



# STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH

PUBLIC HEALTH HEARING OFFICE

July 22, 2010

Karen Ingles  
544 South Colony Street  
Meriden, CT 06451

Certified Mail RRR #91-7108-2133-3932-0551-7675  
and First Class Mail

Matthew Antonetti, Principal Attorney  
Department of Public Health  
410 Capitol Avenue, MS #12LEG  
PO Box 340308  
Hartford, CT 06134-0308

**Via Email**

**RE: Karen Ingles, LPN - Petition No. 2010-233**

Dear Ms. Ingles and Attorney Antonetti:

Enclosed please find a copy of the Memorandum of Decision issued by the **Board of Examiners for Nursing** in the above-referenced matter.

Sincerely,

Jeffrey A. Kardys  
Administrative Hearings specialist/Board Liaison  
Public Health Hearing Office

- c: Michael J. Purcaro, Chief of Administration
- Wendy Furniss, Branch Chief, Healthcare Systems
- Jennifer Filippone, Section Chief, Practitioner Licensing and Investigations
- Bonnie Pinkerton, RN, Nurse Consultant, Department of Public Health
- Lynn A. Rioux, Paralegal Specialist II, Office of the Attorney General

Phone:



Telephone Device for the Deaf: (860) 509-7191  
410 Capitol Avenue - MS # \_\_\_\_\_  
P.O. Box 340308 Hartford, CT 06134

*Affirmative Action / An Equal Opportunity Employer*

**STATE OF CONNECTICUT  
DEPARTMENT OF PUBLIC HEALTH  
BOARD OF EXAMINERS FOR NURSING**

Karen Ingles, LPN  
License no. 028418

Petition No. 2010-233

**MEMORANDUM OF DECISION**

*Procedural Background*

On April 28, 2010, the Department of Public Health ("the Department") filed a Motion for Summary Suspension ("the Motion") and a Statement of Charges ("the Charges") with the Board of Examiners for Nursing ("the Board"). The Charges (Bd. Exh. 1) allege violations of Chapter 378 of the General Statutes ("the Statutes") by Karen Ingles ("respondent") which would subject respondent's licensed practical nurse license to disciplinary action pursuant to §§ 19a-17 and 20-99(b) of the Statutes.

Based on the allegations in the Charges, the affidavits, and the reports accompanying the Motion, the Board found that respondent's continued nursing practice presented a clear and immediate danger to public health and safety and ordered, on May 5, 2010, pursuant to §§ 4-182(c) and 19a-17(c) of the Statutes, that respondent's licensed practical nurse license be summarily suspended pending a final determination by the Board of the allegations contained in the Charges ("the Order"). Bd. Exh. 2.

On May 5, 2010, the Charges, the Order, and a Notice of Hearing were sent to respondent by certified and first class mail. Bd. Exh. 3. The hearing was scheduled for May 19, 2010. On May 14, 2010 respondent called the Board office requesting a continuance of the hearing because she was currently engaged in in-patient treatment. Bd. Exh. 4. The Board denied respondent's request. Tr. pp. 5-6. Respondent was neither present nor represented at the hearing. Attorney Joelle Newton represented the Department. Respondent did not file an Answer to the Charges. During the hearing, the Board granted the Department's Motion to Deem the Allegations Admitted. Tr. pp. 8-9. Following the close of the record on May 19, 2010, the Board conducted fact-finding.

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.

***Allegations***

1. In paragraph one of the Charges, the Department alleges that the respondent is, and has been at all times referenced in the Charges, the holder of Connecticut licensed practical nurse license number 028418.
2. In paragraph two of the Charges, the Department alleges that in or about October 2008, respondent diverted Vicodin, Ativan, and/or morphine while working as a hospice nurse.
3. In paragraph three of the Charges, the Department alleges that in or about October 2008, respondent abused and/or utilized to excess Vicodin, Ativan and/or morphine.
4. In paragraph four of the Charges, the Department alleges that on or about December 3 and/or 4, 2009, respondent diverted Oxycodone while working as a licensed practical nurse at Avery Heights in Hartford, Connecticut.
5. In paragraph five of the Charges, the Department alleges that on or about December 3 and/or 4, 2009, respondent abused and/or utilized excess Oxycodone.
6. In paragraph six of the Charges, the Department alleges that on or about January 20, 2010, respondent abused and/or utilized to excess cocaine, marijuana, and/or alcohol.
7. In paragraph seven of the Charges, the Department alleges that respondent's abuse of Vicodin, Ativan, morphine, Oxycodone, cocaine, marijuana, and/or alcohol does, and/or may, affect her practice as a licensed practical nurse.
8. In paragraph eight of the Charges, the Department alleges that the above facts constitute grounds for disciplinary action pursuant to § 20-99(b) of the Statutes, including but not limited to § 20-99(b)(2) and/or § 20-99(b)(5).

***Findings of Fact***

1. The Department provided respondent with reasonable and adequate written notice of the allegations contained in the Statement of Charges. Bd Exh. 1; Tr. pp. 2-6.
2. Respondent did not file an Answer. Tr. p. 5.
3. The factual allegations contained in paragraphs one through seven are deemed admitted and true. Tr. pp. 8-9.

***Discussion and Conclusions of Law***

The Department bears the burden of proof by a preponderance of the evidence in this matter. *Goldstar Medical Services, Inc., et al. v. Department of Social Services*, 288 Conn. 790 (2008); *Swiller v. Comm'r of Public Health*, CV-950705601, Superior Court, J.D. Hartford/New

Britain at Hartford, October 10, 1995; *Steadman v. SEC*, 450 U.S. 91, 101 S. Ct. 999, *reh'g den.*, 451 U.S. 933 (1981). The allegations are deemed admitted, therefore, Department sustained its burden of proof.

Section 20-99 of the Statutes provides, in pertinent part, that:

(a) The Board . . . 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 carrying out usual nursing functions; . . . (5) abuse or excessive use of drugs, including alcohol, narcotics or chemicals; . . .

Respondent did not submit an Answer to the Statement of Charges. Pursuant to § 19a-9-20 of the Regulations of Connecticut Agencies the Board deemed the allegations in the Charges to be admitted. The Board concludes that respondent's conduct as alleged and deemed admitted in paragraphs one through seven of the Charges constitutes grounds for disciplinary action pursuant to §§ 20-99(b)(2) and (5) and 19a-17 of the Statutes.

**Order**

Based on the record in this case, the above findings of fact and conclusions of law, the Board hereby orders that respondent's license number 028418 to practice as a licensed practical nurse in the State of Connecticut is hereby **REVOKED**.

The Board of Examiners for Nursing hereby informs respondent, Karen Ingles, and the Department of Public Health of the State of Connecticut of this decision, which becomes effective on the date signed by the Board of Examiners for Nursing.

Dated at Hartford, Connecticut this 21st day of July, 2010.

**BOARD OF EXAMINERS FOR NURSING**

By Patricia C. Bouffard  
Patricia Bouffard, R.N.  
Chairperson

**CERTIFICATION**

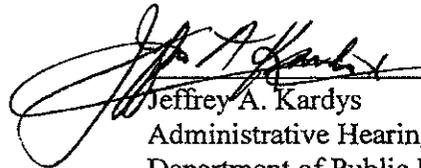
I hereby certify that, pursuant to Connecticut General Statutes § 4-180(c), a copy of the foregoing Memorandum of Decision was sent this 22<sup>nd</sup> day of July 2010, by certified mail, return receipt requested, and first class mail to:

Karen Ingles  
544 South Colony Street  
Meriden, CT 06451

Certified Mail RRR #91-7108-2133-3932-0551-7675

and via email to:

Matthew Antonetti, Principal Attorney  
Legal Office  
Department of Public Health  
410 Capitol Avenue, MS #12LEG  
Hartford, CT 06134-0308



---

Jeffrey A. Kardys  
Administrative Hearings Specialist/Board Liaison  
Department of Public Health  
Public Health Hearing Office