



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

November 14, 2023

Trisha Nash
P.O. Box 173
Wallingford, VT 05773

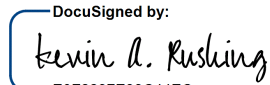
Case: Trisha Nash
Docket No: 2018-21

Dear Ms. Nash:

Enclosed please find a copy of the Approved Order to Remove Conditions in the above docket.

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

Sincerely,

DocuSigned by:

E0F2237E33C44EC...
Kevin A. Rushing
Director

Enc: Order to Remove Conditions

Cc: Jennifer Coline, Esq., Prosecuting Attorney
Kristin Donnelly, Case Manager
Trisha Nash, Respondent, First Class Mail, Certified Mail & Email

State of Vermont
Vermont Board of Nursing

In re: Trisha Nash
License Number: 026.0024053
Docket Number: 2018-21

Order to Remove Conditions

On November 13, 2023, the Vermont Board of Nursing considered Trisha Nash's request to remove conditions pursuant to a Stipulation & Consent Order under Docket Number 2018-21. Ms. Nash has successfully completed the conditions. After review of the follow-up file, the State does not object to removal of all conditions.

Order:

The Board hereby removes all conditions from Trisha Nash's RN license.

Vermont Board of Nursing

DocuSigned by:

Jennifer Laurent

ES:1744016710477...

Jennifer Laurent, Chair

Date: November 13, 2023

Date of Entry:

11 / 14 / 23

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

IN RE:	)	
Trisha Nash	)	Docket No. 2018-21
License No. 026.0024053	)	

**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 026.0024053. The State has attached to this response a proposed Order should the Board decide to grant Respondent's request.

Dated this 6th day of November, 2023.

STATE OF VERMONT
SECRETARY OF STATE

By: /s/ Jennifer B. Colin
Jennifer B. Colin
State Prosecuting Attorney
Jennifer.Colin@vermont.gov

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

September 28, 2023

Trisha Nash
P.O. Box 173
Wallingford, VT 05773

Case: Trisha Nash
Credential: License # 026.0024053
Docket No: 2018-21

Dear Ms. Nash:

Enclosed please find a copy of the *Findings of Fact, Conclusions of Law, and Order* in the matter captioned above. This is a final administrative determination.

If you are aggrieved by this decision, you may begin the appeal process by filing a Notice of Appeal with the Office of Professional Regulation. **The notice must be received no later than 30 days from the decision's date of entry** (see last page of order). Send the appeal to:

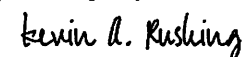
Office of Professional Regulation
Attn: Julie Bowen, Docket Clerk
89 Main Street, 3rd Floor
Montpelier, VT 05620-3402

The appeal does not stop the disciplinary action from going into effect. If you wish to have the disciplinary action stayed during the appeals process, you must specifically request a stay in writing. Your request for a stay will be considered, and a decision to grant or deny a stay will be issued. Please see the enclosed instructions.

If you have questions, please do not hesitate to contact the Office at (802) 828-2367.

Sincerely,

DocuSigned by:


Kevin A. Rushing
Director

Enclosures: *Findings of Fact, Conclusions of Law, and Order*

cc: Kassandra Diederich, Esq., Hearing Officer
Jennifer Colin, Esq., Prosecuting Attorney
Kristin Donnelly, Case Manager
Trisha Nash, Respondent, First Class Mail, Certified Mail & Email

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

In re: TRISHA M. NASH

License No. 026.0024053

}
} Docket No. 2018-21
}

FINDINGS AND ORDER DENYING REQUEST FOR REMOVAL OF CONDITIONS

Participating Board Members:

Jennifer Laurent, APRN, Chair
Ginger Gillette-Kent, APRN
Kelly Sinclair, LNA
William "Jamie" Floyd, RN
Jennifer Lyon, RN
Matthew Choate, RN
Deborah Belcher, Public Member
Daniel Coane, Public Member

Appearances:

Prosecuting the case: Jennifer Colin, Esq., who participated electronically
Petitioner: participated electronically and represented herself

Presiding Officer:

Kassandra Diederich

Exhibits:

Petitioner Exhibit A: Request for removal of conditions dated August 3, 2023

Findings of Fact

This matter came before the Board of Nursing ("Board") on a request by the Petitioner to reinstate her Registered Nurse license. The hearing was held on September 11, 2023, at a regular meeting of the Board. The hearing was held by electronic means by virtual and telephone participation by the Board members and parties, pursuant to the Administrative Rules for Remote Hearings, the Board's Administrative Rules, and applicable Vermont statutes. Notice of the hearing was given to the parties and there were no objections to notice.

Based on the evidence presented to the Board, the pleadings and the arguments of the parties, the Board finds as follows:

1. Petitioner, Trish Nash, was originally licensed as a Registered Nurse in 1998. In August of 2018, Petitioner, the State and the Board agreed via Stipulation and Consent Order to indefinitely

suspend her RN license for a minimum period of one year due to Petitioner diverting narcotics, engaging in conduct likely to deceive, defraud or hard the public, filing false reports, and failing to exercise independent judgment. In August of 2019, Petitioner requested reinstatement of her license after obtaining an independent evaluation and submitting random urinalyses as required by the 2018 Order. In October of 2019, the Board approved a Stipulation and Consent Order which provided for the reinstatement of her license that was conditioned and subject to numerous requirements. Such conditions were imposed for a minimum of three years. Specifically, paragraph 3 of the Order states that she is subject to the conditions until she completes a minimum of three years of supervised practice where she works 40 hours every two weeks. Since the entry of Order in October of 2019, Petitioner has twice requested that the Board modify the conditions in the 2019 Order. The Board granted both requests. The first conditions removed were the substance use disorder treatment requirements and the individual therapy condition. The second condition removed was the prohibition against her administering controlled substances.

2. On August 3, 2023, Petitioner requested removal of all conditions from her RN license. Her petition was brief, and simply stated: "To whom is [sic] may concern, I am writing to the Board of Nursing requesting that they consider a request to end my stipulations earlier than my 3 year mark which is November 8, 2023." Petitioner attached a letter of support from her supervisor. The letter did not provide any specific reason for the request to remove conditions, although there was a statement about no longer having funding to support agency RNs to ensure RN supervision.
3. On August 21, 2023, the State filed an Opposition to Petitioner's request for removal of conditions. The State cites two reasons for opposing her request: (1) Petitioner has not completed the three-year term for her license conditions and thus is not eligible for removal of conditions; and (2) she has not provided any legal justification under V.R.C.P. 60(b) for the removal of her conditions several months early.
4. Petitioner testified that she isn't really seeking removal of her license conditions. Her Director of Nursing encouraged her to seek removal of her remaining conditions as it has been difficult and expensive for her employer to have an RN at the facility to supervise her as required by her current license conditions¹. She has a second job wherein meeting her license conditions does not create a hardship on the employer. She specifically stated, "...whatever happens is totally fine with me."

Conclusions of Law

1. The burden of proof in a petition to be relieved from a final judgment or order of the Board is on the party seeking the relief. Vermont Rule of Civil Procedure 60(b) has been incorporated into the Office of Professional Regulation Administrative Rules of Practice via Rule 2.4. V.R.C.P. 60(b) provides that a licensee must demonstrate one of the following six reasons they should be relieved from a final judgment or order issued by the Board: (1) mistake, inadvertence, surprise, or excusable neglect; (2) newly discovered evidence; (3) fraud, misrepresentation, or misconduct by an adverse party; (4) the judgment is void; (5) the judgment has been satisfied, released or discharged, or it is no longer equitable that the judgment should have future application; or (6) any other reason justifying relief from the operation of judgment.
2. Petition did not meet her burden of proof as she did not satisfy the requirements of V.R.C.P. 60(b). She has not shown a legitimate reason to justify modifying the existing Order of the Board. In fact, she testified that it was her employer, not her, who was seeking removal of her existing license conditions. While the Board is sympathetic to the plight of Petitioner's employer, it does

¹ One of the remaining conditions in the 2019 Order requires that she only practice in a setting where she has onsite supervision for the entire shift by a RN.

- not find that it is enough of a justification to relieve her from the existing conditions on her RN license. Additionally, she will be eligible to seek removal of the conditions in three months' time.
3. As such, the Petitioner's request for removal of conditions from her RN license is **DENIED**.

Order

In accordance with the above Findings of Fact and Conclusions of Law the Board does **ORDER** that Petitioner's request for removal of the remaining conditions on her RN license is **DENIED**.

SO ORDERED.

Vermont Board of Nursing

DocuSigned by:
Jennifer Laurent
EB1741815718477
Jennifer Laurent, APRN, Chair

9/28/23
Date

9/28/2023
Date of Entry
Vermont Office of Professional Regulation

APPEAL RIGHTS

This is a final administrative determination by the Vermont Board of Nursing or Director of the Office of Professional Regulation. A party aggrieved by a final decision of a board or hearing authority may appeal this decision by filing a written Notice of Appeal with the Director of the Office of Professional Regulation, Vermont Secretary of State, 89 Main Street, Fl. 3, Montpelier, VT 05620-3402 within 30 days of the entry of this order. If an appeal is filed, the Director of the Office of Professional Regulation shall assign the case to an appellate officer. The review shall be conducted on the basis of the record created before the board. In cases of alleged irregularities in procedure before the board, not shown in the record, proof on that issue may be taken by the appellate officer. 3 V.S.A. §§ 129(d) and 130a.

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

IN RE: Trisha M. Nash License No. 026.0024053	)))	Docket No. 2018-21
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OPPOSITION TO PETITION FOR REMOVAL OF CONDITIONS

NOW COMES the State of Vermont, by and through Prosecuting Attorney Jennifer B. Colin, and hereby opposes Respondent Trisha M. Nash's Petition for Removal of Conditions from her Registered Nurse (RN) license for the reasons stated in the following supporting memorandum.

MEMORANDUM

In August 2018, Respondent, the State and the Board of Nursing agreed to indefinitely suspend Respondent's RN license for a minimum period of one year because Respondent diverted narcotics from the Facility where she worked, engaged in conduct likely to deceive, defraud, or harm the public, filed false reports, and failed to exercise independent professional judgment. In August 2019, Respondent requested reinstatement after having an independent evaluation. On October 4, 2019, Respondent voluntarily entered a Stipulation which allowed for the reinstatement of Respondent's RN license conditioned upon and subject to numerous requirements which, the Parties agreed, were necessary to protect the public. The Board approved the Stipulation in a Consent Order entered on October 15, 2019 ("2019 Order"). See 2019 Order, attached hereto as Attachment A. The conditions in the 2019 Order included supervision of her practice, submission of monthly employer reports, and participation in recovery group. The 2019 Order also limited Respondent's practice setting, permitted no more than 40 hours per week of practice, and prohibited Respondent from working in a supervisory role. The

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conditions were imposed for a minimum of three years, meaning three years of supervised RN practice in which Respondent worked as an RN. *See Attachment A at p.3 (Condition A.3).* After Respondent's reinstatement, it was some time before Respondent worked as an RN. December 2020 was the first month employer reports were submitted. The Board modified the conditions in the 2019 Order twice since it was entered, first removing substance use disorder treatment requirements and the individual therapy condition (Order to Remove Conditions entered August 11, 2020, attached as Attachment B1) and then lifting the prohibition against Respondent administering controlled substances (Order to Remove Condition A.14 entered June 18, 2021, attached as Attachment B2).

Respondent has filed a petition with the Board of Nursing requesting removal of all conditions from her RN license. The entirety of Respondent's petition stated: "To whom is [sic] may concern, I am writing to the Board of Nursing requesting that they consider a request to end my stipulations earlier than my 3 year mark which is November 8, 2023." Though Respondent's petition failed to provide any reason for the request, Respondent attached a letter of support from her employer, which implies that her employer can no longer fund RN supervision.

The State opposes Respondent's petition because: (1) Respondent is not eligible for removal of conditions until Respondent has completed the three-year minimum term; and (2) Respondent has not presented any legal justification under V.R.C.P. 60(b) for vacating the Order or relieving Respondent from the obligations of the Order several months early.

The 2019 Order reinstated and conditioned Respondent's RN license for a minimum period of three years and provided:

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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 three (3) years of supervised registered nursing practice in which Respondent works at least forty (40) hours every two (2) weeks as a registered nurse. Part time hours of fewer than forty (40) hours shall be credited on a prorated basis. Respondent shall be prohibited from working more than forty (40) hours per week.

See Attachment A at p.3, #3. Respondent's first month of supervised RN practice was December 2020. In order to complete the required three-year (36 month) term, Respondent must practice through the month of November 2023, and the employer report for her last month of supervised nursing practice would be due to the Case Manager in the first part of December 2023. Respondent agreed to the term of a minimum of three years of supervised practice.

Under Vermont Rule of Civil Procedure 60(b), which has been incorporated into the Office of Professional Regulation Administrative Rules of Practice through Rule 2.4, licensees must demonstrate one of six (6) reasons they should be relieved from a final judgment or order issued by the Board: 1) mistake, inadvertence, surprise, or excusable neglect; 2) newly discovered evidence; 3) fraud, misrepresentation, or misconduct by an adverse party; 4) the judgment is void; 5) the judgment has been satisfied, released, or discharged, or it is no longer equitable that the judgment should have future application; or 6) any other reason justifying relief from the operation of the judgment. Of those six reasons, only (6) is potentially applicable to Respondent's situation. However, the State's position is that the employer's letter of support which implies that the facility no longer has funding for RN supervision of Respondent is not adequate justification for modification or vacating of a stipulated order entered by the Board of Nursing to protect the public.

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Finality of Board orders promotes efficiency, provides consistency and predictability in the enforcement process, and protects the public. It would not promote efficient use of the Board's resources or the resources of OPR, for the Board to allow changes to or vacating a stipulated final Board order without adequate legal justification under V.R.C.P. 60(b).

WHEREFORE the State respectfully requests that the Board deny Respondent's request to remove the conditions from her license at this time.

DATED at Montpelier, Vermont this 21st day of August, 2023.

STATE OF VERMONT
SECRETARY OF STATE

By: /s/ Jennifer B. Colin
Jennifer B. Colin
Prosecuting Attorney
(802)828-1218
Jennifer.Colin@vermont.gov

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ATTACHMENT A

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

IN RE:

Trisha M. Nash

License No. 026.0024053

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Docket No. 2018-21

STIPULATION AND CONSENT ORDER

STIPULATION

NOW COME the State of Vermont, by and through Prosecuting Attorney Jennifer B. Colin, and Respondent Trisha M. Nash, 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.

Stipulation of Facts

2. Trisha M. Nash ("Respondent") of Wallingford, Vermont is licensed by the State of Vermont as a Registered Nurse ("RN") under license number 026.0024053. This license was originally issued on June 17, 1998 and expired on March 31, 2019.
3. In August 2018, the Board entered a Stipulation and Consent Order ("2018 Order") indefinitely suspending Respondent's RN license for a minimum of one year based upon Respondent's diversion of narcotics from Rutland Regional Medical Center, falsifying medical records and reports, and deceiving nursing colleagues to document waste of narcotics. *See Attachment A.*
4. Respondent seeks reinstatement of her license.
5. Respondent obtained an independent evaluation and submitted to random urinalyses as required by the 2018 Order.
6. The Independent Evaluator recommended that Respondent engage in individual substance abuse counseling, individual psychotherapy, and group substance abuse counseling for three months prior to practicing nursing.

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7. Based upon 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

8. Respondent admits that 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 the 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 **REINSTATES** and **CONDITIONS** the Respondent's license and/or re-entry permit for a **MINIMUM OF THREE (3) YEARS**, 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 three (3) years of supervised registered nursing practice in which Respondent works at least forty (40) hours every two (2) weeks as a registered nurse. Part time hours of fewer than forty (40) hours every two (2) weeks 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. Resumption of Nursing Practice. Respondent may resume the practice of the nursing profession upon receipt of written confirmation from the Enforcement Case Manager of receipt of three (3) months of reports from her substance abuse counselor and her psychotherapy counselor (per Paragraphs 6 and 7 below), as well as her first quarterly log of group substance abuse counseling attendance. Respondent shall not commence nursing practice prior to receiving such written confirmation from the Enforcement Case Manager.
6. Substance Abuse Counseling, Treatment Plan, Treatment Reports and Recovery Group. Per the recommendation of Respondent's independent evaluation, Respondent shall engage in individual and group substance abuse counseling in accordance with the following Conditions:
 - a. Respondent shall continue substance abuse counseling and comply with the substance abuse treatment plan until such time as the pre-approved treating professional certifies in writing to the Board that substance abuse counseling is no longer necessary and Respondent successfully petitions for a modification of these conditions. Within ten (10) days of the date of beginning treatment, Respondent shall provide a copies of this Stipulation and Consent Order and the Independent Evaluations of Carolyn Prescott and Richard Root to her treatment provider and inform him/her of Respondent's conditional license status and the accompanying conditions. Respondent's treating professional shall submit to the Board, on forms provided by the Board, acknowledgement of receipt of the Stipulation and Consent Order and the Independent Evaluations along with Respondent's current treatment plan.
 - b. Respondent shall authorize Respondent's treating professional to submit to the Board monthly reports on forms issued by the Board. Respondent shall authorize Respondent's treating professional to provide all information requested by the Nursing Board, either orally or in writing, at any time during the period this Consent Order is in effect.

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- c. If Respondent takes prescribed medications as part of her substance abuse counseling and treatment, Respondent's monthly treating professional reports must also indicate Respondent's current dosage and whether Respondent is appropriately taking her medication as prescribed. Respondent must continue to take such medications as prescribed, until her treating professional certifies in writing to the Board that such medication is no longer necessary.
 - d. Respondent shall participate in substance abuse recovery group(s) at least every other week until such time as the treating professional certifies in writing to the Board that substance abuse recovery group(s) is no longer necessary and Respondent successfully petitions for modification of these conditions. Respondent shall submit quarterly reports documenting such attendance on forms issued by the Board.
7. Individual psychotherapy. Respondent shall engage in individual psychotherapy with a professional preapproved by the Board or designee who is qualified and experienced to provide psychotherapeutic counseling of individuals with a history of trauma and substance abuse. Within ten (10) days of the date of beginning psychotherapy, Respondent shall provide a copies of this Stipulation and Consent Order and the Independent Evaluations of Carolyn Prescott and Richard Root to her counselor and inform him/her of Respondent's conditional license status and the accompanying conditions. Respondent shall comply with the psychotherapy treatment plan until such time as the treating professional certifies in writing to the Board that such counseling is no longer necessary and Respondent successfully petitions for modification of these conditions. Compliance with the treatment plan includes, but is not limited to, engaging in face-to-face meetings with the treating professional at the frequency recommended in the treatment plan.

Respondent shall authorize Respondent's psychotherapy treating professional to submit to the Board monthly reports on forms issued by the Board. The initial treatment plan and all revisions to the treatment plan must be included in the monthly reports to the Board. Respondent shall authorize Respondent's treating professional to provide all information requested by the Nursing Board, either orally or in writing, at any time during the period this Consent Order is in effect.

8. Random Drug and Alcohol Testing. Respondent shall submit to random drug and alcohol testing through the Board pre-approved entity. All testing shall be done on a random, unannounced basis and analyzed by a lab qualified to analyze samples for forensic purposes and approved by the Board. All urine specimens collected for tests shall be collected in an observed setting. All screens shall be negative.

Failure to appear for, refusal to provide, adulteration of, dilution of, or tampering with a sample for any urine screen shall cause that screen to be presumed positive. Any positive screen 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.

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

10. 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 Board in writing by Respondent within forty-eight (48) hours of the prescription. Respondent's health care practitioner shall inform the Board, in writing and on appropriate letterhead, of knowledge of Respondent's conditional license status within seven (7) days of entering into the practitioner/patient relationship. Additionally, the practitioner shall inform the Board 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 Board or its designee may request that the practitioner document the necessity for the prescribed scheduled/controlled medications or other medications known to have abuse potential. It is not anticipated that Respondent would be prescribed scheduled/controlled medication during the term of this Consent Order for a period greater than fourteen (14) days, but if so, then the conditions herein may be revoked by the Board.

Respondent shall provide the Board with a current medication list of any medications taken on a scheduled or as-needed basis on forms issued by the Board 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.

11. Notification to Employers/Nursing School. Respondent shall provide a copy of this Stipulation and Consent Order to all employers in any setting in which Respondent practices as a nurse and inform them of Respondent's conditional license status. Within ten (10) days of any 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.

12. Reports from Employers/Program Director. 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. Moreover, on a quarterly basis, these reports shall include the results of the employer's medication audits of Respondent's medication administration and

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practices, if and when Respondent engages in medication administration. 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 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.

13. Practice Under Supervision. Respondent shall practice as a registered nurse only in a setting where Respondent has onsite supervision for the entire shift by a registered nurse that is in good standing with the Board.
14. Administration of Medications. Respondent is prohibited from administering any controlled substances. This condition may be removed only by Respondent filing a petition with the Board after Respondent has worked as a registered nurse for six (6) months for at least forty (40) hours every two weeks (or the part time equivalent) after the date of reinstatement.

In any such petition, Respondent must demonstrate, to the satisfaction of the Nursing Board or its designee, that Respondent can safely and competently administer such medications. Respondent must include appropriate support from Respondent's treating professional and employer or nursing school administrator and a description of the documentation and inventory control procedures in place.

The removal of this prohibition shall not automatically result in the reinstatement of all medication privileges. The Board may gradually restore those privileges through whatever intermediary steps it determines are appropriate.

15. 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.
16. Interview with the Board or its Designee. Respondent shall appear in person for interviews with the Board or its designee upon request.
17. 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.

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18. 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.
19. 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.
20. License Renewal. This Order does not automatically extend the license and Respondent must comply with the requirements for license renewal.
21. Release of Information Forms. This Order requires Respondent to authorize drug and/or alcohol treatment providers to report information in verbal and/or written format and/or to discuss Respondent and any and all treatment rendered to Respondent for drugs and/or alcohol with the Board or its designee. Any and all of this information may be provided to the Office of Professional Regulation investigators, and that the information may be used for further prosecutions if so warranted or if the Office of Professional Regulation determines that said information violates the terms of this Order or any rules or laws governing the profession of nursing.

Respondent is entitled to revoke this consent at any time. However, any revocation shall be considered a violation of this Order. This consent expires when the conditions are removed from Respondent's nursing license.

This Stipulation and Consent Order shall itself constitute a valid written consent pursuant to the requirements of 42 C.F.R. §2.31. Respondent understands that Respondent's treatment provider may require Respondent's to sign a separate and distinct consent meeting the requirements of 42 C.F.R. §2.31.

22. Costs. Respondent shall bear all costs of complying with this Consent Order.
23. 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, this Order shall be automatically extended until the unprofessional conduct matter is concluded.
24. 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.

STATE OF VERMONT



Prosecuting Attorney
Office of
Professional Regulation
89 Main Street
3rd Floor
Montpelier, VT
05620-3402

- 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:

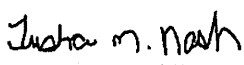
STATE OF VERMONT
SECRETARY OF STATE

Dated: 10/7/19

By: 
Jennifer B. Colin
Prosecuting Attorney

RESPONDENT

Dated: 10-4-2019

By: 
Trisha M. Nash

APPROVED AND SO ORDERED:

VERMONT BOARD OF NURSING

Dated: 10-14-2019

By: 
Chairperson

Date of Entry: 10.15.19

STATE OF VERMONT



Prosecuting Attorney
Office of
Professional Regulation
89 Main Street
3rd Floor
Montpelier, VT
05620-3402

State of Vermont
Vermont Board of Nursing

In re: Tricia Nash
License Number: 026.0024053
Docket Number: 2018-21

Order to Remove Conditions

On August 10, 2020, the Vermont Board of Nursing considered Trisha Nash's request for Removal of Conditions imposed pursuant to a Stipulation and Consent Order effective October 15, 2019, under Docket Number 2018-21. Tricia Nash has met conditions A.6.a – c and condition A.7. by submitting letters from her treating professionals attesting that she has successfully completed substance abuse counseling and individual psychotherapy. After review of the follow-up file, the State does not object to removal of conditions A.6.a - c and condition A.7.

Order:

The Board hereby removes conditions A.6.a - c and condition A.7 from Trisha Nash's registered nurse license. Condition A.6.d and all other conditions will remain in effect.

Vermont Board of Nursing

E-SIGNED by Ellen Watson
on 2020-08-11 10:41:56 EDT

Ellen Watson, APRN, Chair

Date: August 10, 2020

Date of Entry: 8 / 11 / 2020

Attachment B 2

**State of Vermont
Vermont Board of Nursing**

In re: Tricia Nash
License Number: 026.0024053
Docket Number: 2018-21

Order to Remove Condition A.14

On June 14, 2021, the Vermont Board of Nursing considered Trisha Nash's request for Removal of Condition imposed pursuant to a Stipulation and Consent Order effective October 15, 2019, under Docket Number 2018-21. Tricia Nash has met condition A.14, Administration of Medications, by submitting six satisfactory monthly employer reports and a letter from her Director of Nursing Services supporting the removal of a prohibition on administering controlled substances. After review of the follow-up file, the State does not object to removal of condition A.14.

Order:

The Board hereby removes condition A.14 from Trisha Nash's registered nurse license. All other conditions will remain in effect.

Vermont Board of Nursing

E-SIGNED by Ellen Watson
on 2021-06-15 12:28:46 EDT

Ellen Watson, APRN
Board Chairperson

Date: June 14, 2021

Date of Entry: 6 / 18 / 21



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

August 3, 2023

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

Case: Trisha Nash
Credential: License # 026.0024053
Docket No: 2018-21

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
Trisha Nash, Respondent

To whom it may concern,

I am writing to the Board of Nursing requesting that they consider a request to end my stipulations earlier than my 3 year mark which is November 8, 2023.

Sincerely,
Trisha Nash

Credential 026.0024053

Docket No. 2018-21

January Reichert, RN, DON

Gill Odd Fellows Home, 8 Gill Terrace, Ludlow, VT 05149
802-228-6860 jreichert@gofhvt.net

July 31, 2023

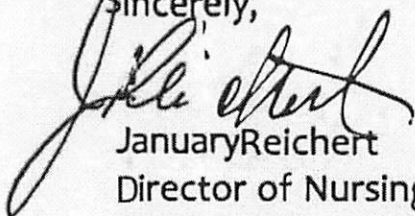
To Whom it may concern;

I am very pleased to support Trisha Nash's petition to end her conditions 3 months early. I have supervised Trisha since December of 2020, in her role as a conditioned RN (registered nurse) requiring supervision. We have never questioned her competency or practice. She has had no medication errors or discrepancies with narcotics.

Trisha has shown herself to be extremely knowledgeable not only in her role as a nurse, but also as a team player, supervisor of insubordinates, and the ability to work under stress. She has excellent "people skills" that encourage and motivate all around her. Trisha exhibits a positive attitude that prevails even during the most challenging situations. I have never once heard her state that something could not be done. She is strong, resilient, and level headed, yet compassionate, understanding, and willing to assist any staff member, patient, or family member/visitor.

Over the past 8 hrs, we have spent millions of dollars during the pandemic on agency RNs to ensure RN supervision during country wide staffing difficulties. With the end of the pandemic, the available government grants/funding for this has ended. Please feel free to contact me at any time should you require additional information. You may reach me at (802) 228-6860.

Sincerely,



January Reichert
Director of Nursing
Gill Odd Fellows Home

