

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH**

Patricia Integlia, LPN
Lic. No. 029657

Petition No. 2009-0107-011-001

MEMORANDUM OF DECISION

Procedural Background

On February 6, 2009, 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"). Dept. Exh. 1. The Charges allege violations of certain provisions of Chapter 378 of the General Statutes ("the Statutes") by Patricia Integlia ("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 and the affidavits and 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 February 18, 2009, 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"). Dept. Exh. 1.

On February 20, 2009, the Charges, the Order, and a Notice of Hearing were served on respondent by State Marshal. Dept. Exh. 1

The hearing was held on March 4, 2009. Attorney Linda Fazzina represented the Department. Respondent was not present or represented at the hearing. Tr., p. 2.

Respondent did not file a written Answer to the Charges. During the hearing on March 4, 2009, the Board granted the Department's oral motion to deem the allegations admitted. Tr., pp. 3-4.

Following the close of the record on March 4, 2009, 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 Patricia Integlia of East Haven, Connecticut is, and has been at all times referenced in the Charges, the holder of Connecticut registered nurse license number 029657.
2. In paragraph two of the Charges, the Department alleges that on August 20, 2008, the Board issued a Memorandum of Decision in Petition Number 2007-1106-011-037 that suspended, with concurrent probation until January 9, 2009, respondent's nursing license, followed by an additional probationary period of four (4) years. Such disciplinary action was based upon respondent's admitted abuse of Percocet.
3. In paragraph three of the Charges, the Department alleges that said Order specifically provided that respondent provide a copy of the Order to her therapist and that within thirty (30) days of the effective date of the Order, the Board be notified by respondent's therapist as to receipt of a copy of the Order.
4. In paragraph four of the Charges; the Department alleges that on or about January 5, 2009, respondent's therapist advised the Department that respondent had not provided her with a copy of the Order.
5. In paragraph five of the Charges, the Department alleges that said Order specifically provided that respondent must submit to random, observed urine screens for drugs and alcohol for the entire probationary period and that there be at least two (2) such random alcohol/drug screens monthly during the period of suspension with concurrent probation.
6. In paragraph six of the Charges; the Department alleges that from on or about August 20, 2008 to on or about January 22, 2009, respondent has not submitted to any urine screens for alcohol and drugs.
7. In paragraph seven of the Charges, the Department alleges that respondent's conduct as described above constitutes violations of the terms of probation as set forth in the Memorandum of Decision, and subjects respondent's license to revocation or other disciplinary action authorized by the §§19a-17 and 20-99(b) of the Statutes.

Findings of Fact

1. The Department provided respondent with reasonable and adequate written notice of the allegations contained in the Charges. Dept. Exh. 1.
2. Respondent did not appear at the hearing and did not file an Answer to the Charges. Tr., p. 2.
3. The factual allegations contained in paragraphs 1 through 6 of the Charges are deemed admitted. Tr., pp. 3-4.

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).

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

The Board concludes that respondent's conduct as alleged in the Charges and deemed admitted constitutes grounds for disciplinary action pursuant to §§ 20-99(b) and 19a-17 of the Statutes. The Board concludes that respondent's failure to comply with the terms of license probation poses a threat to public health and safety.

Order

Based on the record in this case, the above findings of fact and conclusions of law, the Board hereby orders, with respect to the licensed practical nurse license number 029657 held by Patricia Integlia, as follows:

Respondent's license number 029657 to practice as a licensed practical nurse in the State of Connecticut is hereby revoked effective the date this Memorandum of Decision is signed by the Board.

Dated at Hartford, Connecticut this 21st day of October 2009.

BOARD OF EXAMINERS FOR NURSING

By Patricia C. Baynard

CERTIFICATION

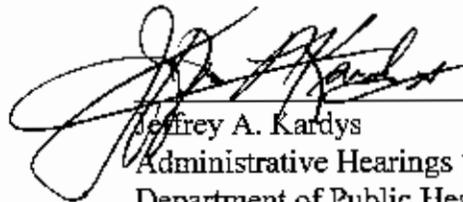
I hereby certify that, pursuant to Connecticut General Statutes § 4-180(c), a copy of the foregoing Memorandum of Decision was sent this 2nd day of October, 2009, by certified mail, return receipt requested, and first class mail to:

Patricia Integlia
4 Lynnwood Place
East Haven, CT 06512

Certified Mail RRR #91-7108-2133-3932-0692-2621

and by Inter-Departmental Mail 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
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