



Questions & Answers about Nurse's Aides and the Department of Public Health

Q. Help! I've been fired from my nurse's aide job. They accused me of abusing patients. Will I lose my job AND my nurse's aide registration?

A. If you are fired because you are accused of abusing or neglecting patients, using drugs, stealing from patients, or getting your nurse aide license improperly, you may be in danger of losing your registration or right to work in **any** nursing or rest home or other facility where you give patient care. This could happen even if your supervisor thinks you are a good worker. And, it could happen even if you were not fired, but a patient was injured.

All reports of patient abuse, neglect, or injury go to the Connecticut Department of Public Health (DPH). DPH keeps a "Nurse Aide Registry" which lists if the registration is current and whether there is any disciplinary action against the nurse's aide. DPH will send you a notice and tell you about your right to have a hearing before your right to work or registration is taken away.

Q. How might DPH take away my ability to work as a nurse's aide?

A. Before you lose your registration, a "compliance conference" with DPH legal staff will be held. It is **very important that you attend** the meeting, but you should try to bring a lawyer or union representative. Legal Services may be able to represent you.

At the meeting, the charges against you will be explained. It will be your first chance to prove that the charges are false. Try to work out an agreement with DPH so that the charges are dropped and no formal complaint is made against you. (For example, you agree to be retrained and DPH agrees to remove the finding once you complete the training).

TIP: It is best to get legal advice **before** you go to any meeting with DPH so you are ready to defend yourself.

Q. What happens after this first conference?

A. It is possible that DPH will not officially charge you with neglect or abuse, depending on the results of the compliance conference.

If you cannot reach an agreement at the compliance conference, DPH will send you a notice (called a "notice of hearing" or "statement of charges"). The notice will list the charges against you and will probably give the date and time of your hearing.

If you have not been given a hearing date, you should ask for a hearing right away in writing. After you get the hearing notice, you have only 14 days from the date of the notice to answer the charges in writing.

It is **very important that you attend** the hearing to answer the charges and present evidence to defend yourself. It is best to get legal advice before you attend.

Q. What happens if I lose or do not go to the hearing?

A. If you lose the hearing (or do not attend), the finding of abuse or neglect will be posted to the Nurse Aide Registry. This means you will not be able to work in **any** nursing or rest home or other facility where you

would give patient care. And, you may not be able to work at other types of jobs.

You have the right to put a brief statement on the registry disputing the finding. You can appeal the decision to Superior Court within 45 days, but you should have a lawyer.

You can ask the DPH to remove a finding of neglect from the registry one year after it was issued if you have no other history of abuse or neglect. Findings of abuse *cannot* be removed.

Questions? Call Statewide Legal Services at 1-800-453-3320.

