STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
BUREAU OF REGULATORY SERVICES

In Re: Cheryl Abair, L.P.N. Petition No. 2000-0717-011-030

CONSENT ORDER

WHEREAS, Cheryl Abair (hereinafter "respondent") of Bristol, Connecticut has been issued license number 017552 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 alleges and respondent denies that:

1. On May 1, 2000, while performing CPR on a resident at The Woodlands Health Center, respondent failed to ensure an adequate airway for effective performance of the CPR and failed to ensure a continuing performance of CPR.
2. The above described facts constitute grounds for disciplinary action pursuant to the General Statutes of Connecticut, 20-99(b), including but not limited to 20-99(b)(2).

WHEREAS, respondent, in consideration of this Consent Order, has chosen not to contest the above allegations at a hearing in front of the Board of Examiners for Nursing (hereinafter "the Board"). Respondent does not admit to having violated any statute or regulation, including but not limited to §20-99(b) of the General Statutes of Connecticut. Respondent further 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(b) of the General Statutes of Connecticut.

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 017552 to practice as a licensed practical nurse in the State of Connecticut is hereby reprimanded.
4. 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.
5. Respondent understands this Consent Order is a matter of public record.
6. 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.
7. 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.
8. Respondent has had the opportunity to consult with an attorney prior to signing this document.

I, Cheryl Abair, 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.

Cheryl Abair

Cheryl Abair

Subscribed and sworn to before me this 13th day of April, 2001.

Cheryl Goulet

Notary Public or person authorized
by law to administer an oath or affirmation

CHERYL Y. GOULET
NOTARY PUBLIC
MY COMMISSION EXPIRES APR. 30, 2003

The above Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 18th day of April, 2001, it is hereby accepted.

Kathleen Zarrella

Kathleen Zarrella, Director
Division of Health Systems Regulation

The above Consent Order having been presented to the duly appointed agent of the Connecticut Board of Examiners for Nursing on the 18th day of April, 2001, it is hereby ordered and accepted.

BY: Nancy L. Bofinet

Connecticut Board of Examiners for Nursing

dmt/abair
consent