

STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
BUREAU OF HEALTHCARE SYSTEMS

In re: Veronica Cretella, N.H.A.

Petition No. 2004-0308-036-002

CONSENT ORDER

WHEREAS, Veronica Cretella of Prospect, CT (hereinafter "respondent") has been issued license number 000796 to practice as a nursing home administrator by the Department of Public Health (hereinafter "the Department") pursuant to Chapter 368v of the General Statutes of Connecticut, as amended; and,

WHEREAS, the Department alleges that:

1. Greenwood Health Center was a long term care facility located in Hartford, Connecticut. On February 26, 2003, on the evening shift, a fire broke out at approximately 2:30 a.m. and involved two nursing units. Fifteen of the nursing home residents died as a direct cause of the fire and one resident died after having suffered from smoke inhalation. Subsequently, Greenwood Health Center was sold and renamed Park Place Health Center. Respondent remained the nursing home administrator for the facility for eighteen (18) months after the fire. As nursing home administrator respondent was responsible for the overall management of the facility.
2. The Department conducted a post fire investigation that included eight site visits. The Department alleges that respondent failed to:
 - a. ensure that staff adequately protected residents in the fire that occurred on February 26, 2003, in that staff failed to: (1) follow the established fire plan and/or (2)

- appropriately assess and/or monitor, relative to identified needs, the resident who caused the fire, in violation of §19-13-D8t(f)(3) of the Regulations;
- b. ensure staff properly conduct fire drills during the night shift, in violation of §19-13-D8t(f)(3) of the Regulations;
 - c. ensure the facility's policies and procedures were current in that the safety manual identified that residents would not carry smoking materials and this was in direct conflict with the smoking policy and practice in place at the time of the fire; and/or
 - d. ensure that staff adequately implement facility policies for smoking and identification of residents, in violation of §19-13-D8t(f)(3) of the Regulations.
3. The above described allegations constitute grounds for disciplinary action pursuant to the General Statutes of Connecticut, §19a-517(b), including, but not limited to:
- a. §19a-517(b)(3) and/or,
 - b. §19a-517(b)(4).

WHEREAS, respondent, in consideration of this Consent Order, has chosen not to contest the above allegations of wrongdoing but, while admitting no guilt or wrongdoing, agrees that for purposes of this or any future proceedings before the Department, this Consent Order shall have the same effect as if proven and ordered after a full hearing held pursuant to §§19a-10, 19a-14 and 19a-517 of the General Statutes of Connecticut.

NOW THEREFORE, pursuant to §§19a-14, 19a-17 and 19a-517 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 000796 to practice as a nursing home administrator in the State of Connecticut is hereby reprimanded.

3. Respondent shall pay a civil penalty of two thousand and five hundred dollars (\$2,500.00) 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's license shall be placed on probation for a period of one year under the following terms and conditions:
 - a. Respondent shall provide her employer, at each facility where she practices as a nursing home administrator throughout the probationary period, with a copy of this Consent Order within fifteen (15) days of its effective date, or within fifteen (15) days of commencement of employment at a new facility. The Department shall be notified in writing by any employer(s) within fifteen days of the commencement of employment as to the receipt of a copy of this Consent Order.
 - b. Respondent shall obtain at her own expense, the services of a licensed nursing home administrator, pre-approved by the Department (hereinafter "supervisor"), to supervise respondent's practice.
 - (1) Respondent shall provide a copy of this Consent Order to her supervisor. Her supervisor shall furnish written confirmation to the Department of his or her engagement in that capacity and receipt of a copy of this Consent Order within fifteen (15) days of the effective date of this Consent Order.
 - (2) Respondent's supervisor shall meet with her and visit the nursing home facility not less than weekly for the first two months of the probationary period, every two weeks for the next two months and monthly for the remainder of the probationary period.
 - (3) The supervisor shall conduct a random review of records pertinent to respondent's management duties, including, but not limited to those duties

identified in §19-13-D81(f)(3) of the Regulations. Particular attention shall be focused on policies related to fire safety and prevention, emergency evacuation procedures, smoking by residents and/or visitors, and management of residents' behavior problems.

- (4) The supervisor shall have the right to monitor respondent's practice by any other reasonable means which he or she deems appropriate. Respondent shall fully cooperate with the supervisor in providing such monitoring.
- (5) Respondent shall be responsible for providing written supervisor reports directly to the Department monthly for the probationary period. Such supervisor's reports shall include documentation of dates and duration of meetings with respondent, a general description of the facility policy and procedures and nursing home administrator's duties reviewed, additional monitoring techniques utilized, and statement that respondent is practicing with reasonable skill and safety.
- (6) Notwithstanding the foregoing, the supervisor shall immediately report to the Department any conduct or condition on respondent's part which does or may violate any federal or state statute or regulation applicable to her profession.
- (7) The supervisor shall immediately notify the Department in writing if respondent terminates his or her services.

5. All correspondence and reports are to be addressed to:

Bonnie Pinkerton, Nurse Consultant
Department of Public Health
Division of Health Systems Regulation
410 Capitol Avenue, MS #12HSR
P.O. Box 340308
Hartford, CT 06134-0308

6. 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.
7. Respondent shall comply with all state and federal statutes and regulations applicable to her licensure.
8. Respondent shall pay all costs necessary to comply with this Consent Order.
9. Any alleged violation of any provision of this Consent Order may result in the following procedures at the discretion of the Department:
 - a. The Department shall notify respondent in writing by first-class mail that the term(s) of this Consent Order have been violated, provided that no prior written consent for deviation from said term(s) has been granted.
 - b. Said notification shall include the acts or omission(s) which violate the term(s) of this Consent Order.
 - c. Respondent shall be allowed fifteen (15) days from the date of the mailing of notification required in paragraph 9a above to demonstrate to the satisfaction of the Department that she has complied with the terms of this Consent Order or, in the alternative, that she has cured the violation in question.
 - d. If respondent does not demonstrate compliance or cure the violation by the limited fifteen (15) day date certain contained in the notification of violation to the satisfaction of the Department, she shall be entitled to a hearing before the Department which shall make a final determination of the disciplinary action to be taken.
 - e. Evidence presented to the Department by either the Department or respondent in any such hearing shall be limited to the alleged violation(s) of the term(s) of this Consent Order.

10. In the event respondent violates any term of this Consent Order, respondent agrees immediately to refrain from practicing as a nursing home administrator, upon request by the Department, 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. 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 constitute an admission that her conduct constitutes a clear and immediate danger as required pursuant to the General Statutes of Connecticut, sections 4-182(c) and 19a-17(c).
11. 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 her license before the Department.
12. In the event respondent is not employed as a nursing home administrator for periods of thirty (30) consecutive days or longer, or is employed as a nursing home administrator for less than twenty (20) hours per week, or is employed outside of the State of Connecticut, respondent shall notify the Department in writing. Such periods of time shall not be counted in reducing the probationary period covered by this Consent Order.
13. Legal notice shall be 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.
14. This Consent Order is effective on the first day of the month immediately following the date this Consent Order is accepted by the Department.
15. Respondent agrees that this Consent Order shall be deemed a public document, and the Department's allegations as contained in this Consent Order shall be deemed true in any

subsequent proceeding before the Department in which her compliance with this Consent Order or with Chapter 368v of the General Statutes of Connecticut, as amended, is at issue.

16. Any extension of time or grace period for reporting granted by the Department shall not be a waiver or preclude the Department from taking action at a later time. The Department shall not be required to grant future extensions of time or grace periods.
17. 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 Order is not subject to appeal or review under the provisions of Chapters 54 or 368a of the General Statutes of Connecticut, 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.
18. 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.
19. Respondent permits a representative of the Legal Office of the Bureau of Healthcare Systems to present this Consent Order and the factual basis for this Consent Order to the Department. Respondent understands that the Department has complete and final discretion as to whether this executed Consent Order is approved or accepted.
20. Respondent has the right to consult with an attorney prior to signing this document.
21. 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, Veronica Cretella, 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.

Veronica Cretella
Veronica Cretella

Subscribed and sworn to before me this 14th day of March 2005.

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

DANIELLE ACCETURA
NOTARY PUBLIC
MY COMMISSION EXPIRES JUNE 30, 2008

The above Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 21st day of March, 2005, it is hereby accepted.

Marianne Horn
Marianne Horn, Director
Division of Health Systems Regulation
Bureau of Healthcare Systems

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