

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

Department of Public Health

Petition No. 2006-0719-011-024

vs.

Patricia Integlia, LPN, Lic. No. 029657
Respondent

MEMORANDUM OF DECISION

Procedural Background

THE Department of Public Health (hereinafter "the Department") presented the Board of Examiners for Nursing (hereinafter "the Board") with a Statement of Charges and Motion for Summary Suspension dated August 22, 2006. Dept. Exh. 1. The Statement of Charges alleged that Patricia Integlia (hereinafter "respondent") violated certain provisions of Chapter 378 of the General Statutes of Connecticut, subjecting her licensed practical nurse license to disciplinary action pursuant to *Conn. Gen. Stat.* §§ 19a-17 and 20-99(b).

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 September 6, 2006, 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 dated September 6, 2006, scheduling a hearing for September 20, 2006. Dept. Exh. 1.

Respondent was provided notice of the hearing and charges against her. The Notice of Hearing and Statement of Charges were delivered by certified mail to respondent. Dept. Exh. 1.

The hearing took place on September 20, 2006, in Room 2-A, Legislative Office Building, Capitol Avenue, Hartford, Connecticut.

Respondent was present during the hearing, and was not represented by counsel. Tr., p. 1.

Respondent submitted an oral Answer to the Statement of Charges. Tr. pp. 9-10.

Following conclusion of the hearing, the Board vacated the Summary Suspension of respondent's licensed practical nurse license, ordered on September 6, 2006.

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 and Responses

PARAGRAPHS 1 and 12 of the Statement of Charges alleges that Patricia Integlia of East Haven is, and has been at all times referenced in this Statement of Charges, the holder of Connecticut licensed practical nurse license number 029657.

Respondent admits this charge. Tr. p. 9.

PARAGRAPH 2 of the Statement of Charges alleges that at all relevant times during 2004, respondent was employed at St. Raphael's Hospital as a staff nurse.

Respondent admits this charge. Tr. p. 9.

PARAGRAPH 3 of the Statement of Charges alleges that during 2004, respondent:

- a. Diverted Oxycodone, Percocet and Vicodin from St. Raphael's Hospital for personal use; and/or,
- b. Failed to completely, properly and/or accurately document medical or hospital records at St. Raphael's Hospital; and/or
- c. Falsified one or more Controlled Substance Receipt Records at St. Raphael's Hospital.

Respondent admits this charge. Tr. p. 9.

PARAGRAPH 4 of the Statement of Charges alleges that in or about 2004, respondent abused or utilized to excess Percocet and Vicodin.

Respondent admits this charge. Tr. p. 9.

PARAGRAPH 5 of the Statement of Charges alleges that respondent's abuse of Percocet and Vicodin does, and/or may, affect her practice as a licensed practical nurse.

Respondent admits this charge. Tr. p. 9.

PARAGRAPH 6 of the Statement of Charges alleges that from approximately March 9, 2005 until September 2005, respondent was employed by Middlesex Pediatric Associates in Middletown, Connecticut.

Respondent admits this charge. Tr. p. 9.

PARAGRAPH 7 of the Statement of Charges alleges that during approximately August 2005, respondent wrote at least three prescriptions for Percocet for herself, forging the signature of a physician in the pediatric practice.

Respondent admits this charge. Tr. p. 9.

PARAGRAPH 8 of the Statement of Charges alleges that respondent was terminated from her employment on August 31, 2005.

Respondent admits this charge. Tr. p. 9.

PARAGRAPH 9 of the Statement of Charges alleges that in approximately August 2005, respondent abused or utilized to excess Percocet.

Respondent admits this charge. Tr. p. 9.

PARAGRAPH 10 of the Statement of Charges alleges that respondent's abuse of Percocet does, and/or may, affect her practice as a licensed practical nurse.

Respondent admits this charge. Tr. p. 9.

PARAGRAPH 13 of the Statement of Charges alleges that on May 3, 2006, The Board ordered a Consent Order that placed respondent's licensed practical nurse license on probation for a period of four years. Such disciplinary action was based upon respondent's admitted diversions of Oxycodone, Percocet, and Vicodin, falsification of controlled substance records, and forging prescriptions for Percocet.

Respondent admits this charge. Tr. p. 9.

PARAGRAPH 14 of the Statement of Charges alleges that said Consent Order specifically provided that all of respondent's urine screens shall be negative for the presence of drugs and alcohol. Tr. p. 9.

Respondent admits this charge. Tr. p. 9.

PARAGRAPH 15 of the Statement of Charges alleges that on or about June 26, 2006, respondent tested positive for butalbital.

Respondent admits this charge. Tr. p. 10.

Findings of Fact

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

1. Patricia Integlia of East Haven is, and has been at all times referenced in this Statement of Charges, the holder of Connecticut licensed practical nurse license number 029657. Dept. 2-B; Tr. p. 9.
2. At all relevant times during 2004, respondent was employed at St. Raphael's Hospital as a staff nurse. Tr. p. 9.
3. During 2004, respondent:
 - a. Diverted Oxycodone, Oxycodone/APAP ("Percocet") and Hydrocodone/APAP ("Vicodin") from St. Raphael's Hospital for personal use; and/or,
 - b. Failed to completely, properly and/or accurately document medical or hospital records at St. Raphael's Hospital; and/or
 - c. Falsified one or more Controlled Substance Receipt Records at St. Raphael's Hospital.Tr. p. 9.
4. In or about 2004, respondent abused or utilized to excess Percocet and Vicodin. Tr. p. 9.
5. Respondent's abuse of Percocet and Vicodin does, and/or may, affect her practice as a licensed practical nurse. Tr. p. 9.
6. From approximately March 9, 2005 until September 2005, respondent was employed by Middlesex Pediatric Associates in Middletown, Connecticut. Tr. p. 9.
7. During approximately August 2005, respondent wrote at least three prescriptions for Percocet for herself, forging the signature of a physician in the pediatric practice. Tr. p. 9.
8. Respondent was terminated from her employment on August 31, 2005. Tr. p. 9.
9. In approximately August 2005, respondent abused or utilized to excess Percocet. Tr. p. 9.
10. Respondent's abuse of Percocet does, and/or may, affect her practice as a licensed practical nurse.

11. On May 3, 2006, The Board ordered a Consent Order in Petition number 2005-0524-011-018 (“the Consent Order”) that placed respondent’s licensed practical nurse license on probation for a period of four years. Such disciplinary action was based upon respondent’s admitted diversions of Oxycodone, Percocet, and Vicodin, falsification of controlled substance records, and forging prescriptions for Percocet. Dept. Exh. 2; Tr. p. 9.
12. Said Consent Order specifically provided that all of respondent’s urine screens shall be negative for the presence of drugs and alcohol. Tr. p. 9.
13. On or about June 26, 2006, respondent tested positive for butalbital. Tr. p. 10.

Conclusions of Law and Discussion

Applying the applicable statutes, its expertise and experience to the above Findings of Fact, the board concludes:

Patricia Integlia 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 his 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.

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 carrying out 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 . . .

Applying the above statutory provisions and its professional knowledge to the above findings, the Board concludes that, although the department proved, by a preponderance of the evidence, that the respondent violated the consent order, said violation does not merit disciplinary action pursuant to *Conn. Gen. Stat.* §§ 20-99(b)(2), (5), (6) and 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:

1. That the Consent Order dated May 3, 2006, shall continue in full force or effect.
2. Any deviation from the terms of the probation, without prior written approval by the Board, shall constitute a violation of probation, which will be cause for an immediate hearing on charges of violating this Order. Any finding that respondent has violated this Order will subject respondent to sanctions under §19a-17(a) and (c) of the General Statutes of Connecticut, including but not limited to, the revocation of her license. 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 subsequent action. The Board shall not be required to grant future extensions of time or grace periods. Notice of revocation or other disciplinary action shall be sent to respondent's address of record (most current address reported to the office of Practitioner Licensing and Certification of the Department of Public Health or the Board).
3. This Memorandum of Decision becomes effective on the date signed by the Board of Examiners for Nursing.

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

Dated at Newington, Connecticut this 17th day of January 2007.

BOARD OF EXAMINERS FOR NURSING

By 

CERTIFICATION

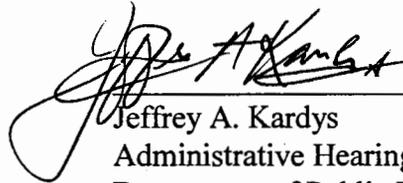
I hereby certify that, pursuant to Connecticut General Statutes § 4-180(c), a copy of the foregoing Memorandum of Decision was sent this 18th day of January 2007, by certified mail, return receipt requested and first class mail, to:

Patricia Integlia, LPN
4 Lynwood Place
East Haven, CT 06512

Certified Mail RRR #70042510000753840978

and by Inter-Departmental Mail to:

Stanley K. Peck, Director
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