

State of Vermont
Vermont Board of Nursing

In re: Sarah Appletree
License Number: 026.0115156
Docket Number: 2018-10

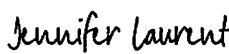
Order to Remove Conditions

On June 12, 2023 the Vermont Board of Nursing considered Sarah Appletree's Request to Remove Conditions imposed pursuant to a Stipulation & Consent Order under Docket Number 2018-10. Ms. Appletree has successfully completed the conditions. After review of the compliance file, the State does not object to removal of all conditions.

Order:

The Board hereby removes all conditions from Ms. Appletree's RN license.

Vermont Board of Nursing

DocuSigned by:

584744045740477

Jennifer Laurent, Chair

Date: June 12, 2023

Date of Entry: 6/13/23



State of Vermont
Office of the Secretary of State
Office of Professional Regulation
89 Main Street, 3rd Floor
Montpelier, VT 05620-3402
sos.vermont.gov

Sarah Copeland Hanzas, Secretary of State
S. Lauren Hibbert, Deputy Secretary
Kevin A. Rushing, Director

June 9, 2023

Sarah Appletree
P.O. Box 758
Barton, VT 05822-0758

Case: Sarah Appletree
Credential: License # 026.0115156
Docket No: 2018-10

Dear Ms. Appletree:

The Board of Nursing will be reviewing the proposed *Order to Remove conditions* regarding this case on:

Date: June 12, 2023
Time: 9:15 a.m.
Location: Office of Professional Regulation
89 Main Street, 3rd Floor (City Center)
Montpelier, VT 05602-3402

This notice is informational only. You are not required to attend the meeting unless specifically requested. If you have any questions, please do not hesitate to contact the office at (802) 828-1505.

Sincerely,

Julie Bowen
Docket Clerk

Enc: Order removing Conditions

Cc: Jennifer Colin, Esq., Prosecuting Attorney
Kristin Donnelly, Case Manager
Sarah Appletree, Respondent

STATE OF VERMONT
SECRETARY OF STATE
OFFICE OF PROFESSIONAL REGULATION
BOARD OF NURSING

IN RE:)
Sarah Appletree) Docket No. 2018-10
License No. 026.0115156)

**STATE'S RESPONSE TO RESPONDENT'S
REQUEST TO REMOVE CONDITIONS**

After review of Respondent's compliance file, the State has no objection to Respondent's request to remove all conditions from Respondent's RN license 026.0115156. Attached to this response is a proposed Order should the Board decide to grant Respondent's request.

Dated this 9th day of May, 2023.

STATE OF VERMONT
SECRETARY OF STATE

By: /s/ Jennifer B. Colin
Jennifer B. Colin
State Prosecuting Attorney
802-522-8987
Jennifer.Colin@vermont.gov

STATE OF VERMONT



Prosecuting Attorney
Office of
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89 Main Street
3rd Floor
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Office of the Secretary of State

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Sarah Copeland Hanzas, Secretary of State
S. Lauren Hibbert, Deputy Secretary
Kevin A. Rushing, Director

June 1, 2023

Jennifer Colin, Esq.
Office of Professional Regulation
89 Main Street, 3rd Floor
Montpelier, VT 05620-3402

Case Re: Sarah Appletree
Credential: License # 026.0115156
Docket No: 2018-10

Dear Attorney Colin:

Please find the enclosed Request to Remove Conditions filed on the above captioned docket number. Pursuant to the Office of Professional Regulation's Administrative Rule 3.8 you have 10 days to respond to the motion.

You may contact me at (802) 828-2367 if you have any questions.

Sincerely,

/s/ Julie Bowen
Docket Clerk

Enc: *Request to Remove Conditions*

Cc: Kristin Donnelly, Case Manager
Sarah Appletree, Respondent

Bowen, Julie

From: savetheferalcats@hotmail.com
Sent: Thursday, June 1, 2023 10:45 AM
To: SOS - Docket Clerk
Cc: Donnelly, Kristin; Colin, Jennifer
Subject: Re: Petition for Removal of Conditions ; Docket Number : 2018-10

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Sent from my iPhone

> On Jun 1, 2023, at 10:43 AM, savetheferalcats@hotmail.com wrote:

>

> Sarah E. Appletree RN

> 026.0115156

> Docket Number: 2018-10

> Greetings!

> I am writing this petition to remove my conditioned RN License . It comes with great thought and reflection upon my oath and responsibilities as a nurse and the privilege to practice and help patients.

> I have always followed and respected the importance of this opportunity to have a second chance to learn and excel and improve my practice. There has been deep reflection and growth internally and professionally!

> My U/A's were always on time, and my attendance for logging in to adhere to this was perfect. My reports from the Director of Nursing show perfect attendance and adherence to all my patients . I practice with empathy, and a deep understanding of physiological and psychosocial understanding. Striving to improve the quality of life for others. I have taken responsibility for my former actions, and understand the true privilege it is to be a nurse! I thank you for your time and help.

> Regards,

> Sarah E Appletree RN

> 1-860-416-8859

>

>

> Sent from my iPhone



State of Vermont
Office of the Secretary of State

Office of Professional Regulation
89 Main Street, 3rd Floor
Montpelier, VT 05620-3402
sos.vermont.gov

Sarah Copeland Hanzas, Secretary of State
S. Lauren Hibbert, Deputy Secretary

January 10, 2023

Sarah Appletree
P.O. Box 758
Barton, VT 05822-0758

CASE: Sarah Appletree
Docket No.: 2018-10

Dear Ms. Appletree:

Enclosed please find a copy of the approved *Modification Stipulation and Consent Order*

For questions about complying with this Order, please contact the Case Manager at 802-828-2875

Sincerely,

DocuSigned by:

74418E28DA26447...
Agatha Kessler
Deputy Director

Enc: *Modification Stipulation and Consent Order*

cc: Jennifer Colin, Esq., Prosecuting Attorney
Kristin Donnelly, Case Manager

**STATE OF VERMONT
SECRETARY OF STATE
OFFICE OF PROFESSIONAL REGULATION
BOARD OF NURSING**

IN RE:)
Sarah Appletree) **Docket No. 2018-10**
License No. 026.0115156)

MODIFICATION STIPULATION AND CONSENT ORDER

STIPULATION

NOW COMES the State of Vermont, by and through Prosecuting Attorney Jennifer B. Colin, and Respondent Sarah Appletree, who hereby stipulate and agree as follows:

Board Authority

1. The Vermont State Board of Nursing (the "Board") has authority to issue warnings or reprimands; suspend, revoke, limit, or condition current licenses; or prevent the renewal of lapsed licenses if, after disciplinary hearing, the Board finds that the Respondent has engaged in unprofessional conduct. 3 V.S.A. §129(a); 3 V.S.A. §129a; 3 V.S.A. §814(d); 26 V.S.A. Chapter 28; the Administrative Rules of the Board of Nursing (the "ARBN"); and the Rules of the Office of Professional Regulation.

Stipulated Facts

2. Sarah Appletree is licensed by the State of Vermont as a Registered Nurse ("RN") under license number 026.0115156. This license was originally issued September 14, 2015 and expires on March 31, 2023.
3. In 2018, Respondent's RN license was indefinitely suspended due to diversion of Fioricet from her place of employment in 2015 and failure to disclose discipline in another state to the Vermont Office of Professional Regulation.
4. In 2021, Respondent sought and was granted reinstatement of her license with conditions as set forth in a Stipulation and Consent Order signed by the Board and entered July 13, 2021 ("2021 Order"). See Attachment 1.
5. In the 2021 Order, Paragraph 6, p.3 "Random Drug and Alcohol Testing" required Respondent to submit to random alcohol and drug testing. This provision also allowed Respondent to petition for removal of the condition after a minimum period of six months of full compliance.

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6. Since the entry of the 2021 Order, Respondent has fully complied with the random alcohol and drug testing requirement. Respondent has not missed a single check-in during the last six months and all UA's have been negative.
7. The State fully supports Respondent's request to modify the 2021 Order by removing the random alcohol and drug testing requirement in Paragraph 6, p.3 of the 2021 Order.

Understandings

8. Respondent admits the facts above are true and that the conditions below are necessary to protect the public.
9. Respondent understands that the Nursing Board must review and accept the terms of the Consent Order. If the Board rejects any portion, the entire Stipulation and Consent Order shall be null and void.
10. Respondent specifically waives any claims that any disclosures made to the full Board during its review of this agreement have prejudiced her rights to a fair and impartial hearing in future hearings if this agreement is not accepted by the Board.
11. Respondent has read and reviewed this entire document and agrees that it contains the entire agreement between the parties.
12. Respondent is not under the influence of any drugs or alcohol at the time she signs this Stipulation and Consent Order.
13. Respondent voluntarily enters into this agreement after the opportunity to consult with legal counsel and is not being coerced by anyone into signing this Stipulation and Consent Order.
14. Respondent voluntarily waives her right to a contested hearing before the Board of Nursing and waives any right to appeal from this Stipulation and Consent Order.
15. Respondent agrees that the Order set forth below may be entered by the Board.

ORDER

Based on the Stipulation above, it is **ORDERED AND ADJUDGED** as follows:

- A. The Board of Nursing hereby **MODIFIES** the Stipulation and Consent Order entered on July 13, 2021 as follows:
 1. Paragraph A.6. of the 2021 Order (p.3) is removed and Respondent shall no longer be required to submit to random drug and alcohol testing.
- B. All other provisions of the 2021 Order entered July 13, 2021 shall remain in full force and effect.

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- C. Notwithstanding any provision above, the Respondent must continue to meet all Board requirements for maintaining a license, license renewal and license reinstatement.
- D. This Stipulation and Consent Order is a matter of public record and may be reported to other licensing authorities as provided in 3 V.S.A. §129(a).
- E. This Stipulation and Consent Order will remain part of Respondent's licensing file and may be used for purposes of determining sanctions in any future disciplinary matter.

AGREED TO:

**STATE OF VERMONT
SECRETARY OF STATE**

Dated: 1/5/2023

By: DocuSigned by:
Jennifer B. Colin
D180D9C5BA6545B
Jennifer B. Colin
Prosecuting Attorney

RESPONDENT

Dated: 1/5/2023

By: DocuSigned by:
Sarah E. Appletree
B003A7C108AF4F7
Sarah Appletree

APPROVED AND SO ORDERED:

VERMONT BOARD OF NURSING

Dated: 1/10/2023

By: DocuSigned by:
Jennifer Laurent
E017441015710477
Chairperson

Date of Entry: 1/10/2023

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Office of
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05620-3402

**STATE OF VERMONT
SECRETARY OF STATE
OFFICE OF PROFESSIONAL REGULATION
BOARD OF NURSING**

IN RE:)
Sarah Appletree) **Docket No. 2018-10**
License No. 026.0115156)

STIPULATION AND CONSENT ORDER

STIPULATION

NOW COMES the State of Vermont, by and through Prosecuting Attorney Jennifer B. Colin, and Respondent Sarah Appletree; who hereby stipulate and agree as follows:

Board Authority

1. The Vermont State Board of Nursing (the "Board") has authority to issue warnings or reprimands; suspend, revoke, limit, or condition current licenses; or prevent the renewal of lapsed licenses if, after disciplinary hearing, the Board finds that the Respondent has engaged in unprofessional conduct. 3 V.S.A. §129(a); 3 V.S.A. §129a; 3 V.S.A. §814(d); 26 V.S.A. Chapter 28; the Administrative Rules of the Board of Nursing (the "ARBN"); and the Rules of the Office of Professional Regulation.

Stipulated Facts

2. Sarah Appletree is licensed by the State of Vermont as a Registered Nurse ("RN") under license number 026.0115156. This license was originally issued September 14, 2015 and expired on March 31, 2019.
3. In 2018, Respondent's RN license was indefinitely suspended due to diversion of Fioricet from her place of employment in 2015 and failure to disclose discipline in another state to the Vermont Office of Professional Regulation.
4. Respondent now seeks reinstatement of her RN license.
5. As required by the 2018 Order, Respondent submitted to three random urinalyses within 45 days of requesting reinstatement, all with negative results.
6. Respondent obtained an independent evaluation, as required by the 2018 Order.
7. The results of Respondent's evaluation do not indicate any substance use diagnosis. The Independent Evaluator did not recommend any ongoing substance use treatment.

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8. Based on the underlying facts of the 2018 Order and the content and substance of Respondent's independent evaluation, the State supports Respondent's reinstatement request, with the conditions as outlined below.

Understandings

9. Respondent admits the facts above are true and that the conditions below are necessary to protect the public.
10. Respondent understands that the Nursing Board must review and accept the terms of the Consent Order. If the Board rejects any portion, the entire Stipulation and Consent Order shall be null and void.
11. Respondent specifically waives any claims that any disclosures made to the full Board during its review of this agreement have prejudiced her rights to a fair and impartial hearing in future hearings if this agreement is not accepted by the Board.
12. Respondent has read and reviewed this entire document and agrees that it contains the entire agreement between the parties.
13. Respondent is not under the influence of any drugs or alcohol at the time she signs this Stipulation and Consent Order.
14. Respondent voluntarily enters into this agreement after the opportunity to consult with legal counsel and is not being coerced by anyone into signing this Stipulation and Consent Order.
15. Respondent voluntarily waives her right to a contested hearing before the Board of Nursing and waives any right to appeal from this Stipulation and Consent Order.
16. Respondent agrees that the Order set forth below may be entered by the Board.

ORDER

Based on the Stipulation above, it is **ORDERED AND ADJUDGED** as follows:

- A. The Board of Nursing hereby **REINSTATES** and **CONDITIONS** the Respondent's license and/or re-entry permit for a **MINIMUM OF ONE (1) YEAR**, commencing on the date of reinstatement. The **CONDITIONS** shall be as follows:
1. Renewal. Respondent is immediately eligible to renew and revive her Registered Nurse license. Respondent must comply with all requirements of license renewal.
 2. Re-issuance of License. Upon the commencement of these conditions and the renewal of Respondent's license, Respondent shall be issued a license labeled "conditioned."

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3. **Length of Time of Conditions Imposed.** The conditions shall remain in place until Respondent has completed all conditions ordered. Respondent shall be subject to the conditions until Respondent completes a minimum of one (1) year of supervised registered nursing practice in which Respondent works at least eighty (80) hours every calendar month as a registered nurse. Part time hours of fewer than eighty (80) hours every calendar month shall be credited on a prorated basis. Respondent shall be prohibited from working more than forty (40) hours per week.
4. **Monitoring.** The Office of Professional Regulation, through the Enforcement Case Manager, shall be responsible for monitoring Respondent's compliance with these Conditions. All reports or correspondence regarding compliance with these conditions shall be submitted to the Case Manager in accordance with the Conditions listed below.
5. **Required Coursework.** Respondent shall, at her own expense and within ninety (90) days of the date of entry of this Stipulation and Consent Order, successfully complete (i.e., receive a passing score, if applicable) the NCSBN online course entitled "Righting a Wrong: Ethics and Professionalism in Nursing" (<https://www.ncsbn.org/5125.htm>) and submit test results, workbooks completed to the satisfaction of the Case Manager, and certificates of completion to the Office of Professional Regulation.

Failure to successfully complete the course within the prescribed timeframe shall constitute a violation of this Order. The coursework may not be counted toward any continuing education requirement of licensure.
6. **Random Drug and Alcohol Testing.** Respondent shall submit to random drug and alcohol testing through the designated entity. All testing shall be done on a random, unannounced basis and analyzed by a lab qualified to analyze samples for forensic purposes. All specimens collected for tests shall be collected in an observed setting. All test results shall be negative.

Failure to appear for, refusal to provide, adulteration of, dilution of, or tampering with a sample for any test shall cause that test result to be presumed positive. Any positive test result shall constitute a violation of this Order. Failure to check-in to determine whether Respondent is selected for testing on any given day, regardless of whether Respondent is actually selected that day, may be considered a violation of this Order.

This condition may be removed only by Respondent filing a petition with the Board after Respondent has fully complied with the random testing requirement for a minimum period of six (6) months. The State shall consent or object to any such petition, and a hearing may be held. In any such petition, Respondent must demonstrate, to the satisfaction of the Nursing Board, full compliance with this provision.

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7. **Abstain from Drug and Alcohol Use.** Respondent shall abstain completely from the consumption or possession of alcohol and drugs.

8. **Drug Use Exception.** Respondent may take scheduled/controlled medications lawfully prescribed for a bona fide illness or condition by a health care practitioner disclosed to the Case Manager in writing by Respondent within forty-eight (48) hours of the prescription. If requested by the Enforcement Case Manager, Respondent's health care practitioner shall acknowledge, in writing and on appropriate letterhead, an understanding of Respondent's substance abuse issue(s) within seven (7) days of entering into the practitioner/patient relationship. Additionally, the practitioner shall inform the Case Manager of all scheduled/controlled medications prescribed – and the anticipation of how long such prescriptions will need to be taken – within seven (7) days of the prescription.

The Case Manager may request that the practitioner document the necessity for the prescribed scheduled/controlled medications or other medications known to have abuse potential.

Respondent shall provide the Case Manager with a current medication list of any medications taken on a scheduled or as-needed basis on forms issued by the Case Manager within seven (7) days of the date of reinstatement and shall update this list within forty-eight (48) hours of any change in these medications or when requested by the Case Manager.

9. **Notification to Employers/Nursing School.** Respondent shall provide a copy of this Stipulation and Consent Order to all employers in any current or future setting in which Respondent practices as a nurse and inform them of Respondent's conditional license status. Within ten (10) days of the date of entry of this Consent Order or of any subsequent nursing employment, Respondent shall cause Respondent's immediate supervisor to submit to the Board an employer agreement form approved by the Board, acknowledging receipt of the Stipulation and Consent Order and the ability to comply with the conditions in the Consent Order.

In the event Respondent is attending a nursing program which has a clinical portion that involves actual patient care, Respondent shall provide a copy of the Stipulation and Consent Order to the Program Director. Respondent shall cause the Program Director to submit to the Board a nursing program agreement form approved by the Board, acknowledging receipt of the Stipulation and Consent Order and the ability of the program to comply with the conditions in the Consent Order during clinical experience.

10. **Reports from Employers/Program Director.** Within one (1) month of the date of reinstatement or within one (1) month of the commencement of nursing employment and monthly thereafter, Respondent shall cause every nursing employer Respondent has worked for during the month to submit to the Board an evaluation of Respondent's work performance and attendance during that month. In the event Respondent is attending a nursing program, Respondent shall cause the Program Director to submit to the Board, on a monthly basis, a written

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evaluation of Respondent's performance and attendance. These reports shall be submitted in writing on forms issued by the Board. All employer reports shall indicate satisfactory performance (i.e., consistently meeting all standards of nursing practice) and attendance.

11. Practice Under Supervision. Respondent shall practice as a registered nurse only in a setting where Respondent has on-site supervision for the entire shift by a licensed registered nurse that is in good standing with the Board.
12. Types of Employment Prohibited. Respondent shall not work in a supervisory role. Respondent shall not work for a nurse registry, traveling nurse agency, float-pool, home health care agency, temporary nursing employment agency, or as a private duty nurse or personal care provider requiring a nursing or nursing assistant license during the effective period of this Consent Order.
13. Interview with the Board or its Designee. Respondent shall appear in person for interviews with the Board or its designee upon request.
14. Out-of-State Practice. Before any out-of-state practice can be credited toward fulfillment of these terms and conditions, Respondent shall first obtain approval from the Board or its designee. The Board will approve out-of-state nursing practice so long as Respondent can still comply with the provisions of this Consent Order. If Respondent receives discipline on a nursing license held in another state during the conditioned period, Respondent must inform the Board of such, in writing, within ten (10) days of receiving such discipline.
15. Notification of Place of Employment/Personal Address/Telephone Number. Within ten (10) days of the date of entry of this Consent Order, Respondent shall notify the Board, in writing, of Respondent's current place of employment, personal address, and telephone number. Respondent shall further notify the Board, in writing, within forty-eight (48) hours of any change in employment (including resignation or termination), personal address, or telephone number.
16. Notification to Other States. In the event that Respondent is licensed in nursing in any other state(s), Respondent must inform the nursing licensing board of the state(s) in which Respondent is licensed of the conditional status of Respondent's Vermont nursing license within thirty (30) days of the date of entry of this Order.
17. License Renewal. This Order does not automatically extend the license and Respondent must comply with the requirements for license renewal.
18. Costs. Respondent shall bear all costs of complying with this Consent Order.
19. Violation of this Order. If Respondent violates this Order the Board, after giving Respondent notice and an opportunity to be heard, may rescind or modify this Order and impose additional appropriate disciplinary actions. If a complaint of unprofessional conduct is made against Respondent during the term of this Order,

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this Order shall be automatically extended until the unprofessional conduct matter is concluded.

20. Completion of Conditional License Period. Respondent shall submit a petition to the Docket Clerk to remove any and all conditions on Respondent's license. The State will assent to or oppose Respondent's petition. The Board will conduct a hearing if necessary. Respondent bears the burden and must present proof that Respondent has fully complied with the terms of this Order and these conditions are no longer necessary to protect the public.
- B. Notwithstanding any provision above, the Respondent must continue to meet all Board requirements for maintaining a license, license renewal and license reinstatement.
- C. This Stipulation and Consent Order is a matter of public record and may be reported to other licensing authorities as provided in 3 V.S.A. §129(a).
- D. This Stipulation and Consent Order will remain part of Respondent's licensing file and may be used for purposes of determining sanctions in any future disciplinary matter.

AGREED TO:

**STATE OF VERMONT
SECRETARY OF STATE**

Dated: July 07, 2021

By: E-SIGNED by Jennifer Colin
on 2021-07-07 12:59:25 EDT
Jennifer B. Colin
Prosecuting Attorney

RESPONDENT

Dated: July 07, 2021

By: E-SIGNED by Sarah Appletree
on 2021-07-07 09:41:17 EDT
Sarah Appletree

APPROVED AND SO ORDERED:

VERMONT BOARD OF NURSING

Dated: July 12, 2021

By: E-SIGNED by Jennifer Laurent
on 2021-07-12 12:45:31 EDT
Chairperson

Date of Entry: 7/13/2021

STATE OF VERMONT



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