

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

Lisa Wild Cornell  
RE: Licensed Practical Nurse Lic. No. 024058

Petition No. 2011-537

**MEMORANDUM OF DECISION**

*Procedural Background*

Lisa Wild Cornell (hereinafter "petitioner") was issued licensed practical nurse ("LPN") number 024058. Pursuant to Memorandum of Decision dated May 5, 2004, the Board of Examiners for Nursing (hereinafter "the Board") ordered the revocation of petitioner's LPN license.

In a letter dated March 25, 2011, petitioner requested that the Board reinstate her LPN license. Board Exh. 2, pp. 37-40.

Pursuant to Petitioner's request, the Board issued a Notice of Hearing dated June 2, 2011, scheduling a hearing for July 20, 2011. Board Exh. 1.

The hearing took place on July 20, 2011, at the Legislative Office Building, Capitol Avenue, Hartford, Connecticut. Petitioner was present at the hearing but was not represented by counsel. The Department of Public Health ("the Department") was represented by Attorney Ellen Shanley. Tr., p. 2.

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 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. Petitioner was issued licensed practical nurse license 024058 on June 3, 1991. Board Exh. 2, p. 3.
2. Pursuant to Memorandum of Decision dated July 16, 2003, the Board ordered that petitioner's licensed practical nurse license be placed on probation for a period of four years. The order was based on the Board's findings of petitioner's abuse or excessive use of alcohol and/or drugs during 2001 and 2002; failure to conduct herself in an appropriate manner; crossing professional boundaries and charting errors. Board Exh. 2, pp. 7-14.

3. Pursuant to Memorandum of Decision dated May 5, 2004, the Board ordered the revocation of petitioner's licensed practical nurse license. The order was based on the Board's findings of petitioner's diversion and abuse or controlled substances and violation of the terms of probation set forth in the July 16, 2003 Memorandum of Decision. Board Exh. 2, pp. 2-6.
2. Petitioner has engaged in individual therapy for substance abuse since on or about the summer of 2010. Petitioner reports previous substance abuse treatment at the Stonington Institute. Petitioner's therapist is of the opinion that petitioner can safely return to the practice of nursing. Board Exh. 2, p. 15; Tr., p. 9
4. Petitioner has participated in voluntary urine drug and alcohol screening. All results have been negative for the presence of alcohol and/or drugs. Board Exh. 2, pp. 25-33; Board Exh. 3, Petitioner Exh. 1..
5. Petitioner has been an active participant in both Narcotics Anonymous and Nurses for Nurses. Board Exh. 2, pp. 15, 36

#### ***Discussion and Conclusions of Law***

As stated in the Notice of Hearing, petitioner has the burden of satisfying the Board that she is able to practice as a licensed practical nurse with reasonable skill and safety.

The Board finds that the petitioner has presented relevant and credible evidence to sustain her burden of satisfying the Board of her ability to return to the practice of an LPN under the terms of the Order described below.

#### ***Order***

Pursuant to §§ 19a-17 and 20-99 of the General Statutes, the Board hereby orders the following:

1. Licensed practical nurse number 024058, of petitioner, Lisa Wild Cornell, is hereby reinstated and immediately restricted in that she is prohibited from practicing as an LPN and may only use her license for the sole purpose of participating in a refresher program as set forth in paragraph 2 of this Order.
2. Petitioner shall successfully complete a Board approved licensed practical nurse refresher program course with a clinical component and successfully take the licensing examination for licensed practical nurses (offered by the National Council of State Boards of Nursing Licensing Examination, "NCLEX").
  - A. Certification of successful completion of the refresher program shall be submitted to the Board, directly from the educational institution where said program was taken, within thirty (30) days of the program's completion.

- B. Petitioner shall submit an application to the Department's licensing authority. Petitioner shall be administered the licensing examination for licensed practical nurses. Petitioner shall incur all expenses associated with applying for and taking the licensing examination (NCLEX).
  - C. Petitioner shall attain a passing score on the licensing examination for licensed practical nurses.
  - D. Until such time that petitioner successfully completes the refresher program and attains a passing score on the licensing examination (NCLEX), petitioner is prohibited from practicing as an LPN and petitioner's licensed practical nurse license will be restricted and used for the sole purpose of participating in the refresher program.
3. Upon notification by the Department that petitioner has satisfied the terms set forth in paragraph 2, petitioner's licensed practical nurse number 024058, shall be placed on probation for a period of four years under the following terms and conditions:
- A. During the period of probation the Board shall pre-approve respondent's employment and/or change of employment within the nursing profession. Petitioner shall not be employed as an LPN 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 an LPN for the period of probation.
  - B. Petitioner shall provide a copy of this Memorandum of Decision to any and all employers if employed as an LPN during the probationary period. The Board shall be notified in writing by any employer(s), within thirty (30) days of the commencement of employment, as to receipt of a copy of this Memorandum of Decision.
  - C. Petitioner shall not administer, count or have access to controlled substances, or have responsibility for such activities in the course of LPN duties during the first year of working as an LPN during the probationary period. Petitioner may administer controlled substances as part of the licensed practical nurse refresher program provided she receives direct supervision from a nursing instructor.

- D. If employed as an LPN; petitioner shall cause employer reports to be submitted to the Board, by her immediate supervisor during the entire probationary period. Employer reports shall be submitted commencing with the report due on the first business day of month following employment as an LPN. Employer reports shall be submitted monthly during the first and fourth years of probation, and quarterly during the second and third years of probation.
- E. The employer reports cited in Paragraph 3D above shall include documentation of petitioner's ability to safely and competently practice as an LPN. Employer reports shall be submitted directly to the Board at the address cited in Paragraph 3P below.
- F. Should petitioner's employment as an LPN be involuntarily terminated or suspended, respondent and her employer shall notify the Board within seventy-two (72) hours of such termination or suspension.
- G. If petitioner pursues further training in any subject area that is regulated by the Department, petitioner shall provide a copy of this Memorandum of Decision to the educational institution or, if not the institution, to petitioner's instructor. Such institution or instructor shall notify the Department in writing of receipt of a copy of this Memorandum of Decision within fifteen (15) days of receipt. Said notification shall be submitted directly to the Department at the address cited in Paragraph 3P below.
- H. At her expense, petitioner shall engage in therapy and counseling for chemical dependency with a Connecticut licensed or certified therapist, approved by the Board and the Department, during the entire period of probation.
- I. Petitioner shall provide a copy of this Memorandum of Decision to her therapist. The Board shall be notified in writing by her therapist, within thirty (30) days of the effective date of this Decision, as to receipt of a copy of this Memorandum of Decision.
- J. Petitioner shall cause evaluation reports to be submitted to the Board by her therapist during the entire probationary period. Therapist reports shall be submitted monthly during the first and fourth years of probation, and quarterly during the second and third years of probation.

- K. The therapist reports cited in Paragraph J above shall include documentation of dates of treatment, and an evaluation of petitioner's progress, including alcohol and drug free status, and ability to safely and competently practice as an LPN. Therapist reports shall be submitted directly to the Board at the address cited in Paragraph 3P below.
- L. (1) At her expense, petitioner shall be responsible for submitting to observed random chain of custody urine screens for alcohol and drugs for the entire probationary period, at a testing facility approved by the Board, after consultation with the Department, as ordered by her therapist, and/or personal physician, and/or employer. Alcohol/drug screening may also be ordered by the Board to ensure compliance with this Order. Random alcohol/drug screens shall be legally defensible in that specimen donor and chain of custody can be identified throughout the screening process.
- (2) Petitioner shall be responsible for notifying the laboratory, her therapist, the Board, the Department and her prescribing practitioner of any drug(s) she is taking. For any prescription of a controlled substance(s) for more than two consecutive weeks, the petitioner shall cause the provider prescribing the controlled substance(s) to submit quarterly reports to the Board and the Department until such time as the controlled substance(s) are no longer prescribed. The reports shall include the following:
- a. A list of controlled substances prescribed by this provider for the respondent;
  - b. A list of controlled substance(s) prescribed by other providers;
  - c. An evaluation of the respondent's need for the controlled substance;
  - d. An assessment of the respondent's continued need for the controlled substance(s).
- (3) There must be at least one (1) such random alcohol/drug screen weekly during the first and fourth years of the probationary period and at least two (2) such random alcohol/drug screens monthly during the second and third years of probation.
- (4) Random alcohol/drug screens shall be negative for the presence of alcohol and drugs. All positive results shall be confirmed by the Gas Chromatograph Mass Spectrometer (GC/MS) testing method. Chain of custody documentation must accompany all laboratory reports and/or the laboratory reports must indicate that chain of custody procedures have been followed.

(5) Random alcohol/drug screens must include testing for the following substances:

|                                |                       |
|--------------------------------|-----------------------|
| Amphetamines                   | Methadone             |
| Barbiturates                   | Methaqualone          |
| Benzodiazepines                | Opiates (Metabolites) |
| Cannabinoids (THC Metabolites) | Phencyclidine (PCP)   |
| Cocaine                        | Propoxyphene          |
| Meperidine (Demerol)           | Ethanol (alcohol)     |

(6) Laboratory reports of random alcohol and drug screens shall be submitted directly to the Board and the Department, at the address cited in Paragraph P below, by petitioner's therapist, personal physician or the testing laboratory.

- M. Petitioner 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 care practitioner authorized to prescribe medications. Petitioner shall not abuse and/or excessively use any drugs that are prescribed for a legitimate medical purpose.
- N. Petitioner is hereby advised that the ingestion of poppy seeds may produce a positive drug screen result indicating the presence of opiates/morphine. The ingestion of mouthwash, over the counter cough suppressants and cold/flu remedies may produce a positive result indicating the presence of alcohol. For that reason, any food substance containing poppy seeds, mouthwash and over the counter cough suppressants and cold/flu remedies should be avoided during the probationary period. In the event that a drug/alcohol screen is positive for opiates/morphine and/or alcohol, the ingestion of poppy seeds, mouthwash over the counter cough suppressants and/or cold/flu remedies shall not constitute a defense to such positive screen.
- O. The Connecticut Board of Examiners for Nursing must be informed in writing prior to any change of address.
- P. All correspondence and reports are to be addressed to:

**Bonnie Pinkerton, RN, Nurse Consultant**  
**Department of Public Health**  
**Division of Health Systems Regulation**  
410 Capitol Avenue, MS #12HSR  
P. O. Box 340308  
Hartford CT 06134-0308

4. Any deviation from the terms of probation, without prior written approval by the Board of Examiners for Nursing, shall constitute a violation of probation, which will be cause for an immediate hearing on charges of violating this Order. Any finding that petitioner has violated this Order will subject petitioner to sanctions under §19a-17(a) and (c) of the General Statutes of Connecticut, including but not limited to, the revocation of her license. Any extension of time or grace period for reporting granted by the Board of Examiners for Nursing shall not be a waiver or preclude the Board's right to take subsequent action. The 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 petitioner's address of record (most current address reported to the Licensure and Registration Section of the Division of Health Systems Regulation of the Department of Public Health or the Board of Examiners for Nursing).
5. This Memorandum of Decision becomes effective on the date signed by the Board of Examiners for Nursing.

The Board of Examiners for Nursing hereby informs petitioner, Lisa Wild Cornell, and the Department of Public Health of the State of Connecticut of this decision.

Dated at Hartford, Connecticut this 7th day of December, 2011.

BOARD OF EXAMINERS FOR NURSING

By Patricia C Bouffard  
Patricia Bouffard, R.N.  
Chairperson

**CERTIFICATION**

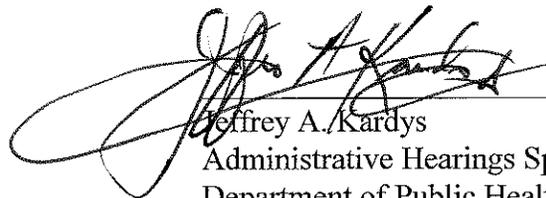
I hereby certify that, pursuant to Connecticut General Statutes § 4-180(c), a copy of the foregoing Memorandum of Decision was sent this 7<sup>th</sup> day of December 2011, by certified mail, return receipt requested and first class mail to:

Lisa Wild Cornell  
186 Chaffeeville Road  
Storrs, CT 06268

Certified Mail 91-7108-2133-3936-6805-9927

and via email to:

Matthew Antonetti, Principal Attorney  
Legal Office  
Department of Public Health  
410 Capitol Avenue, MS #12LEG  
Hartford, CT 06134-0308



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Jeffrey A. Kardys  
Administrative Hearings Specialist/Board Liaison  
Department of Public Health  
Public Health Hearing Office