

STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
BUREAU OF REGULATORY SERVICES

In Re: Elisabeth Izydorczak, L.P.N.

Petition No. 960806-011-024

CONSENT ORDER

WHEREAS, Elisabeth Izydorczak (hereinafter "respondent") of Unionville, Connecticut has been issued license number 024379 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 that:

1. In June of 1996, respondent used the computer system at her place of employment to access medical information for individuals who were not her patients at the time, without consent of these individuals.
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:
 - a. 20-99(b)(2); and/or
 - b. 20-99(b)(6).

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").

Elisabeth Izydorczak does not admit to having violated any statute or regulation, including but not limited to §20-99(b) of the General Statutes of Connecticut. Elisabeth Izydorczak further agrees that

this Consent Order shall have the same effect as if ordered after a full hearing pursuant to §§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, Elisabeth Izydorczak hereby stipulates and agrees to the following:

1. That respondent waives her right to a hearing on the merits of this matter.
2. That respondent shall comply with all federal and state statutes and regulations applicable to her profession.
3. That respondent's license number 024379 to practice as a licensed practical nurse in the State of Connecticut is hereby placed on probation for one year, subject to the following terms and conditions:
 - A. Respondent shall pay a civil penalty of one thousand dollars (\$1000.00) by certified or cashier's check payable to "Treasurer, State of Connecticut." The check shall reference the Petition Number on the face of the check, and shall be payable within the first three months of probation.
 - B. Respondent shall provide a copy of this Consent Order to all current and future employers for the duration of her probation.
 - C. Respondent shall not accept employment as a nurse 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 a nurse for the period of her probation.

- D. Respondent shall be responsible for the provision of written reports directly to the Board and the Department from her nursing supervisor (i.e., Director of Nursing) monthly for the entirety of her probation. Employer reports shall include documentation of respondent's ability to safely and competently practice nursing, and shall be issued to the Board and the Department at the address cited in paragraph 3J below.
- E. Respondent shall notify the Board and the Department in writing of any change of employment within fifteen (15) days of such change.
- F. Respondent shall notify the Board and the Department of any change in her home or business address within fifteen (15) days of such change.
- G. If respondent pursues further training in any subject area that is regulated by the Department, respondent shall provide a copy of this Consent Order to the educational institution or, if not an institution, to respondent's instructor. Such institution or instructor shall notify the Department of receipt of the Consent Order within fifteen (15) days of receipt.
- H. Within the period of probation, respondent shall successfully complete and provide proof of completion to the satisfaction of the Board, a class pre-approved by the Board in ethics, which will cover, in part, issues of patient confidentiality.
- I. All reports required in paragraph 3D are due on the tenth business day of every month commencing with the reports due_____.

J. All correspondence and reports shall be addressed to:

Jeffrey Kardys
Department of Public Health
Division of Health Systems Regulation
410 Capitol Avenue, MS #12HSR
P.O. Box 340308
Hartford, CT 06134-0308

4. That any violation of the terms of this Consent Order without prior written approval by the Board shall constitute grounds for the Department to seek revocation of the respondent's nursing license following notice and an opportunity to be heard.
5. That any extension of time or grace period for reporting granted by the Board shall not be a waiver or preclude the Board's right to take action at a later time. The Board shall not be required to grant future extensions of time or grace periods.
6. That legal notice of any action shall be deemed sufficient if sent to respondent's last known address of record reported to the Licensure and Registration Section of the Division of Medical Quality Assurance of the Department.
7. That 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.
8. That respondent understands this Consent Order is a matter of public record.
9. That the Department's allegations as contained in this Consent Order shall be deemed true in any subsequent proceeding before the Board in which (1) her compliance with this same order is at issue, or (2) her compliance with §20-99(b) of the General Statutes of Connecticut, as amended, is at issue.

10. That, in the event respondent violates a term of this Consent Order, respondent agrees immediately to refrain from practicing as a licensed practical nurse upon request by the Department, with notice to the Board, for a period not to exceed 45 days. During that time period, respondent further agrees to cooperate with the Department in its investigation of the violation, and to submit to and complete a medical, psychiatric or psychological evaluation, if requested to do so by the Department; and, that the results of the evaluation shall be submitted directly to the Department. Respondent further agrees that failure to cooperate with the Department in its investigation during said 45 day period shall constitute grounds for the Department to seek a summary suspension of respondent's license. In any such summary action, respondent stipulates that his/her failure to cooperate with the Department's investigation shall be considered by the Board and shall be given due weight by the Board in determining whether her conduct constitutes a clear and immediate danger as required pursuant to Connecticut General Statutes, sections 4-182(c) and 19a-17(c). The Department and respondent understand that the Board has complete and final discretion as to whether a summary suspension is ordered.
11. That, in the event respondent violates any term of this Consent Order, said violation may also constitute grounds for the Department to seek a summary suspension of her license before the Board.

12. That 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 she may have under the laws of the State of Connecticut or of the United States.
13. That 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.
14. That respondent has had the opportunity to consult with an attorney prior to signing this document.

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I, Elisabeth Izydorczak, 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.

Elisabeth Izydorczak L.P.N.
Elisabeth Izydorczak, L.P.N.

Subscribed and sworn to before me this 27th day of October, 1997.

Donald R. Russo
Notary Public or person authorized
by law to administer an oath or affirmation
my commission expires: 8/31/2002

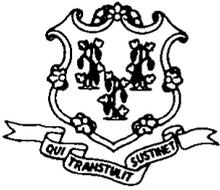
The above Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 30th day of October 1997, it is hereby accepted.

Frank K. Red for Cynthia Denne
Cynthia Denne, 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 5th day of November 1997, it is hereby ordered and accepted.

BY: Marie L. Balfanz
Connecticut Board of Examiners for Nursing

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jpl



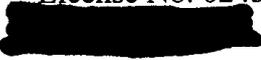
STATE OF CONNECTICUT

LPN

DEPARTMENT OF PUBLIC HEALTH

December 1, 1998

Ms. Elisabeth Izydorczak
38 Stonegate
Unionville, Connecticut 06085

Re: Consent Order
Petition No. 960806-011-024
License No. 024379


Dear Ms. Izydorczak:

Please accept this letter as notice that you have completed the terms of your license probation, effective 12/1/98.

Notice will be sent to the Department's Licensure and Registration section to remove all restrictions from your license related to the above-referenced Consent Order.

Very truly yours,

Bonnie Pinkerton, RNC
Division of Health Systems Regulation

cc: Debra Tomassone
Jan Wojick



Phone: (860) 509-7400
Telephone Device for the Deaf (860) 509-7191
410 Capitol Avenue - MS # 12HSR
P.O. Box 340308 Hartford, CT 06134
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