WHEREAS, it will be necessary to conduct further investigation, and the parties wish to provide for the protection of the public during the interim.

NOW THEREFORE, pursuant to §19a-17 and 20-99(b) of the General Statutes of Connecticut, the parties hereby stipulate to the following:

1. Respondent's license number 015120 to practice as a licensed practical nurse shall be suspended until January 19, 2000.

2. Respondent shall surrender her licensed practical nurse license number 015120 to the Board immediately upon approval of this Interim Consent Order by the Board.
3. Respondent shall withdraw any pending applications for renewal of her license immediately upon approval of this Interim Consent Order by the Board, and shall not apply for renewal of her license until either the expiration of this Interim Consent Order or the dismissal of the pending complaint, whichever occurs first.
4. Respondent shall execute releases for her treatment records, as requested by the Department.
5. The Department shall not seek a summary suspension of respondent's license for so long as this Interim Consent Order remains in effect and while respondent abides by its terms.
6. This stipulation shall not deprive respondent of her right to a hearing on the merits of this case, nor shall it be construed as an admission of any fact or waiver of any right to which respondent may be entitled, other than as specifically provided for herein.
7. This Interim Consent Order shall become effective on the day it is approved and entered by the Board.
8. Respondent permits a representative of the Department to present this Interim Consent Order and the factual basis for this Consent Order to the Board. Respondent understands that the Board has complete and final discretion as to whether an executed Interim Consent Order is approved or accepted.
9. Respondent has had the opportunity to consult with an attorney prior to signing this document.
10. Within thirty days of the effective date of this Interim Consent Order, respondent shall submit to a complete psychological or psychiatric evaluation by a practitioner pre-approved by the Department of Public Health.

I, Elaine Greider, have read the above Interim Consent Order, and I agree to the terms set forth therein. I further declare the execution of this Interim Consent Order to be my free act and deed.

Elaine Greider  
Elaine Greider

Subscribed and sworn to before me this 9<sup>th</sup> day of Sept 1999.

**HELEN M. ULRICH**  
NOTARY PUBLIC  
My Commission Expires Sept. 30, 2003

Helen M. Ulrich  
Notary Public or person authorized  
by law to administer an oath or  
affirmation

The above Interim 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 September 1999, it is hereby accepted.

Kathleen Zarrella  
Kathleen Zarrella, Director  
Division of Health Systems Regulation

The above Interim Consent Order having been presented to the Board of Examiners for Nursing on the 15 day of September 1999, it is hereby ordered and accepted.

BY: Nancy J. Befunda  
Board of Examiners for Nursing

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