

**STATE OF CONNECTICUT**

DEPARTMENT OF PUBLIC HEALTH

March 5, 2008

Nicole Alfonso, LPN  
1174 Durham Road  
Wallingford, CT 06492

Re: Consent Order  
Petition No. 2006-0511-011-015  
License No. 030459

Dear Ms. Alfonso:

Please accept this letter as notice that you have satisfied the terms of your license probation, effective March 1, 2008.

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 this letter as documented proof that you have completed your license probation.

Thank you for your cooperation.

Very truly yours,

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

cc: J. Filippone  
J. Wojick



Phone: (860) 509-7400  
Telephone Device for the Deaf (860) 509-7191  
410 Capitol Avenue - MS # 12HSR  
P.O. Box 340308 Hartford, CT 06134  
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STATE OF CONNECTICUT  
DEPARTMENT OF PUBLIC HEALTH  
HEALTHCARE SYSTEMS BRANCH

In Re: Nicole Alfonso f/k/a Nicole Duprey, LPN

Petition No. 2006-0511-011-015

CONSENT ORDER

WHEREAS, Nicole Alfonso f/k/a Nicole Duprey (hereinafter "respondent") of Wallingford, Connecticut has been issued license number 030459 to practice as a 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. On December 29, 2005, while working as an LPN at Masonicare, a skilled nursing facility located in Wallingford, CT, respondent failed to administer scheduled medications to fifteen residents during the 3 p.m. to 11 p.m. shift. Further, respondent initialed the medication administration records indicating that she had administered those medications. On December 30, 2005, when confronted about her failure to administer scheduled medications to residents on December 29, 2005, respondent admitted that she had failed to do so.
2. The above described facts constitute grounds for disciplinary action pursuant to the General Statutes of Connecticut, 20-99(b), including but not limited to:
  - a. 20- 99(b)(2); and/or,
  - b. 20- 99(b)(7).

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 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 her right to a hearing on the merits of this matter.
2. Respondent's license number 030459 to practice as a practical nurse in the State of Connecticut is hereby reprimanded.
3. Respondent shall comply with all federal and state statutes and regulations applicable to her profession.
4. Respondent's license number 030459 to practice as a practical nurse in the State of Connecticut is hereby placed on probation for one (1) year, subject to the following terms and conditions:
  - A. At her own expense, she shall within the first six (6) months of the probationary period attend and successfully complete coursework in medication administration, documentation standards, and professional ethics. Such coursework shall be pre-approved by the Department. Within thirty (30) days of the completion of such coursework, respondent shall provide the Department with proof, to the Department's satisfaction, of the successful completion of such coursework.
  - B. Respondent shall not work in a skilled nursing facility until she has provided proof to the satisfaction of the Department that she has successfully completed the coursework required in paragraph 4A above.

- C. Respondent shall not be employed as a nurse for a personnel provider service, assisted living services agency, homemaker - home health aide agency, or home health care agency, and shall not be self-employed as a nurse for the period of her probation.
- D. Respondent shall provide a copy of this Consent Order to all current and future employers for the duration of her probation. The Board and the Department shall be notified in writing by any employer(s) as to the receipt of a copy of this Consent Order within fifteen (15) days of the effective date of this Consent Order or commencement of employment.
- E. Respondent shall be responsible for the provision of written reports directly to the Board and the Department from her registered nurse supervisor if she works in a non-clinical setting and/or her Director of Nursing if she works in a clinical setting. Such reports shall be submitted quarterly for the period of probation. 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 4J below.
- F. Respondent shall notify the Board and the Department in writing of any change of employment within fifteen (15) days of such change.
- G. Respondent shall notify the Board and the Department of any change in her home or business address within fifteen (15) days of such change.
- H. If respondent pursues further training or is engaged at the time of the implementation of the Consent Order, in an educational program in any subject area that is regulated by the Department, respondent shall provide a copy of this Consent Order to the educational institution or, if not an institution, to respondent's instructor. Such institution or

instructor shall notify the Department of receipt of the Consent Order within fifteen (15) days of receipt.

- I. 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.
- J. 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) her compliance with this

same Consent Order is at issue, or (2) her 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 practical nurse, upon request by the Department, with notice to the Board, for a period not to exceed forty-five (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. This Consent Order is a revocable offer of settlement, which may be modified by mutual agreement or withdrawn by the Department at any time prior to its being executed by the last signatory.
16. Respondent has had the opportunity to consult with an attorney prior to signing this document.
17. 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, Nicole Duprey, 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.

Nicole Alfonso  
Nicole Duprey Alfonso

Subscribed and sworn to before me this 3<sup>rd</sup> day of January, ~~2006~~ <sup>2007</sup>.

Mark P. Becker  
Notary Public or person authorized MARK P. BECKER, ESQ.,  
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 9<sup>th</sup> day of February, ~~2006~~ 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 21 day of February, ~~2006~~ it is hereby ordered and accepted.

BY: [Signature]  
Connecticut Board of Examiners for Nursing