

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

Department of Public Health

Petition No. 990817-011-021

vs.

*Garrett*  
Pamela Williams, LPN, Lic. No. 027035  
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 30, 2000. Dept. Exh. 1. The Statement of Charges alleged violations of certain provisions of Chapter 378 of the General Statutes of Connecticut by Pamela Williams (hereinafter "respondent") which would subject respondent's Licensed Practical Nurse license to disciplinary action pursuant to the General Statutes of Connecticut.

The Board issued a Notice of Hearing dated July 19, 2000, scheduling a hearing for September 20, 2000. Dept. Exh. 1. In order to ensure that respondent received sufficient service, the Board continued the hearing to October 18, 2000.

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 Deputy Sheriff Jesse Smith on September 29, 2000.

On September 18, 2000, the Department filed a Motion to Deem Allegations Admitted.

The hearing took place on Date October 18, 2000, in Room 2-B, Legislative Office Building, Capitol Avenue, Hartford, Connecticut. Respondent was not present during the hearing and was not represented by counsel. Transcript, p. 3.

Respondent failed to submit an Answer to the Statement of Charges.

At the hearing on October 18, 2000, the Board granted the Department's Motion to Deem Allegations Admitted. Board Exh. 1; Transcript, pp. 4-5.

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. Pamela Williams of Hartford is, and has been at all times referenced in this Statement of Charges, the holder of Connecticut Licensed Practical Nurse license number 027035. Dept. Exh. 1; Board Exh. 1.
2. At all relevant times, respondent was employed as a Licensed Practical Nurse at the medical offices of Drs. Michael Krall and Prasad Srinivasan, in Hartford, Connecticut. Dept. Exh. 3; Board Exh. 1.
3. On or about July 13, 15 and 16, 1999, while working as a Licensed Practical Nurse at the medical offices of Drs. Krall and Srinivasan, respondent phoned in a prescription for Tussionex (containing the controlled substance hydrocodone) for herself, fraudulently using the name of Dr. Srinivasan as the prescriber. Dept. Exh. 3; Transcript, pp. 9-11; Board Exh. 1.
4. In or about July 1999, respondent abused or utilized to excess the controlled substance hydrocodone. Dept. Exh. 3; Board Exh. 1.
5. Respondent's abuse of hydrocodone does, and/or may, affect her practice as a Licensed Practical Nurse. Dept. Exh. 3; Board Exh. 1.

### *Conclusions of Law and Discussion*

In consideration of the above Findings of Fact, the following conclusions are rendered: Pamela Williams 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 the General Statutes of Connecticut §4-177(a) and (b), and §4-182(c). The hearing was held in accordance with Chapters 54 and 368a of the General Statutes of Connecticut 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 the General Statutes of Connecticut §4-182(c).

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

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 General Statutes of Connecticut §20-99 provides in relevant part:

(a) The Board of Examiners for Nursing shall have jurisdiction to hear all charges of conduct which fails to conform to the accepted standards of the nursing profession brought against persons licensed to practice nursing. After holding a hearing . . . said board, if it finds such person to be guilty, may revoke or suspend his or her license or take any of the actions set forth in section 19a-17 . . . (b) Conduct which fails to conform to the accepted standards of the nursing profession includes, but is not limited to, the following . . . (2) illegal conduct, incompetence or negligence in performing usual nursing functions . . . (5) abuse or excessive use of drugs, including alcohol, narcotics or chemicals . . . (6) fraud or material deception in the course of professional services or activities . . . .

Based on 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 finds the testimony of Senior Drug Control Agent Jack Kornacki to be credible. The Board further concludes that said conduct constitutes violations of the General Statutes of Connecticut §20-99(b) (2), (5), and (6). Therefore, respondent's Licensed Practical Nurse license is subject to disciplinary action pursuant to §19a-17 of the General Statutes of Connecticut.

*Order*

Pursuant to its authority under §19a-17 and §20-99 of the General Statutes of Connecticut, the Board of Examiners for Nursing hereby orders the following:

Respondent's Licensed Practical Nurse license number 027035 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, Pamela Williams, and the Department of Public Health of the State of Connecticut of this decision.

Dated at Wethersfield, Connecticut this 17<sup>th</sup> day of January 2001.

BOARD OF EXAMINERS FOR NURSING

By 