

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

Department of Public Health

Petition No. 2005-0505-011-015

vs.

Katherine Lawrence, LPN, Lic. No. 0025600  
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 a Statement of Charges dated June 27, 2005. Dept. Exh. 1. The Statement of Charges alleged violations of certain provisions of Chapter 378 of the General Statutes of Connecticut by Katherine Lawrence (hereinafter "respondent") which would subject respondent's licensed practical nurse license to disciplinary action pursuant to *Conn. Gen. Stat.* §§19a-17 and 20-99(b).

The Board issued a Notice of Hearing dated July 18, 2005 scheduling a hearing for October 19, 2005. Dept. Exh. 1.

Respondent was provided notice of the hearing and the charges against her. The Notice of Hearing and Statement of Charges were delivered by certified mail to respondent. Dept. Exh. 1.

The hearing took place on October 19, 2005 at the Legislative Office Building, 300 Capitol Avenue, Hartford, Connecticut. Respondent was not present during the hearing and was not represented by counsel. Tr. October 24, 2005, pp. 2-10.

Respondent did not submit an Answer to the Statement of Charges. During the hearing on October 19, 2005, the Department moved to have the allegations deemed admitted. The Board granted the motion. Tr. October 24, 2005, p. 8.

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 evidence in the record, the Board makes the following Findings of Fact:

1. Respondent was issued licensed practical nurse license number 0025600 on September 23, 1994. Respondent is and has been at all times referenced in this Statement of Charges, the holder of said license. Dept. Exh. 1-C.

2. At all relevant times, respondent was employed as a nurse at Sharon Health Care Center (herein after the "facility") in Sharon, Connecticut. Dept. Exh. 1.
3. On or about November 13, 2004, CP, a 98-year-old patient, was a resident of the facility. CP resided on the lower level of the facility. Dept. Exh. 1.
4. On or about November 13, 2004, at approximately 6 a.m., respondent was concluding her shift as the charge nurse on the lower level. Dept. Exh. 1.
5. At or about 6 a.m., CP rang her call bell to be toileted. The nurse aide assisting CP tried to put on the resident's shoes. When the resident refused to wear those shoes, the aide went to consult with respondent. Respondent went to the resident's room and forcefully put the shoes on the resident's feet despite the resident's protests that she could not wear them. Respondent loudly commanded CP to get up and walk to the bathroom. When the resident again complained about the shoes, respondent told her she could just pee in her bed. Dept. Exh. 1.
6. As a nurse aide was ambulating CP to the bathroom, CP's knees gave way and the aide lowered her to the floor. When CP complained that the new shoes had injured her leg, respondent loudly clapped her hands and told CP she had given a fine performance. Dept. Exh. 1.
7. Respondent instructed the aide to leave CP on the floor. Dept. Exh. 1.
8. While CP was lying on the floor of her room, respondent fully opened the window in the room and pulled up the resident's johnny high enough to expose the resident's buttocks. Dept. Exh. 1

### *Conclusions of Law and Discussion*

In consideration of the above Findings of Fact, the following conclusions are rendered:

Katherine Lawrence 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 Conn. Gen. Stat. §§ 4-177(a) and (b), and 4-182(c). The hearing was held in accordance with Conn. Gen. Stat. Chapters 54 and 368a 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 Conn. Gen. Stat. § 4-182(c).

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

The Statement of Charges alleges that respondent, while working as a licensed practical nurse at Sharon Health Care Center, Sharon, Connecticut on November 13, 2004, provided care to patient CP and that respondent's conduct in providing such care constitutes grounds for disciplinary action pursuant the General Statutes of Connecticut.

Respondent did not submit an Answer to the Statement of Charges. Pursuant to § 19a-9-20 of the Regulations of Connecticut State Agencies, the Board deems the allegations in the Statement of Charges to be admitted. The Board concludes that respondent's conduct as alleged in the Statement of Charges constitutes grounds for disciplinary action pursuant to Conn. Gen. Stat. § 20-99(b)(2).

***Order***

Pursuant to its authority under Conn. Gen. Stat. §§ 19a-17 and 20-99, the Board of Examiners for Nursing hereby orders the following:

Respondent's licensed practical nurse license number 0025600 is revoked effective the date this Memorandum of Decision is signed by the Board.

The Board of Examiners for Nursing hereby informs respondent, Katherine Lawrence, and the Department of Public Health of the State of Connecticut of this decision.

Dated at Newington, Connecticut this 1st day of March 2006.

BOARD OF EXAMINERS FOR NURSING

By 