

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
HEALTHCARE SYSTEMS BRANCH**

In Re: Sarah Croteau, LPN

Petition No. 2006-0303-011-006

CONSENT ORDER

WHEREAS, Sarah Croteau (hereinafter "respondent") of New Milford, Connecticut has been issued license number 025849 to practice as a 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, respondent hereby admits and acknowledges that:

1. Respondent worked as a nurse at Candlewood Valley Health and Rehabilitation Center of New Milford, Connecticut, from June 2003 through November 2005. In October 2006, Drug Control Agent Alexandra Mathiasen reviewed medication administration records for eleven patients for PRN narcotic medications signed out by respondent for the period from approximately August 2005 until October 25, 2005. At the conclusion of her investigation, Agent Mathiasen identified that respondent had signed out many more doses of narcotics than any other nurse on that unit. Further, respondent had failed to properly document many doses and there were cross outs and entries that were written over on the proof of use sheets. For the eleven patients for which records were reviewed, respondent signed out a total of 471 doses of controlled substances. Of those 471 doses, respondent properly documented the administration of the doses 124 times. Respondent failed to document on either the MAR or PRN medication administration records 238 of the 471 doses. The remaining 109 doses were documented either on the MAR or PRN, but not on both. On two occasions, respondent

signed out two doses of a medication for the same patient at the same time, making the entries on two separate proof of use sheets.

2. The above described facts constitute grounds for disciplinary action pursuant to the General Statutes of Connecticut, 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 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(a) 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's license number 025849 to practice as a practical nurse in the State of Connecticut is hereby reprimanded.
3. Respondent shall comply with all federal and state statutes and regulations applicable to her profession.
4. Respondent's license number 025849 to practice as a practical nurse in the State of Connecticut is hereby placed on probation for one (1) year, subject to the following terms and conditions:
 - A. Respondent shall provide a copy of this Consent Order to all current and future employers for the duration of her probation.

- B. Respondent shall not be employed 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.
- C. 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 period of probation. Respondent shall provide a copy of this Consent Order to any and all employers if employed as a nurse during the probationary period. The Board and the Department shall be notified in writing by any employer(s) within fifteen (15) days of the commencement of employment as to the receipt of a copy of this Consent Order. 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.
- D. Within the first three (3) months of the effective date of this Consent Order, respondent shall attend and successfully complete a course in documentation standards for medication administration, pre-approved by the Department. Within thirty (30) days of the completion of such coursework, respondent shall provide the Department with proof, to the Department's satisfaction, of the successful completion of such coursework.
- E. Within the first six (6) months of the effective date of this Consent Order, respondent's supervisor or their designee shall directly observe at least forty (40) hours of respondent's administration of medications and documentation of such administrations. Said observation shall consist of observing the administration of medication to at least twenty (20) patients in a shift. If respondent is assigned to care for fewer than twenty patients, then the supervisor or their designee shall observe the administration of

medications to all of the patients. Respondent shall be responsible for her supervisor reporting said observations to the Board and the Department which observations and reports shall emphasize correct procedure and documentation.

- F. Respondent shall notify the Board and the Department in writing of any change of employment within fifteen (15) days of such change.
- G. Respondent shall notify the Board and the Department of any change in her home or business address within fifteen (15) days of such change.
- H. If respondent pursues further training or is engaged at the time of the implementation of the Consent Order in an educational program 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.
- I. All reports required by the terms of this Consent Order shall be due according to a schedule to be established by the Department of Public Health.
- J. All correspondence and reports shall be addressed to:

Bonnie Pinkerton
Department of Public Health
Practitioner Licensing and Investigations
410 Capitol Avenue, MS #12HSR
P.O. Box 340308
Hartford, CT 06134-0308

- 5. 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 respondent's nursing license following notice and an opportunity to be heard.

6. 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.
7. Legal notice of any action shall be deemed sufficient if sent to respondent's last known address of record reported to Practitioner Licensing and Investigations Section of the Healthcare Systems Branch of the Department.
8. 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.
9. Respondent understands this Consent Order is a matter of public record.
10. 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
11. 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 forty five (45) days. During that time period, respondent further agrees to cooperate with the Department in its investigation of the violation. 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 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 respondent's 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.

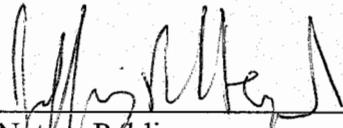
12. In the event respondent violates any term of this Consent Order, said violation may also constitute grounds for the Department to seek a summary suspension of respondent's license before the Board.
13. This Consent Order and terms set forth herein are not subject to reconsideration, collateral attack 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.
14. 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. This Consent Order is a revocable offer of settlement, which may be modified by mutual agreement or withdrawn by the Department at any time prior to its being executed by the last signatory.
15. Respondent has had the opportunity to consult with an attorney prior to signing this document.
16. The execution of this document has no bearing on any criminal liability without the written consent of the Director of the Medicaid Fraud Control Unit or the Bureau Chief of the Division of Criminal Justice's Statewide Prosecution Bureau.

I, Sarah Croteau, 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.



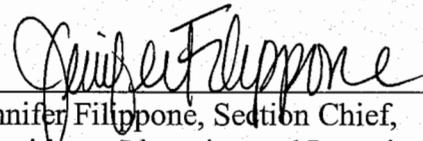
Sarah Croteau

Subscribed and sworn to before me this 19th day of February, 2007.



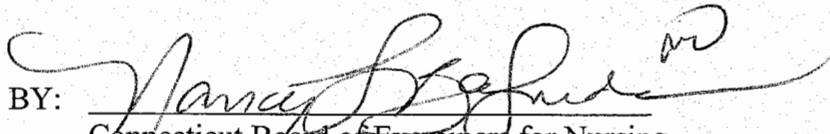
Notary Public or person authorized
by law to administer an oath or affirmation

The above Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 15th day of March, 2007, it is hereby accepted.



Jennifer Filippone, Section Chief,
Practitioner Licensing and Investigations
Healthcare Systems Branch

The above Consent Order having been presented to the duly appointed agent of the Connecticut Board of Examiners for Nursing on the 21 day of March, 2007, it is hereby ordered and accepted.

BY: 

Connecticut Board of Examiners for Nursing