

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

In re: Pamela Gilbert-Sugrue, L.A.D.C.

Petition Nos. 2011-345, 2010-110

**CONSENT ORDER**

WHEREAS, Pamela Gilbert-Sugrue of Milford, Connecticut (hereinafter "respondent") has been issued license number 000540 to practice as a licensed alcohol and drug counselor (hereinafter " L.A.D.C.") by the Department of Public Health (hereinafter "the Department") pursuant to Connecticut General Statutes, Chapter 376b, as amended.

WHEREAS, the Department alleges that:

1. In or around 2009 and 2010, respondent:
  - a. Represented herself as a licensed marriage and family therapist when she was not so licensed;
  - b. Counseled children beyond the scope of her L.A.D.C. license;
  - c. Provided improper diagnoses and treatment; and/or
  - d. Maintained inadequate patient records.
2. The above described facts constitute grounds for disciplinary action pursuant to Connecticut General Statutes §20-74s(r).

WHEREAS, respondent, in consideration of this Consent Order and while denying the above allegations of 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 Connecticut General Statutes §§19a-10, 19a-14 and 20-74s.

NOW THEREFORE, pursuant to Connecticut General Statutes §§19a-14, 19a-17 and 20-74s, 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 000540 to practice as an L.A.D.C. in Connecticut is hereby reprimanded.
3. Respondent agrees to cease and desist practicing as a licensed marriage and family therapist or in any practice that requires licensure in Connecticut without first obtaining an appropriate license.

4. Respondent's license shall be placed on probation for a period of three years under the following terms and conditions:
  - a. Respondent shall provide her employer at any hospital, clinic, partnership and/or association where she practices as an L.A.D.C. 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. Respondent agrees to provide reports from such employer quarterly for stating that she is practicing with reasonable skill and safety.
  - b. During the period of probation, respondent shall only practice as an L.A.D.C. in an office and practice setting that physically includes other L.A.D.C. s on-site while respondent is practicing at said office and practice setting.
  - c. Respondent shall obtain at her own expense, the services of an L.A.D.C. or other licensed mental healthcare provider (such as a psychologist, licensed clinical social worker or licensed professional counselor), pre-approved by the Department (hereinafter "supervisor,") to conduct a quarterly random review of twenty-five percent (25%) of respondent's patient records, whichever is the larger number. Subject to pre-approval by the Department, said supervisor may work for the same employer as respondent but may not be responsible for the direct supervision of respondent on a regular basis. If respondent has twenty-five (25) or fewer patients, the supervisor shall review all of respondent's patient records.
    - (1) Respondent shall provide a copy of this Consent Order to her supervisor. Respondent's 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 conduct such review and meet with her not less than once every quarter during her probationary period.
    - (3) 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.
    - (4) Respondent shall be responsible for providing written supervisor reports directly to the Department every quarter during her probationary period. Such supervisor's reports shall include documentation of dates and duration of meetings with respondent, number and a general description of the patient records and patient medication orders and prescriptions reviewed, additional monitoring techniques utilized, and statement that respondent is practicing with reasonable skill and safety.

- d. Within the first nine months of the probationary period, respondent shall attend and successfully complete courses in boundaries, scope of practice, ethics, the Health Insurance Portability and Accountability Act, treatment and diagnoses, documentation, and record keeping, pre-approved by the Department. Within seven 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 course(s).
5. All correspondence and reports are to be addressed to:

Bonnie Pinkerton, RN, Nurse Consultant  
Department of Public Health  
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 established by the Department.
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 Department's satisfaction compliance 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 within the fifteen (15) days specified 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 is not employed as an L.A.D.C. 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

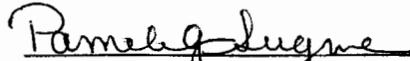
reducing the probation covered by this Consent Order and such terms shall be held in abeyance. During such time period, respondent shall not be responsible for complying with the terms of this Consent Order. If respondent resumes practicing as an L.A.D.C., she shall provide the Department with thirty (30) days prior written notice. Respondent shall not return to practicing as an L.A.D.C. 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. Respondent understands that any return to practicing as an L.A.D.C. without pre-approval from the Department shall constitute a violation of this Consent Order and may subject the respondent to further disciplinary action.

11. If, during probation, respondent practices as an L.A.D.C. outside Connecticut, she shall provide written notice to the Department concerning such employment. During such time, she 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. If respondent intends to return to practice in Connecticut, she 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.
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 her license before the Department.
13. Legal notice shall be sufficient if sent to respondent's last known address of record reported to the Practitioner Licensing and Investigations Section of the Healthcare Quality and Safety Branch.
14. 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 Department.
15. Respondent agrees that this Consent Order is 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 Connecticut General Statutes §20-74r, 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.
16. In the event respondent violates a term of this Consent Order, respondent agrees immediately to refrain from practicing as a licensed alcohol and drug counselor, upon request by the Department, with notice to 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 be considered by the Department and shall, as a matter of law, constitute a clear and immediate danger as required pursuant to Connecticut General Statutes, sections 4-182(c) and 19a-17(c). Respondent understands that the Department has complete and final discretion as to whether a summary suspension is ordered.

17. 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.
18. 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 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.
19. 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.
20. Respondent permits a representative of the Legal Office of the Healthcare Quality and Safety Branch to present this Consent Order and its factual basis to the Department. Respondent understands that the Department has complete and final discretion whether this executed Consent Order is accepted.
21. Respondent understands and agrees that she is responsible for satisfying all of the terms of this Consent Order during vacations and other periods in which she is away from her residence.
22. Respondent has consulted with an attorney prior to signing this document.
23. 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.
24. 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, Pamela Gilbert-Sugrue, 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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Pamela Gilbert-Sugrue

Subscribed and sworn to before me this 1<sup>st</sup> day of June 2012.

  
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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 18<sup>th</sup> day of June 2012, it is hereby ordered and accepted.

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