

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
BUREAU OF REGULATORY SERVICES**

In Re: Margot Mikita, A.P.R.N.

Petition No. 980618-012-001

CONSENT ORDER

WHEREAS, Margot Mikita (hereinafter "respondent") of Woodbury, Connecticut has been issued license number 000625 to practice as an advanced practice registered 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. She practices as an advance practice registered nurse both at Hartford Hospital and privately out of her own office.
2. During the period of time from early 1996 to at least May 26, 1998, while working as an Advanced Practice Registered Nurse in her private practice, respondent:
 - a. wrote at least one prescription that did not contain the name, address and telephone number of a physician under whose direction she was prescribing or with whom she had a clinical practice relationship;
 - b. failed to maintain mutually agreed upon written protocols signifying a clinical practice relationship with a physician licensed to practice medicine in Connecticut.
3. The above described facts constitute grounds for disciplinary action pursuant to the General Statutes of Connecticut, 20-99(b)(2), taken in conjunction with Regulations of Connecticut

State Agencies, Sections 20-87a-1, 20-87a-4, 20-87a-5 and 20-87a-6; as well as Connecticut General Statutes Sections 20-101c.

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").

Respondent further 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(b) 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 000625 to practice as an advanced practice registered 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 000625 to practice as an advanced practice registered nurse in the State of Connecticut is hereby placed on probation for six months, subject to the following terms and conditions:
 - A. Respondent shall pay a civil penalty of one thousand dollars (\$1000) 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 on or before the end of the probationary period.

- B. On or before the end of the probationary period, respondent shall submit a written collaborative agreement that covers her private practice as an advanced practice registered nurse. This agreement shall comply with subsection (b) of Section 20-87a of the Connecticut General Statutes.
- C. All correspondence and reports shall be addressed to:

Bonnie Pinkerton
Department of Public Health
Division of Health Systems Regulation
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 the Licensure and Registration Section of the Division of Health Systems Regulation 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 an advanced practice registered nurse, upon request by the Department, with notice to the Board, for a period not to exceed 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 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 her 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. Respondent has had the opportunity to consult with an attorney prior to signing this document.

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I, Margot Mikita, 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.



Margot Mikita

Subscribed and sworn to before me this 12th day of September, 2000.



Notary Public or person authorized by law to administer an oath or affirmation

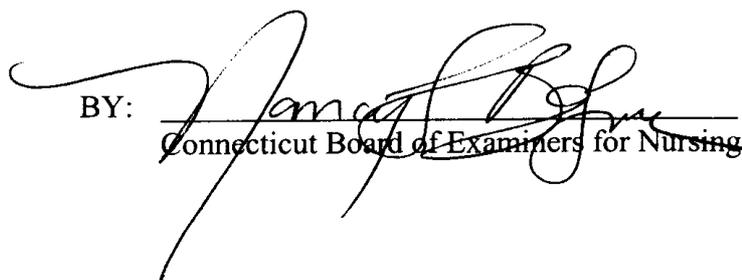
The above Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 18th day of September, 2000, it is hereby accepted.



Kathleen Zarrella, Director
Division of Health Systems Regulation

The above Consent Order having been presented to the duly appointed agent of the Connecticut Board of Examiners for Nursing on the 4 day of October, 2000, it is hereby ordered and accepted.

BY:


Connecticut Board of Examiners for Nursing

S: milt/mikita/legal/co2. 4/00