

State of Vermont
Vermont Board of Nursing

In re: Melissa Brown
License Number: 026.0112695
Docket Number: 2020-25

Order to Remove Conditions

On March 10, 2025, the Vermont Board of Nursing considered Melissa Brown's request for Removal of Conditions imposed pursuant to a Stipulation & Consent Order under Docket Number 2020-25. Ms. Brown has met the conditions. After reviewing the compliance file, the State does not object to removal of all conditions.

Order:

The Board hereby removes all conditions from Melissa Brown's RN license.

Vermont Board of Nursing

Signed by:

3892E763001248E...
Jennifer Laurent, Chair

Date: March 10, 2025

Date of Entry: 3 / 11 / 25

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

IN RE:)
MELISSA BROWN) Docket No. 2020-25
License No. 026.0112695)

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

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

Respectfully submitted, this 26th day of February 2025.

STATE OF VERMONT
SECRETARY OF STATE

By: /s/ Rachel Heath
Rachel Heath
State Prosecuting Attorney
802-828-0041
Rachel.Heath@vermont.gov

STATE OF VERMONT



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



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

January 8, 2024

Melissa Brown
1443 Morgan St.
Bennington, VT 05201

CASE: Melissa Brown
Docket No.: 2020-25

Dear Ms. Brown:

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

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

Sincerely,

DocuSigned by:

A handwritten signature in black ink that reads "Kevin A. Rushing".

E0F2237E33C44EC...

Kevin A. Rushing
Director

Enc: *Stipulation and Consent Order*

cc: Rachel Heath, Esq., Prosecuting Attorney
Kristin Donnelly, Case Manager
Melissa Brown, Respondent, First Class Mail, Certified Mail & Email

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

IN RE:)
Melissa S. Brown) **Docket No. 2020-25**
License No. 026.0112695)

REINSTATEMENT STIPULATION AND CONSENT ORDER

STIPULATION

NOW COME the State of Vermont, by and through Prosecuting Attorney Rachel Heath, and Respondent Melissa Brown, 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. Melissa Brown is licensed by the State of Vermont as a Registered Nurse ("RN") under license number 026.0112695. This license was originally issued June 16, 2015, and expired on March 31, 2021.
3. On April 10, 2020, the Vermont Board of Nursing summarily suspended Respondent's RN license finding that Respondent had arrived for work as an RN impaired and conducted nursing duties in an impaired state. She tested positive for marijuana and Temazepam. She admitted to an OPR investigator that she had taken Temazepam before work and did not have a prescription for this controlled drug.
4. The Board found Respondent had violated 3 V.S.A. § 129a(a)(5) (Practicing the profession when medically or psychologically unfit to do so), 26 V.S.A. § 1582(a)(3) (Engaging in conduct of a character likely to harm the public), 3 V.S.A. § 129a(b)(1) (Performance of unsafe or unacceptable patient or client care), and 3

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V.S.A. § 129a(a) (Failing to exercise independent judgment necessary to avoid actions repugnant to the profession).

5. On April 22, 2021, after a hearing where Respondent failed to appear, the Board indefinitely suspended Respondent's license. The 2021 Order required Respondent to, no sooner than 45 days prior to petitioning for reinstatement, obtain an independent evaluation and submit to three random drug and alcohol tests, the results of which must be negative.
6. Respondent now seeks reinstatement of her RN license.
7. Respondent obtained an independent evaluation, as required by the 2021 Order and submitted to three drug and alcohol tests, the results of which did not show anything concerning.
8. Based on the underlying facts of the 2021 Order and the content and substance of Respondent's independent evaluation, the State supports Respondent's reinstatement request, with the conditions agreed upon by the parties and set forth 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.

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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 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."
 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 year** 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. Completion of Substance Abuse Counseling, Treatment Plan, Treatment Reports and recovery groups. Respondent shall enter into and continue substance abuse counseling and comply with substance abuse treatment plan until the pre-approved treating professional certifies in writing to the Board that such counseling is no longer necessary. 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.
 - a. Within ten (10) days of the date of beginning treatment, Respondent shall provide a copy of this Stipulation and Consent Order to her treatment

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provider and inform him or her of Respondent's conditional license status and the accompanying conditions. Respondent's treating professional shall submit to the Case Manager, on forms provided by Case Manager, acknowledgement of receipt of the Stipulation and Consent Order along with Respondent's current treatment plan.

- b. Respondent shall authorize Respondent's treating professional to submit to the Board and the Case Manager **monthly** reports on forms issued by the Board. Respondent shall authorize Respondent's treating professional to provide all information requested by the Nursing Board and Case Manager, either orally or in writing, at any time during the period this Consent Order is in effect.
 - 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 Case Manager that such medication is no longer necessary.
 - d. Respondent shall participate as recommended by Respondent's treating professional in substance abuse recovery group(s), and, if recommended, shall submit **quarterly** reports documenting such attendance on forms issued by the Board.
6. **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 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 to be presumed positive. Any positive test 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.
- 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

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disclosed to the Board in writing by Respondent within forty-eight (48) hours of the prescription. Respondent's health care practitioner shall inform the Case Manager, 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 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 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.

Respondent shall provide the Case Manager with a current medication list of any medications taken on a scheduled or as-needed basis on provided 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.

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 Case Manager 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 Case Manager 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 Case Manager, on a monthly basis, a written evaluation of Respondent's performance and attendance. These reports shall be

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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 onsite 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 Case Manager, in writing, of Respondent's current place of employment, personal address, and telephone number. Respondent shall further notify the Case Manager, 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. 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

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Respondent for drugs and/or alcohol with the Board or its designee and the Case Manager. 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.

19. Costs. Respondent shall bear all costs of complying with this Consent Order.
 20. 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.
 21. 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.

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AGREED TO:

Dated: 1/3/2024

**STATE OF VERMONT
SECRETARY OF STATE**

By: DocuSigned by:
Rachel Heath
PCA249070292429...
Rachel Heath
Prosecuting Attorney

Dated: 1/3/2024

RESPONDENT
By: DocuSigned by:
Melissa Brown
358498045347400...
Melissa Brown

APPROVED AND SO ORDERED:

Dated: 1/8/24

VERMONT BOARD OF NURSING
By: DocuSigned by:
Jennifer Laurent
EB1741915719477...
Chairperson

Date of Entry: 1/8/24

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State of Vermont
Office of the Secretary of State

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

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

December 19, 2023

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

Case: Melissa Brown
Credential: License # 026.0112695
Docket No: 2020-25

Dear Attorney Heath:

Please find the enclosed Request to Reinstate RN License 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*

Cc: Kristin Donnelly, Case Manager
Melissa Brown, Respondent

To Whom it May Concern,

12/19/2023

My name is Melissa Brown, and I am respectfully seeking reinstatement of my RN license to practice nursing in the state of VT. My license # is 026.0112695. My case # is D-2020-25. If you have any question, please don't hesitate to reach out. Thank you!

Respectfully,

Melissa Brown

Bowen, Julie

From: melissa prendergast <missyp05201@yahoo.com>
Sent: Tuesday, December 19, 2023 8:19 AM
To: SOS - Docket Clerk
Subject: D-2020-25
Attachments: To Whom It May Concern.docx

 You don't often get email from missyp05201@yahoo.com. [Learn why this is important](#)

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

Good Morning, to whom it may concern,

Attached you will find my petition for re-instatement of my nursing license. I have at this point completed the required tasks. The independent evaluation should be getting sent to you soon. My case # is D-2020-25 and my license is 026.0112695.

Thank you for your time, and If there is anything else you need from me please let me know

Respectfully,

Melissa Brown

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

**In re: Melissa Brown
License No. 026.0112695**

Docket No. 2020-25

DECISION ON CHARGES OF PROFESSIONAL MISCONDUCT

Board of Nursing

Jennifer Laurent, APRN. Vice Chair
Krystal Bernier, LPN
Daniel Coane, public member
Kelly Sinclair, LNA
Deborah Swartz, RN
Wendy Thurston, RN
Luana Tredwell, LPN
William White, Jr., public member

Appearances

Elizabeth A. St. James, Esq., Prosecuting Attorney
IT Member, Ellen Watson, APRN
Respondent: Melissa Brown did not appear at hearing

Presiding Officer

Michael S. Kupersmith, Administrative Law Officer

Introduction

This matter came before the Board of Nursing for hearing on April 12, 2021 on the Specification of Charges filed by the State on May 7, 2020. The Respondent's Answer was filed on October 21, 2020. The hearing was conducted remotely pursuant to the Emergency Rules for Remote Hearings adopted by the Office of Professional Regulation. Elizabeth A. St. James, Esq. appeared for the State. Respondent Melissa Brown did not appear.

At hearing, the State relied on admissions inherent in the Respondent's Answer to the Specification of Charges. In her Answer, the Respondent disputed the allegations made in paragraphs 5, 7, 12 and 13 of the Charges. However, Respondent stated that she did not dispute paragraphs 2, 3, 4, 6, 8, 9, 10, 11, 14, and 15. Pursuant to Rule 8(d) of the Vermont Rules of Civil Procedure,

Averments in a pleading to which a responsive pleading is required . . . are
admitted when not denied in the responsive pleading. . .

Rule 8(d) is adopted by reference by Rule 2.4 of the Administrative Rules of Practice. Therefore, the Board finds that the allegations set forth in the undisputed paragraphs are proved by a preponderance of the evidence.

Findings of Fact

2. Melissa Brown ("Respondent") of Bennington, Vermont is licensed by the State of Vermont as a Registered Nurse ("RN") under license number 026.0112695. This license was originally issued June 16, 2015 and expired on March 31, 2021.
3. At all times relevant, Respondent worked as an RN at the Centers for Living and Rehab (the "Facility"), a part of the Southwestern Vermont Healthcare Network in Bennington, Vermont.
4. On January 27, 2020, Respondent appeared impaired during her morning shift at the Facility.
5. [disputed]
6. Respondent was unsteady on her feet, leaning on objects for balance, with pinpoint pupils.
7. [disputed]
8. At the request of the Facility, Respondent submitted a urine sample for drug testing shortly after her impairment was observed.
9. Respondent's urine sample tested positive for marijuana and Temazepam, a controlled substance used to treat insomnia and/or anxiety.
10. Respondent admitted to taking Temazepam the night before she appeared impaired at the Facility.
11. Respondent obtained the Temazepam from a family member. Respondent did not have a prescription for Temazepam. In the past, Respondent had used Lorazepam and assumed taking Temazepam would be the "same thing."
12. [disputed]
13. [disputed]
14. Respondent admitted that she had issues with prescription pain medications "a couple of years ago."

15. As of the filing of these Charges, Respondent is currently prescribed Buprenorphone/Nalox 8-2mg SL film.

Conclusions of Law

Violation One: 3 V.S.A. §129a(a)(5) Practicing the profession when medically or psychologically unfit to do so.

Paragraphs 4, 6, 8 and 9 prove that Respondent reported for work on January 27, 2020 when she was demonstrably impaired and medically unfit for duty.

Violation Two: 26 V.S.A. §1582(a)(3) Engaging in conduct of a character likely to deceive, defraud, or harm the public.

In reporting for work when impaired and medically unfit on January 27, 2020, Respondent presented an active danger to the patients in her charge.

Violation Three: 3 V.S.A §129a(b)(1) Failure to practice competently by reason of any cause on a single occasion or on multiple occasions may constitute unprofessional conduct, whether actual injury to a client, patient, or customer has occurred. Failure to practice competently includes: (1) performance of unsafe or unacceptable patient or client care.

When impaired at work on January 27, 2020, Respondent could not have performed safe and acceptable patient care. The Respondent could barely keep her balance, much less provide assistance to patients. By definition, unsafe patient care constitutes incompetent practice.

Violation Four: 3 V.S.A. §129a(a)(15) Failing to exercise independent professional judgment in the performance of licensed activities when that judgment is necessary to avoid action repugnant to the obligations of the profession.

In reporting to work while impaired, Respondent failed to exercise appropriate independent professional judgment. Unsafe patient care is repugnant to the obligations of the nursing profession.

ORDER

Respondent's license is *suspended indefinitely*. Respondent may petition for reinstatement. No sooner than forty-five (45) days prior to requesting reinstatement, Respondent must, at her own cost:

- a. Obtain an independent evaluation report by a pre-approved licensed professional specializing in substance abuse treatment ("Independent Evaluator") who has verified receipt and review of the Board's Order in the above-referenced docket number. The results of the Independent Evaluation

must indicate that Respondent does not present a risk to the safety, health, or welfare of Respondent's potential patients. The evaluation shall meet all Independent Evaluation Requirements and shall include any recommendations that would ensure Respondent is safe to practice. The evaluation must be submitted to the Enforcement Unit Case Manager.

- b. Submit to the Enforcement Unit Case Manager the results of a minimum of three (3) random drug and alcohol tests:
 - i. When Respondent is ready to petition for reinstatement, Respondent shall contact the Enforcement Unit Case Manager to set-up the drug and alcohol testing process and receive instructions. Once registered with the pre-approved person or entity, Respondent will have 45 days to submit a minimum of three (3) random drug and alcohol tests. The process by which Respondent learns whether she is selected to submit to a test on any given day will be governed by the policy of the preapproved person or entity conducting the testing at that time.
 - ii. The drug and alcohol tests must be collected in an observed setting; administered by a pre-approved person or entity; and analyzed by a pre-approved lab qualified to analyze samples for forensic purposes, the results of which shall be negative.
 - iii. Failure to appear for, refusal to provide, adulteration of, dilution of, or tampering with a sample for any test in anyway shall cause that test to be presumed positive; and
- c. If recommended by an Independent Evaluator, enter into a treating professional agreement and substance abuse treatment plan with a preapproved treating professional(s) and follow all recommendations. If treatment is recommended, Respondent must submit a treating professional agreement to the Enforcement Unit Case Manager before a reinstatement request will be considered.
- d. If reinstated, Respondent's license may be conditioned pursuant to whatever terms are reasonable at the time of Respondent's reinstatement request, taking into account the independent evaluation, drug screen results, the Board Order, and any other relevant factors at that time.

It is SO ORDERED at Montpelier, Vt., April 12th, 2021

E-SIGNED by Jennifer Laurent
on 2021-04-21 12:30:26 EDT

Board of Nursing

By: Jennifer Laurent, Vice-Chair A

Date of Entry: 4/22/21

APPEAL RIGHTS

This is a final administrative determination by the Vermont Board of Nursing. A party aggrieved by a final decision by the Board may appeal this decision by filing a written Notice of Appeal with the Director of the Office of Professional Regulation, 89 Main Street, 3rd floor, Montpelier, VT 05620-3402, within 30 days of the entry date 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 appeal shall be conducted based on the record created before the Board. In cases of alleged irregularities in procedure before the Board not shown on the record, proof of that issue may be taken by the Appellate Officer. 3 V.S.A. §§ 129(d) and 130a. A stay of this Order may also be requested.