STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
BUREAU OF HEALTHCARE SYSTEMS

In Re: Curtis Harmon, R.N., A.P.R.N. Petition No. 2004-0209-010-007

CONSENT ORDER

WHEREAS, Curtis Harmon, R.N., A.P.R.N. (hereinafter "respondent") of Hamden, Connecticut has been issued license number E56411 to practice as a Registered Nurse and license number 002832 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, the Department alleges and respondent admits that:

1. Respondent was employed by New England Home Care for the period of November 20, 2000 to December 3, 2003.
2. On or about November 16, 2003, respondent falsified a patient's record while acting in his capacity as an R.N. Specifically, respondent falsely documented that medication was administered to and that a complete medical assessment was performed on patient J.M. at patient's residence. In fact, such patient was incarcerated on November 15, 2003.
3. 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)(6); 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").

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(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 his right to a hearing on the merits of this matter.
2. Respondent shall comply with all federal and state statutes and regulations applicable to his profession.
3. Respondent's license number E56411 to practice as a Registered Nurse in the State of Connecticut is hereby reprimanded.
4. Respondent shall pay a civil penalty of Two Hundred and Fifty dollars ($250.00) 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.
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 Office of Practitioner Licensing and Certification of the Bureau of Healthcare Systems 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) his compliance with this same Consent Order is at issue, or (2) his 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 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, 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. Respondent has had the opportunity to consult with an attorney prior to signing this document.

16. 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.

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I, Curtis Harmon, R.N., A.P.R.N., 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.

Curtis D. Harmon RN, APRN
Curtis Harmon, R.N., A.P.R.N.

Subscribed and sworn to before me this 31ST day of August, 2004.

Gwendolyn [illegible]
Notary Public or person authorized
by law to administer an oath or affirmation
My Commission Exp. Apr. 30, 20[illegible]

The above Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 13th day of Sept, 2004, it is hereby accepted.

Joan D. Leavitt
~~Madanne Horn, Director~~, JOAN D. LEAVITT, PHSM
Division of Health Systems Regulation
Bureau of Healthcare Systems

The above Consent Order having been presented to the duly appointed agent of the Connecticut Board of Examiners for Nursing on the 17 day of November, 2004, it is hereby ordered and accepted.

BY: Nancy [illegible]
Connecticut Board of Examiners for Nursing

JJA/Harmon
8/19/04