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STATE OF CONNECTICUT
BOARD OF EXAMINERS FOR NURSING

1981 05 30 011 019

IN RE:

CHRISTINA PLAMIENIAK, L.P.N.
aka Christina Eastwood
c/o Dennis P. McDonough, Esquire
P. O. Box 534
Belden Station
Norwalk, Connecticut 06852

MEMORANDUM OF DECISION

The Board of Examiners for Nursing was presented by the Department of Health Services with a Notice of Hearing and Statement of Charges dated January 7, 1982.

The Statement of Charges alleged violations of Conn. Gen. Stat. § 20-99(b). The Notice of Hearing provided that the hearing would take place on January 26, 1982 in the Department of Health Services, 79 Elm Street, Hartford, Connecticut.

Each member of the Board of Examiners for Nursing involved in this decision attests that he/she has reviewed the record, and that this decision is based entirely on the record.

FACTS

1. Christina Plamieniak, respondent, was at all pertinent times licensed to practice nursing as a practical nurse in Connecticut, with registration number ~~67~~17461.

2. Pursuant to Conn. Gen. Stat. § 4-182(c), the respondent was provided a full opportunity prior to the institution of agency action to show compliance with all the terms for the retention of her license.

3. While employed as a licensed practical nurse at Bridgeport Hospital, Bridgeport, Connecticut, the respondent, on or about and subsequent to April 15, 1981; a) unlawfully diverted to the use of an unidentified male acquaintance a controlled substance, Demerol, and a legend drug, Stadol, prescribed for one or more patients; b) unlawfully diverted to the use of an unidentified male acquaintance a legend drug, namely Stadol, by the ruse of using the charge order cards of patients who had no order for that substance; c) unlawfully diverted to the use of an unidentified male acquaintance a legend drug, namely, Stadol, by the ruse of using the patient charge order card of one or more patients in the same hospital to procure said legend drug in amounts exceeding the dosage prescribed for said patient(s); and, d) unlawfully adulterated Demerol, a controlled substance, with water.

4. The activities referenced in paragraph 3 were discovered by Senior Drug Control Agent Lionel C. Roberge during an investigation conducted during May and June, 1981.

DISCUSSION

FIRST COUNT

5. The First Count alleges that the respondent violated the provisions of Conn. Gen. Stat. § 20-99(b) by unlawfully diverting to the use of an unidentified male acquaintance certain drugs, namely, Stadol, legend, and Demerol, controlled, prescribed for one or more patients in the same Bridgeport Hospital, located in Bridgeport, Connecticut. In pertinent part,

§ 20-99(b) forbids:

...(2) illegal conduct, incompetence or negligence in carrying out usual nursing functions.

The inescapable conclusion to draw from the facts found by the Board is that the respondent has violated Conn. Gen. Stat. § 20-99(b) as specified in the First Count.

SECOND COUNT

6. The Second Count alleges that the respondent violated the provisions of Conn. Gen. Stat. § 20-99(b) by unlawfully diverting to the use of an unidentified male acquaintance a legend drug, namely, Stadol, by the ruse of using the charge order cards of patients in the same hospital who had no order for that substance. In pertinent part, § 20-99(b) forbids:

...(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.

The inescapable conclusion to draw from the facts found by the Board is that the respondent has violated Conn. Gen. Stat. § 20-99(b) as specified in the Second Count.

THIRD COUNT

7. The Third Count alleges that the respondent violated the provisions of Conn. Gen. Stat. § 20-99(b) by unlawfully diverting to the use of an unidentified male acquaintance a legend drug, namely, Stadol, by the ruse of using the charge order cards of one or more patients in the same hospital to procure said substance in amounts exceeding the dosage or dosages

prescribed for said patient or patients. In pertinent part, § 20-99(b) forbids:

...(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.

The inescapable conclusion to draw from the facts found by the Board is that the respondent has violated Conn. Gen. Stat. § 20-99(b) as specified in the Third Count.

FOURTH COUNT

8. The Fourth Count alleges that the respondent violated the provisions of Conn. Gen. Stat. § 20-99(b) by unlawfully adulterating Demerol, a controlled substance, with water. In pertinent part, § 20-99(b) forbids:

...(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.

The inescapable conclusion to draw from the facts found by the Board is that the respondent has violated Conn. Gen. Stat. § 20-99(b) as specified in the Fourth Count.

ORDER

9. It is the unanimous decision of the Board of Examiners for Nursing that:

a. The license of the respondent be suspended for a minimum period of two and one-half (2½) years determined as follows:

i. as to the First Count, suspension for a

ii. as to the Second Count, suspension for a period of six (6) months;

iii. as to the Third Count, suspension for a period of six (6) months;

iv. as to the Fourth Count, suspension for a period of six (6) months;

v. the periods of suspension listed in (i), (ii), (iii) and (iv) will run consecutively for a total effective suspension of two and one-half (2½) years, commencing Aug. 15, 1982.

b. At the end of the two and one-half years specified in (a), the respondent may submit supportive documentation that she is not emotionally or physically addicted to medication, and may thereafter be reinstated.

10. The respondent, Christina Plamieniak, is hereby directed to surrender her license and current registration to the Board of Examiners for Nursing, 79 Elm Street, Hartford, Connecticut 06106 by August 15, 1982.

11. The Board of Examiners for Nursing herewith advises the Department of Health Services of the State of Connecticut of this decision and directs that the registration license of Christina Plamieniak be suspended in accordance herewith.

Dated at Hartford, Connecticut this 27th day of July, 1982.

BOARD OF EXAMINERS FOR NURSING

BY: Bette Jane M. Murphy, R.N.
BETTE JANE M. MURPHY, R.N.
Chairman