

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

Department of Public Health

Petition No. 2001-0213-011-006

vs.

Therese Golas, LPN, Lic. No. 025980  
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 and Motion for Summary Suspension dated February 27, 2001. Dept. Exh. 2. The Statement of Charges alleged violations of certain provisions of Chapter 378 of the General Statutes of Connecticut by Therese Golas (hereinafter "respondent") which would subject respondent's licensed practical nurse license to disciplinary action pursuant to the General Statutes of Connecticut.

Based on the allegations in the Statement of Charges and accompanying affidavits and reports, the Board found that respondent's continued nursing practice presented a clear and immediate danger to public health and safety. On March 21, 2001, the Board ordered, pursuant to its authority under §4-182(c) and §19a-17(c) of the General Statutes of Connecticut, that respondent's licensed practical nurse license be summarily suspended pending a final determination by the Board of the allegations contained in the Statement of Charges. Dept. Exh. 1.

The Board issued a Notice of Hearing March 22, 2001, scheduling a hearing for April 4, 2001. Dept. Exh. 1.

Respondent was provided notice of the hearing and charges against her. Department Exhibit 1 indicates that the Notice of Hearing and Statement of Charges were served on respondent by State Marshal on March 24, 2001.

The hearing took place on April 4, 2001, at the Town Council Chambers, Wethersfield Town Hall, 505 Silas Deane Highway, Wethersfield, Connecticut.

Respondent was not present during the hearing and was not represented by counsel. Transcript, April 4, 2001, p. 2.

Respondent did not submit an Answer to the Statement of Charges. During the hearing, the Department moved to deem the charges admitted because of respondent's failure to file an Answer. The Board granted the Department's motion. Transcript, April 4, 2001, p. 5.

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 testimony given and the exhibits offered into evidence, the Board makes the following Findings of Fact:

1. Respondent was issued licensed practical nurse license number 025980 on August 11, 1995. Respondent was the holder of said license at all times referenced in the Statement of Charges. Dept. Exh. 2-C.
2. Pursuant to a Consent Order dated December 6, 2000, respondent's licensed practical nurse license number 025980, was suspended until December 31, 2000 and concurrently placed on probation for a period of four years. The disciplinary action was based upon respondent's failure to completely, properly and/or accurately document medical or hospital records and/or falsification of controlled substance records. Dept. Exh. 2-A3-A11.
3. The Consent Order dated December 6, 2000 specifically required that respondent cause reports to be submitted to the Board and the Department by her therapist and that respondent submit to weekly random urine screens for the first two years of probation. Dept. Exh. 2-A5-A6
4. Respondent has not submitted reports from a therapist nor has she submitted reports of random urine screens. Dept. Exh. 2-A1.

### *Conclusions of Law and Discussion*

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

Therese Golas 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.

**Paragraph 2** of the Statement of Charges alleges that on December 6, 2000, the Connecticut Board of Examiners for Nursing issued a Consent Order (hereinafter “the Order”) that placed respondent’s licensed practical nurse license on probation for a period of four years. Such disciplinary action was based upon proof of respondent’s failure to completely, properly and/or accurately document medical or hospital records and/or falsification of controlled substance records.

**Paragraph 3** of the Statement of Charges alleges that the Order specifically provided that respondent submit monthly therapy reports and weekly random urine screens for the first two years of probation and that all screen results be negative for the presence of drugs and alcohol.

**Paragraph 4** of the Statement of Charges alleges respondent has not submitted therapy reports and/or urine screen results.

**Paragraph 5** of the Statement of Charges alleges respondent has violated the terms of probation set forth in the Order.

Respondent did not submit an Answer to the Statement of Charges. Pursuant to §19-9-20 of the Regulations of Connecticut State Agencies, the Board deems the allegations in the Statement of Charges to be admitted. The affidavit of Bonnie Pinkerton, RN, Dept. Exh. 2-A1, also supports the allegations in the Statement of Charges.

Based upon its findings, the Board concludes that respondent's conduct as alleged in the Statement of Charges is proven by a preponderance of the evidence presented. The Board concludes that respondent's conduct constitutes a violation of the probation of her licensed practical nurse license as set forth in a Consent Order dated December 6, 2000. Therefore, respondent's licensed practical nurse license is subject to disciplinary action pursuant to *Conn. Gen. Stat.* §19a-17.

***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 025980 is revoked effective the date this Memorandum of Decision is signed by the Board of Examiners for Nursing.

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

Dated at Hartford, Connecticut this 15th day of August 2001.

BOARD OF EXAMINERS FOR NURSING

By 