STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
HEALTHCARE SYSTEMS BRANCH

In Re: John R. Cookson, L.P.N. Petition No. 2007-0529-011-022

CONSENT ORDER

WHEREAS, John R. Cookson (hereinafter "respondent") of Middlebury, Connecticut has been issued license number 027490 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, respondent hereby admits and acknowledges that:

1. At all relevant times, respondent was employed at The Highlands Health Care Center (hereinafter "the Center") in Cheshire, CT as a licensed practical nurse.
2. Resident #1 was admitted to the Center in November 2006 with a diagnosis of multi-infarct dementia. The resident was severely cognitively impaired, displayed socially inappropriate behaviors and often carried a doll.
3. On or about January 2, 2007, respondent told resident #1 that he would spank her baby (doll) if she did not sit down in a chair.
4. 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").

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Respondent further 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 his right to a hearing on the merits of this matter.
2. Respondent shall comply with all federal and state statutes and regulations applicable to his profession.
3. Respondent's license number 027490 to practice as a licensed practical nurse in the State of Connecticut is hereby reprimanded.
4. Respondent's license number 027490 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 not provide clinical services as a nurse for a personnel provider service, an assisted living services agency, a homemaker - home health aide agency, or a home health care agency, except that respondent can be employed as a nurse by the business entity known as "New England Home Care" and be placed at a licensed health care institution and work under the supervision of a licensed, registered nurse on duty at the same time that respondent is there. Additionally, respondent shall not be self-employed as a nurse for the period of his probation.
   B. Respondent shall be responsible for the provision of written reports directly to the Board and the Department from his nursing supervisor (i.e., Director of Nursing; nurse at New England Home Care to whom he reports) if he provides nursing services, or immediate

supervisor if not providing nursing services, quarterly for the entire 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. Respondent shall also provide a copy of this Consent Order to any institution or practice where he is assigned to work by New England Home Care. 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. The Board and the Department shall be notified in writing by any institution(s) within fifteen (15) days of the commencement of assignment 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 3G below.

C. Respondent shall notify the Board and the Department in writing of any change of employment within fifteen (15) days of such change.

D. Respondent shall notify the Board and the Department of any change in his home or business address within fifteen (15) days of such change.

E. Respondent shall attend and successfully complete courses in resident rights and resident abuse, pre-approved by the Department. Additionally, within the first six months of the probationary period, respondent shall attend and successfully complete courses in behavior modification of patients with dementia, and patient rights, pre-approved by the Department. Upon the completion of each of the above-referenced courses, respondent shall provide the Department with proof, to the Department's satisfaction, of the successful completion of such course.

F. 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.

G. 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. Respondent understands this Consent Order may be considered as evidence of the above-admitted violations in any proceeding before the Board in which (1) his compliance with this same Consent Order is at issue, or (2) his 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 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 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.
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, John R. Cookson, 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.

John R Cookson L.P.N.

John R. Cookson, L.P.N.

Subscribed and sworn to before me this 28th day of May, 2009.

Kristin Connors, Esq.

Notary Public or person authorized
by law to administer an oath or affirmation
Commissioner of the Superior Court

The above Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 9th day of June, 2009 it is hereby accepted.

Jennifer Filippone

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 15th day of July, 2009, it is hereby ordered and accepted.

BY: Patricia C Bu[illegible]

Connecticut Board of Examiners for Nursing

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STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH

September 8, 2010

John Cookson, LPN
186 Northwood Drive
Middlebury, CT 06762

Re: Consent Order
Petition No. 2007-0529-011-022
License No. 027490

Dear Mr. Cookson:

Please accept this letter as notice that you have satisfied the terms of your license probation, effective August 1, 2010.

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.

Please be certain to retain a copy of this letter as documented proof that you have completed your license probation.

Thank you for your cooperation during this process, and good luck to you in the future.

Very truly yours,

Bonnie Pinkerton

Bonnie Pinkerton, RN, Nurse Consultant
Practitioner Licensing and Investigations Section

cc: J. Filippone
J. Wojick

Phone: (860) 509-7400
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