

STATE OF CONNECTICUT  
DEPARTMENT OF PUBLIC HEALTH  
HEALTHCARE QUALITY AND SAFETY BRANCH

In re: Kelly Ann Mayerhoffer, LPN

Petition No. 2010-5756

CONSENT ORDER

WHEREAS, Kelly Ann Mayerhoffer of Bethel, Connecticut (hereinafter "respondent") has been issued license number 034170 to practice nursing by the Department of Public Health (hereinafter "the Department") pursuant to Connecticut General Statutes, Chapter 378, as amended.

WHEREAS, respondent hereby admits:

1. While working as a licensed practical nurse at Masonicare at Newtown in Newtown, Connecticut, respondent diverted one .25 mg tablet of Alprazolam, a medication for which respondent had a valid prescription, for her personal use in August 2010.
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 20-99b(2) and/or 20-99b(5).

WHEREAS, respondent completed a course in ethics pre-approved by the Department.

WHEREAS, respondent, in consideration of this Consent Order, has chosen not to contest this matter and agrees that for purposes of this or any future proceedings before the Connecticut Board of Examiners for Nursing (hereinafter "the Board"), this Consent Order shall have the same effect as if proven and ordered after a full hearing held pursuant to Connecticut General Statutes §§19a-9, 19a-10, and 20-99(a).

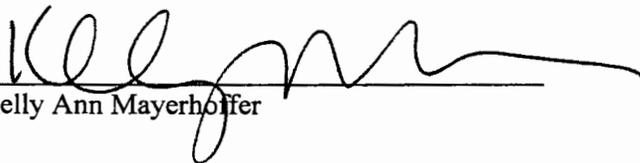
NOW THEREFORE, pursuant to Connecticut General Statutes §§19a-17 and §20-99(a), respondent hereby stipulates and agrees to the following:

1. Respondent waives her right to a hearing on the merits of this matter.
2. Respondent's license number 034170 to practice nursing in the State of Connecticut is hereby reprimanded.
3. Respondent shall pay a civil penalty of five hundred dollars (\$500.00) by certified or cashier's check payable to "Treasurer, State of Connecticut." The check shall reference the Petition Number on the face of the check, and shall be payable at the time respondent submits the executed Consent Order to the Department.
4. Respondent shall comply with all state and federal statutes and regulations applicable to her licensure.
5. This Consent Order is effective on the first day of the month immediately following the date this Consent Order is accepted and ordered by the Board.
6. Respondent understands this Consent Order is a public document and evidence of the above admitted violations shall be deemed true in any proceeding before the Board in which her compliance with this Consent Order or with

Connecticut General Statutes §20-99, as amended, is at issue. Further, respondent understands that any discipline imposed by this Consent Order shall be reported to the National Practitioner Data Bank.

7. This Consent Order and terms set forth herein are not subject to reconsideration, collateral attack or judicial review under any form or forum. Respondent understands that this Consent Order shall not be subject to modification as a result of any claim that the terms contained herein may result in action by third parties, including, but not limited to, healthcare facilities and/or credentialing or licensure boards. Respondent assumes all responsibility for assessing such actions prior to the execution of this document. Further, this Order is not subject to appeal or review under Connecticut General Statutes Chapters 54 or 368a, provided that this stipulation shall not deprive respondent of any rights that she may have under the laws of the State of Connecticut or of the United States.
8. 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.
9. Respondent permits a representative of the Legal Office of the Healthcare Quality and Safety Branch to present this Consent Order and the factual basis for this Consent Order to the Board. Respondent understands that the Board has complete and final discretion as to whether this executed Consent Order is approved or accepted.
10. Respondent consulted with an attorney prior to signing this document.
11. 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 State's Attorney's Office where the allegation occurred or Bureau Chief of the applicable unit in the Chief State's Attorney's Office. The purpose of this Consent Order is to resolve the pending administrative license disciplinary petition only, and is not intended to affect any civil or criminal liability or defense.
12. This Consent Order embodies the entire agreement of the parties with respect to this case. All previous communications or agreements regarding the subject matter of this consent order, whether oral or written, between the parties are superseded unless expressly incorporated herein or made a part hereof.

I, Kelly Ann Mayerhoffer, have read the above Consent Order, and I stipulate and agree to the terms as set forth therein. I further declare the execution of this Consent Order to be my free act and deed.

  
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Kelly Ann Mayerhoffer

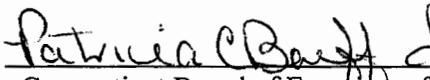
Subscribed and sworn to before me this 9<sup>th</sup> day of March 2012.

  
\_\_\_\_\_  
Commissioner 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 4<sup>th</sup> day of April 2012, it is hereby accepted.

  
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Jennifer Filippone, Section Chief  
Practitioner Licensing and Investigations,  
Healthcare Quality and Safety Branch

The above Consent Order having been presented to the duly appointed agent of the Connecticut Board of Examiners for Nursing on the 18<sup>th</sup> day of April 2012, it is hereby ordered and accepted.

  
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Connecticut Board of Examiners for Nursing