

not disclosed on his application. The convictions include six separate convictions of driving while license suspended and one conviction of retail theft.

8. The Respondent's application was false.
9. As indicated by the Board's file and the Prosecution's presentation, because Respondent has failed to answer the charges, the factual allegations in the Specification of Charges are treated as if proved. O.P.R. Rule 3.4. Accordingly, the Board may find, based up the finding of Default from this Default Hearing held pursuant to 3 V.S.A. §809(d), that Respondent has engaged in the unprofessional conduct alleged in the Specification of Charges. The Respondent committed unprofessional conduct by violating: 3 VSA Sec. 129a(a)(1) [Fraudulent or deceptive procurement or use of a license]
10. The State recommended that the Respondent's license be REVOKED.

Proposed Order

In accordance with the above Findings of Fact and Conclusions of Law, and consistent with the recommendation by the State, the Board does ORDER that the Respondent's license be REVOKED.

The Hearing Officer reports the above findings of facts, conclusions of law, and the proposed order to the Board or Director with the recommendation that the Board or Director approve them and enter the Order as above.

Dated this ^{17th} day of February, 2022.


George K. Belcher

Hearing Officer of the Vermont Board of Nursing

The Vermont Board of Nursing, or the Director of the Office of Professional Regulation, considered the report of findings of fact and conclusions of law on March 14, 2022. After considering the report, the Hearing Authority takes the following action:

- / / Rejects the report and schedules the matter for hearing.
- / / Schedules the matter for additional evidence.
- /X/ Accepts the report, adopts the findings of fact and conclusions of law, and orders the recommended discipline as set forth in the proposed order above.

SO ORDERED.

Vermont Board of Nursing or Director of the Office of Professional Regulation

DocuSigned by:
By: 
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Krystal Bernier, LPN, Acting
Chair Vermont Board of Nursing

Date: 3/16/2022

OFFICE OF PROFESSIONAL REGULATION
DATE OF ENTRY: 3/16/2022

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:)
Scott Lepri) **Docket No. 2021- 117**
License No. 075.0135001)

SPECIFICATION OF CHARGES

NOW COMES the State of Vermont and hereby makes the following charges against Respondent Scott Lepri:

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 (“OPR”).

Statement of Facts

2. Scott Lepri (“Respondent”) of Vergennes, Vermont is licensed by the State of Vermont as a Licensed Nursing Assistant (“LNA”) under license number 075.0135001. This license was originally issued on December 20, 2018 and expired on November 30, 2020.
3. On November 18, 2018, Respondent submitted to OPR his application to be a Licensed Nursing Assistant (the “Application”).
4. In the Application, Respondent answered “No” to the following question, under the pains and penalty of perjury:

Have you EVER been convicted of a crime other than a minor traffic violation? (Driving While Intoxicated and Driving Under the Influence are not minor traffic violations.)

5. This answer was false.
6. OPR issued the LNA license to Respondent in 2018 without discovering Respondent’s misdemeanor convictions.
7. After OPR issued Respondent’s license, OPR learned in 2019 that that Respondent had been convicted of seven misdemeanors.

STATE OF VERMONT



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

8. Between 2010 and 2014, Respondent was convicted of driving while licensed suspended six separate times.
9. Moreover, in 2016, Respondent was convicted of Retail Theft \$900 or Less in Addison Superior Court, Criminal Division, Docket No. 61-2-16 Ancr.

Violation One: 3 V.S.A. §129a(a)(1) Fraudulent or deceptive procurement or use of a license

10. The State re-alleges and incorporates Paragraphs 2 through 9 above.
11. Vermont law prohibits fraudulent or deceptive procurement or use of a license.
12. Paragraphs 2 through 9 above demonstrate that in 2018, Respondent fraudulently or deceptively procured his LNA license by providing false information.
13. The act(s), omission(s), and/or circumstance(s) described above constitute grounds for discipline because Respondent committed unprofessional conduct in violation of 3 V.S.A. §129a(a)(1).

Relief Requested

WHEREFORE, the license of Scott Lepri should be revoked, suspended, reprimanded, conditioned, or otherwise disciplined.

DATED this 19 day of November 2021.

STATE OF VERMONT
SECRETARY OF STATE

By: /s/ Rachel Heath
Rachel Heath
Prosecuting Attorney
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STATE OF VERMONT



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