

**STATE OF CONNECTICUT  
DEPARTMENT OF PUBLIC HEALTH  
HEALTHCARE SYSTEMS BRANCH**

In Re: Maria Zandonella, A.P.R.N.

Petition No. 2011-421

**CONSENT ORDER**

WHEREAS, Maria Zandonella (hereinafter "respondent") of Clinton, Connecticut has been issued license number 002961 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 that:

1. Respondent has prescribed controlled substances for herself, including Valium in or about May 2010 and Iophen C in or about December 2009, and has failed to maintain appropriate medical records; and/or
2. From in or about January 2009 to in or about March 2011, respondent maintained inappropriate professional boundaries with a patient, including, without limitation, exchanging telephone and/or text messages indicating a personal relationship.
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 §20-99 (b)(2).

WHEREAS, respondent has surrendered her controlled substance prescribing permit;

WHEREAS, respondent has successfully completed courses in prescribing practices and ethics, pre-approved by the Department;

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

does not admit to having violated any statute or regulation, including but not limited to §20-99(b) of the General Statutes of Connecticut. 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 her right to a hearing on the merits of this matter.
2. Respondent shall comply with all federal and state statutes and regulations applicable to her profession.
3. Respondent shall not prescribe any medication for herself, her family or her friends.
4. Respondent's license number 002961 to practice as an advanced practice registered nurse in the State of Connecticut is hereby placed on probation for one (1) year, subject to the following terms and conditions:
  - A. Within the first three (3) months of the probationary period, respondent shall attend and successfully complete coursework, pre-approved by the Department, in professional boundaries. 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 provide a copy of this Consent Order to all current and future employers for the duration of her probation.
  - C. Respondent shall provide a copy of this Consent Order to all current and future collaborating physician(s) for the duration of her probation. The Board and the Department shall be notified in writing by any collaborating physician(s) within fifteen (15) days of the commencement of collaboration as to the receipt of a copy of this Consent Order.
  - D. Respondent represents and warrants that she only practices as an advanced practice registered nurse for her collaborating physician and in a practice setting that requires her to provide those

nursing services in one or more nursing home facilities. During the period of probation, respondent shall only practice as an advanced practice registered nurse for her collaborating physician and in such a practice setting. Further, respondent shall provide a copy of this Consent Order to the Nursing Home Administrator, the Director of Nursing and the Medical Director at each nursing home facility where she practices during the period of probation. The Board and the Department shall be notified in writing by each Nursing Home Administrator, Director of Nursing and Medical Director within fifteen (15) days of the commencement of respondent's services in a particular nursing home as to the receipt of a copy of this Consent Order.

- E. Respondent shall be responsible for the provision of quarterly written reports directly to the Board and the Department from her collaborating physician for the duration of her probation. Respondent shall provide a copy of this Consent Order to any and all employers if employed as a nurse during the probationary period. The Board and the Department shall be notified in writing by any employer(s) within fifteen (15) days of the commencement of employment as to the receipt of a copy of this Consent Order. The collaborating physician's reports shall include documentation of respondent's ability to safely and competently practice as an advanced practice nurse, and shall be issued to the Board and the Department at the address cited in paragraph 4L below.
- F. Respondent shall notify the Board and the Department if her controlled substance registration from the Drug Control Division of the Department of Consumer Protection (hereinafter "Drug Control") is reinstated or if Drug Control grants her a new registration during the probationary period. Said notification shall be made to the Board and the Department within ten (10) days of the issuance of said registration. Respondent agrees that if Drug Control reinstates or grants her a new controlled substance registration during the probationary period, then, her controlled substance prescribing, ordering and dispensing practices shall be monitored by her collaborating physician in accordance with the following:

(1) Respondent shall maintain a log of all controlled substances dispensed to patients as well as all prescriptions for controlled substances, both written and authorized by phone.

(2) The collaborating physician shall have the right to monitor respondent's prescribing practices by any reasonable means which he or she deems appropriate, including, without limitation, by random reviews of patient records and patient medication orders. Respondent shall fully cooperate with the supervisor in providing such monitoring.

(3) The quarterly written reports required under paragraph 3E shall include the number and a general description of patient records and patient medication orders and prescriptions reviewed; monitoring techniques utilized, and a statement that respondent is prescribing with reasonable skill and safety.

- G. Respondent shall notify the Board and the Department in writing of any change of employment within fifteen (15) days of such change.
- H. Respondent shall notify the Board and the Department of any change in her home or business address within fifteen (15) days of such change.
- I. Respondent shall notify the Board and the Department in writing if she or her collaborating physician terminates their collaborative relationship and/or collaborative agreement within fifteen (15) days of such termination.
- J. 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.
- K. 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.
- L. 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 the 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. The Department's allegations as contained in this Consent Order shall be deemed true in any subsequent proceeding before the Board in which (1) her compliance with this same order is at issue, or (2) her compliance with Chapter 378 of the General Statutes of Connecticut, 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.
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, 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 is not employed as a nurse for periods of thirty (30) consecutive days or longer, respondent shall notify the Department in writing. Such periods of times shall not be counted in reducing the probationary period covered by this Consent Order and such terms shall be held in abeyance. During such time period, respondent shall not be responsible for complying with the terms of probation of this Consent Order. In the event respondent resumes the practice of nursing, respondent shall provide the Department with thirty (30) days prior written notice. Respondent shall not return to the practice of nursing without written pre-approval from the Department. Respondent agrees that the Department, in its complete discretion, may require additional documentation from respondent and/or require respondent to satisfy other conditions or terms as a condition precedent to respondent's return to practice.

If requested to do so by the Department, respondent further agrees to complete the following:

- a. attend and successfully complete coursework, remediation, and/or retraining pre-approved by the Department. Upon completion, respondent shall provide the Department with proof, to the Department's satisfaction, of successful completion.

Respondent understands that any return to the practice of nursing without pre-approval from the Department shall constitute a violation of this Consent Order and may subject the respondent to further disciplinary action.

13. If, during the period of probation, respondent practices nursing outside Connecticut, she shall provide written notice to the Department concerning such employment. During such time period, respondent shall not be responsible for complying with the terms of probation of this Consent Order, and such time period shall not be counted in reducing the probationary period covered by this Consent Order. Respondent may comply with the terms of probation while practicing outside Connecticut if pre-approved by the Department. In the event respondent intends to return to the practice of nursing in Connecticut, respondent shall provide the Department with thirty (30) days prior written notice and agrees to comply with all terms and conditions contained in paragraph 4 above.
14. 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.
15. 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. 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 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.
16. 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.
17. 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.
18. Respondent has had the opportunity to consult with an attorney prior to signing this document.

19. 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.
20. 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.

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I, Maria Zandonella, 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.

Maria Zandonella APRN  
Maria Zandonella, A.P.R.N.

Subscribed and sworn to before me this 8 day of December, 2011.

**KATHLEEN JEAN SIENA**  
**NOTARY PUBLIC**  
MY COMMISSION EXPIRES JUNE 30, 2015

Kathy Siena  
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 23<sup>rd</sup> day of December, 2011, 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 18<sup>th</sup> day of January, 2012, it is hereby ordered and accepted.

BY: Patricia C. Bufford  
Connecticut Board of Examiners for Nursing

s:ll/Zandonella/BOENCO



# STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH

February 4, 2013

Maria Zandonella, APRN  
17 Pepperbush Drive  
Clinton, CT 06413

Re: Consent Order  
Petition No. 2011-421  
License No. 002961

Dear Ms. Zandonella:

Please accept this letter as notice that you have satisfied the terms of your license probation, effective February 1, 2013.

Please note that in accordance with paragraph 3 of the Consent Order, you shall not prescribe any medication for yourself, your family, or your friends.

Please be certain to retain a copy of this letter as documented proof that you have completed your license probation.

Thank you for your cooperation during this process, and good luck to you in the future.

Very truly yours,

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

cc: J. Filippone  
J. Wojick



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