

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

**IN RE: TONYA SALOMAA
 LICENSE NO. 075.0135409**

DOCKET NO. 2022-257

Appearances:

Prosecutor:	George L. Hasselbeck, Esq.
Respondent:	Did not appear

Hearing Officer: Wesley M. Lawrence

ORDER ON MOTION FOR DEFAULT

Based on the evidence before me, I find as follows:

1. At all relevant times, Respondent, Tonya Salomaa, was licensed in Vermont as a Licensed Nursing Assistant, license number 075.0135409.
2. I held a Default Hearing in the above matter on July 19, 2023 pursuant to 3 V.S.A. §129(f) and 3 V.S.A. §809(d). This public hearing was held electronically via Microsoft Teams pursuant to a Notice of Hearing.
3. On June 27, 2023, the State moved for Respondent to be found in default because she has not responded to the Specification of Charges in this matter.
4. The State filed the Specification of Charges in this matter on February 6, 2023. Julie Bowen, the Docket Clerk for the Office of Professional Regulation, testified that she sent the Specification of Charges to Respondent on the same day, February 6, 2023 by regular mail, certified mail, and e-mail. The first class mailing was not returned as undeliverable. The e-mailed version of the Specification of Charges was not returned as undeliverable. The certified mailing receipt was returned on February 13, 2023, signed by Respondent. I find that notice of the Specification of Charges was proper.
5. Ms. Bowen testified that she sent the Notice of Hearing for Default Judgment to the Respondent on June 27, 2023 by regular mail, certified mail, and e-mail. None of these were returned as undeliverable. I find that notice of the Default Hearing was proper.

6. Respondent has not filed an answer, has not acknowledged in any way the Specification of Charges, and did not appear for the Default Hearing in this matter.
7. Under the Administrative Rules of the Office of Professional Regulation, Rule 3.4, a default may be entered when an answer is not filed within the required time period.
8. I find Respondent to be in default based on Ms. Bowen's testimony, the State's Motion for Default, Specification of Charges, presentation of evidence, and by taking official notice of the Office of Professional Regulation file. The allegations contained in the Specification of Charges are therefore treated as the facts upon which the Board of Nursing may issue an order of professional discipline. *See* OPR Rule 3.4, 3 V.S.A. §809(d), and 3 V.S.A. §814(c).
9. I shall treat the factual allegations in the Specification of Charges as proven. *See* O.P.R. Rule 3.4.
10. I find three violations. Respondent violated

Violation One: 26 V.S.A. §1582(a)(1) (Making or causing to be made a false, fraudulent, or forged statement or representation in procuring or attempting to procure registration or renew a license);

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

Violation Five (sic): 26 V.S.A. §1582(a)(3) (Engaging in conduct of a character likely to deceive, defraud, or harm the public). This shall be treated as "Violation Three."

11. The State recommended the following sanctions:

That Respondent's license be suspended indefinitely, and that Respondent must petition for reinstatement. Within forty-five (45) days of requesting reinstatement, Respondent must, at her own cost:

- a. Obtain an independent evaluation report by a pre-approved licensed professional specializing in drug and alcohol abuse ("Independent Evaluator") who has verified receipt of the Default Order. 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;
- b. Submit to the Enforcement Unit Case Manager the results of a minimum of three (3) random urine analyses:
 - i. When Respondent is ready to petition for reinstatement, Respondent shall contact the Enforcement Unit Case Manager to set-up the urine analysis 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 urine analyses. The process by which Respondent learns whether she is selected to provide a sample on any given day will be governed by the policy of the pre-approved person or entity conducting the testing at that time.

- ii. The urine analyses 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 urine analysis shall cause that screen 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 pre-approved treating professional(s) and follow all recommendations.

d. If reinstated, Respondent's license **SHALL BE CONDITIONED** pursuant to whatever terms are reasonable at the time of Respondent's reinstatement request, taking into account the independent evaluation, urine analysis results, the Board of Nursing Order, and any other relevant factors at that time.

12. I find that this is an appropriate sanction.

13. Accordingly, the Board of Nursing may find, based on the finding of Respondent's default, that Respondent's license may be sanctioned consistent with the above.

PROPOSED ORDER

Consistent with the above, and the recommendation of the State, the Board of Nursing hereby **ORDERS** that the Respondent's license be **SUSPENDED INDEFINITELY**, and that Respondent must petition for reinstatement. Within forty-five (45) days of requesting reinstatement, Respondent must, at her own cost:

- a. Obtain an independent evaluation report by a pre-approved licensed professional specializing in drug and alcohol abuse ("Independent Evaluator") who has verified receipt of the Default Order. 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;
- b. Submit to the Enforcement Unit Case Manager the results of a minimum of three (3) random urine analyses:
 - i. When Respondent is ready to petition for reinstatement, Respondent shall contact the Enforcement Unit Case Manager to set up the urine analysis 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 urine analyses. The process by which Respondent learns whether she is selected to provide a sample on any given day will be governed by the policy of the pre-approved person or entity conducting the testing at that time.
 - ii. The urine analyses 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 urine analysis shall cause that screen 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 pre-approved treating professional(s) and follow all recommendations.
- d. If reinstated, Respondent's license **SHALL BE CONDITIONED** pursuant to whatever terms are reasonable at the time of Respondent's reinstatement request, taking into account the independent evaluation, urine analysis results, the Board of Nursing Order, and any other relevant factors at that time.

I hereby forward the above Proposed Order to the Board of Nursing with the recommendation that the Board approve it.

DATED at Montpelier, Vermont this 24th day of July 2023.



Wesley M. Lawrence
Hearing Officer, Vermont Board of Nursing

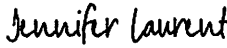
The Vermont Board of Nursing, or the Director of the Office of Professional Regulation, considered the Proposed Order and its basis, above, on August 14, 2023.

After considering the Proposed Order and its basis, above, the Board of Nursing takes the following action:

- ☐ Rejects the Hearing Officer's recommendation, and schedules the matter for hearing.
- ☐ Schedules the matter for additional evidence.
- ☒ Accepts the Hearing Officer's recommendation 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:

EB4744046740477...
Vermont Board of Nursing

OFFICE OF PROFESSIONAL REGULATION DATE OF ENTRY: 8/14/23

APPEAL RIGHTS

This is a final administrative determination by the Vermont Board of Nursing. 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, Floor 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
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 27, 2023

Tonya Salomaa
9 Harts Rd
Topsham, VT 05076-3014

Case: In Re Tonya Salomaa
License: 075.0135409
Docket No.: 2022-257

:
NOTICE OF HEARING FOR DEFAULT JUDGMENT

The Tribunal has scheduled a hearing for default judgment to be held on:

Date: July 19, 2023
Time: 9:00 a.m.

You have received notice of the charges and have failed to answer them within 20 days as required by law. Pursuant to 3 V.S.A. Section 809(d), the tribunal is authorized to enter a default judgment, meaning the allegations will be assumed to be true, and an appropriate sanction may be issued.

This hearing will take place remotely. You can participate either online or by telephone.

To join online, go to the OPR public calendar (<https://sos.vermont.gov/opr-event-calendar>) and select the blue meeting link on the date of your hearing. Then select "Click here to join the meeting". Please see the attached Microsoft Teams Meetings Instructions for additional information about how to join your hearing remotely from the OPR public calendar.

If you wish to contest the charges you must contact the office **immediately** at (802) 828-2367 and show good cause for failing to answer the charges against you.

Sincerely,

/s/Julie Bowen
Docket Clerk

Enclosures: *States Request for Default & OPR Calendar Remote Hearing Participation Instructions*

cc: Wesley Lawrence, Esq., Hearing Officer
George Hasselback, Esq., Prosecuting Attorney
Kristin Donnelly, Case Manager
Tonya Salomaa, Respondent, First Class Mail, Certified Mail, Email

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

IN RE:	)	
Tonya Salomaa	)	Docket No. 2022-257
License No. 075.0135409	)	

MOTION FOR DEFAULT

NOW COMES the State of Vermont, by and through Prosecuting Attorney George L. Hasselback, and pursuant to Rule 3.3 of the Administrative Rules of Practice for the Office of Professional Regulation ("ARPOPR"), hereby moves that the Board of Nursing (the "Board") find Respondent Tonya Salomaa ("Respondent") in default for the reasons stated in the following Memorandum of Law.

MEMORANDUM OF LAW

Rule 3.3 of ARPOPR requires a respondent to file an answer to a specification of charges "within 20 days of the date on which the notice of charges was mailed by the Director." Under the Rules, if a respondent fails to file a timely answer, a default hearing shall be conducted. ARPOPR 3.4. At the default hearing, "the allegations of the charges will be treated as proven and disciplinary action will be taken." *Id.*

In this matter, Respondent has failed to file a response to the charges and is, therefore, in default. The State filed the Specification of Charges against Respondent on February 6, 2023. Respondent was notified of the charges by letter from the Docket Clerk of the Office of Professional Regulation, sent by both certified and first-class mail, on February 6, 2023. *See* ARPOPR 3.2. Respondent's answer was due on or before February 26, 2023. *See* ARPOPR 3.4. As of this date, Respondent has failed to submit an answer.

STATE OF VERMONT



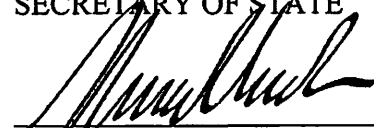
Prosecuting Attorney
Office of
Professional
Regulation 89 Main
Street
3rd Floor
Montpelier.

WHEREFORE, in accordance with ARPOPR 3.3, et seq., the State respectfully requests that the Board schedule a default hearing and find Respondent in default.

DATED at Montpelier, Vermont this 27th day of June, 2023.

STATE OF VERMONT
SECRETARY OF STATE

By: _____


George L. Hasselback
Prosecuting Attorney
George.hasselback@vermont.gov

STATE OF VERMONT



Prosecuting Attorney
Office of
Professional
Regulation 89 Main
Street
3rd Floor
Montpelier.

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

IN RE:)
Tonya Salomaa) **Docket No. 2022-257**
License No. 075.0135409)

SPECIFICATION OF CHARGES

NOW COMES the State of Vermont and hereby makes the following charges against Respondent Tonya Salomaa.

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. Tonya Salomaa ("Respondent") of Topsham, Vermont is licensed by the State of Vermont as a Licensed Nursing Assistant ("LNA") under license number 075.0135409. This license was originally issued on May 3, 2019 and expires on November 30, 2022.
3. During the relevant time, Respondent was employed as an LNA at Valley Terrace Assisted Living located in White River Junction, Vermont ("the Facility").
4. On or about February 17, 2019, Respondent submitted an application to the State of Vermont to obtain a license to practice as an LNA.
5. As part of that application process, Respondent was asked: Are you currently addicted to or in any way dependent on alcohol or habit forming drugs? If "Yes," you must provide a detailed written explanation.
6. Respondent answered "no" to this question.
7. This answer was false.
8. As part of that application process, Respondent was also asked: Are you currently participating in a supervised program or professional assistance program which monitors you in order to assure that you are not engaging in the use of alcohol or controlled substances? If "Yes," please provide the contract/stipulation under which you are practicing.
9. Respondent also answered "no" to this question.
10. This answer was also false.

STATE OF VERMONT



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

11. In July of 2016, Respondent was placed on a medication-assisted treatment program ("MAT") by her physician to address her opioid use disorder that was classified by her physician as "severe."
12. Pursuant to her MAT program, Respondent was prescribed Suboxone by her physician to treat her opioid dependency.
13. Respondent's MAT program also included monitoring for the use of controlled substances by submitting to periodic urinalyses.
14. Respondent's physician also prescribed Antabuse to respondent to treat her alcohol dependency.
15. Prior to being placed on a MAT program, Respondent was self-treating her opioid use disorder by obtaining Suboxone without a prescription and ingesting it without medical supervision.
16. In February of 2020, Respondent abandoned her MAT program, explaining to her physician that her insurance would not cover the MAT and that it was less expensive for her to obtain Suboxone from illicit sources without a prescription.
17. Respondent's physician continued to prescribe Antabuse to treat Respondent's alcohol dependency.
18. On or about March 29, 2022, Respondent spoke to her physician and informed them that she was no longer taking Antabuse, but was still obtaining Suboxone from illicit sources without a prescription to self-treat her opioid dependency.
19. On or about August 22, 2022, Respondent was working at the Facility as a "medication aide" on the evening shift from 3:00pm to 11:00pm.
20. That evening, High Mountain Home Care ("HMHC") delivered two Fentanyl patches to the Facility that were prescribed to a resident at the Facility.
21. Respondent signed for these two Fentanyl patches and took physical custody of them from HMHC's driver.
22. Respondent did not sign the Fentanyl patches into a secure medication cart.
23. Respondent did not document what she did with the Fentanyl patches.
24. The resident of the Facility never received the Fentanyl patches that were prescribed to them.
25. Subsequently, a Registered Nurse at the Facility ("RN C.W."), contacted HMHC to ask about why the Fentanyl patches had not been delivered to the Facility, as she believed that they had not been.
26. HMHC informed RN C.W. that the Fentanyl patches had been delivered to the Facility and that an employee of the Facility had signed for them.
27. HMHC provided the Facility a copy of a delivery receipt ("the Receipt") that indicated two Fentanyl strips were delivered to the Facility on August 22, 2022.

STATE OF VERMONT



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28. The Receipt was signed in two places by Respondent, indicating that she had received the Fentanyl strips.
29. On August 26, 2022, Respondent was contacted by representatives of the Facility to meet with them and discuss the matter of the missing Fentanyl strips.
30. Prior to that meeting, Respondent sent a text message to RN C.W. stating “[w]e did not have a delivery of two [F]entanyl patches come in.”
31. On August 26, 2022, Respondent met with RN C.W. and an HR representative of the Facility.
32. At this meeting, Respondent reiterated that she did not receive any Fentanyl patches on the evening of August 22, 2022.
33. When she was presented with a copy of the Receipt, Respondent stated “oh yes, now I remember” or words to that effect, indicating that she did receive and sign for two Fentanyl strips.
34. Respondent was unable to account for the whereabouts of the Fentanyl strips, stating that she did not know what she did with it.
35. On September 1, 2022, investigators interviewed Respondent.
36. During that interview, Respondent informed investigators that she was on Suboxone.
37. When asked why, Respondent replied that she was taking Suboxone to treat alcohol dependency, and that her doctor had prescribed it “just [for] drinking” or words to that effect.
38. Investigators asked Respondent where she acquires the Suboxone that she admitted taking and she replied that she goes to a clinic for her Suboxone, despite telling her physician that she acquired it “on the street.”
39. During the interview, Respondent admitted to investigators that she had recently used methamphetamine or “crystal meth.”

Violation One: 26 V.S.A. §1582(a)(1) Making or causing to be made a false, fraudulent, or forged statement or representation in procuring or attempting to procure registration or renew a license.

40. The State re-alleges and incorporates Paragraphs 2 through 39 above.
41. As an LNA, Respondent is required to refrain from making or causing to be made a false, fraudulent, or forged statement or representation in procuring or attempting to procure registration or renew a license.
42. Paragraphs 3 through 39 demonstrate that Respondent made multiple false statements when she applied for her license to practice as a LNA. Specifically:
 - a. When asked if she was currently addicted to or in any way dependent on alcohol or habit-forming drugs, Respondent answered “no” despite being assessed by her

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physician as having severe opioid use disorder, self-medicating for that opioid abuse disorder by obtaining Suboxone illicitly and self-administering it without a physician's supervision; and despite using methamphetamine.

- b. When asked if she was currently participating in a program that monitored her in order to ensure that she was not engaging in the use of alcohol or controlled substances, Respondent answered "no" despite then being enrolled in a medication assisted treatment ("MAT") program that required her to submit urine samples to ensure that she was not engaging in the use of controlled substances.
43. The act(s), omission(s), and/or circumstance(s) described above constitute grounds for discipline because Respondent made false, fraudulent, or forged statements or representations in procuring or attempting to procure registration or renew a license in violation of 26 V.S.A. §1582(a)(1).

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

44. The State re-alleges and incorporates Paragraphs 2 through 39 above.
45. As an LNA, Respondent is required to refrain from practicing the profession when medically or psychologically unfit to practice as a LNA.
46. Paragraphs 3 through 39 demonstrate that Respondent is practicing the profession when medically or psychologically unfit to do so, by practicing as a LNA while she is currently self-treating her severe opioid use disorder by consuming Suboxone that is obtained illicitly and self-administered without the supervision of a physician, and while using methamphetamine.
47. The act(s), omission(s), and/or circumstance(s) described above constitute grounds for discipline because Respondent committed unprofessional conduct by practicing the profession when medically or psychologically unfit to do so in violation of 3 V.S.A. § 129a(a)(5).

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

48. The State re-alleges and incorporates Paragraphs 2 through 39 above.
49. Vermont law requires a LNA to practice competently by refraining from conduct of a character likely to harm the public.
50. Paragraphs 3 through 39 above demonstrate that Respondent failed to refrain from conduct likely to harm the public when she failed to adequately secure and account for two Fentanyl strips of which she took custody.
51. The act(s), omission(s), and/or circumstance(s) described above constitute grounds for discipline because the Respondent has committed unprofessional conduct in violation of 26 V.S.A. §1582(a)(3).

STATE OF VERMONT



Prosecuting Attorney
Office of
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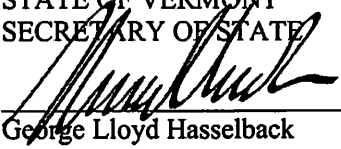
Relief Requested

WHEREFORE, the license of Tonya Salomaa should be revoked, suspended, reprimanded, conditioned, or otherwise disciplined.

DATED at Montpelier, Vermont this 6th day of February, 2023.

STATE OF VERMONT
SECRETARY OF STATE

By: _____


George Lloyd Hasselback
Prosecuting Attorney
(802)828-0350
george.hasselback@vermont.gov

STATE OF VERMONT



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State of Vermont
Office of the Secretary of State

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

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

February 6, 2023

Tonya Salomaa
9 Harts Rd
Topsham, VT 05076-3014

CASE: In Re Tonya Salomaa
Credential: License # 075.0135409
Docket No.: 2022-257

NOTICE OF SPECIFICATION OF CHARGES

The State Prosecuting Attorney has filed the enclosed *Specification of Charges* and has asked the Office of Professional Regulation to take disciplinary action against your license.

You or your attorney must file a written Answer to the charges **within 20 days** of the date of this notice. Enclosed is an Answer form as a suggested format for your response to the charges. Return your Answer to the Docket Clerk and Prosecuting Attorney at the addresses listed on the Answer form. Once your Answer has been received, a hearing will be scheduled.

If you fail to answer the charges **within 20 days**, disciplinary action may be taken against your license by default and without your input. The *Administrative Rules for the Office of Professional Regulation* are available online at <https://sos.vermont.gov/opr/>.

If you have an attorney who has filed a Notice of Appearance with this office, we will continue to send copies of all correspondence to both you and your attorney unless directed otherwise.

Sincerely,

/s/Julie Bowen
Docket Clerk

Enclosures: *Specification of Charges and Answer Form*

Cc:

George Hasselback, Esq., Prosecuting Attorney
Kristin Donnelly, Case Manager
Tonya Salomaa, Respondent, First Class Mail, Certified Mail & Email

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

IN RE:)
Tonya Salomaa) **Docket No. 2022-257**
License No. 075.0135409)

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6. Respondent answered "no" to this question.
7. This answer was false.
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38. Investigators asked Respondent where she acquires the Suboxone that she admitted taking and she replied that she goes to a clinic for her Suboxone, despite telling her physician that she acquired it “on the street.”
39. During the interview, Respondent admitted to investigators that she had recently used methamphetamine or “crystal meth.”

Violation One: 26 V.S.A. §1582(a)(1) Making or causing to be made a false, fraudulent, or forged statement or representation in procuring or attempting to procure registration or renew a license.

40. The State re-alleges and incorporates Paragraphs 2 through 39 above.
41. As an LNA, Respondent is required to refrain from making or causing to be made a false, fraudulent, or forged statement or representation in procuring or attempting to procure registration or renew a license.
42. Paragraphs 3 through 39 demonstrate that Respondent made multiple false statements when she applied for her license to practice as a LNA. Specifically:
 - a. When asked if she was currently addicted to or in any way dependent on alcohol or habit-forming drugs, Respondent answered “no” despite being assessed by her

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physician as having severe opioid use disorder, self-medicating for that opioid abuse disorder by obtaining Suboxone illicitly and self-administering it without a physician's supervision; and despite using methamphetamine.

- b. When asked if she was currently participating in a program that monitored her in order to ensure that she was not engaging in the use of alcohol or controlled substances, Respondent answered "no" despite then being enrolled in a medication assisted treatment ("MAT") program that required her to submit urine samples to ensure that she was not engaging in the use of controlled substances.
43. The act(s), omission(s), and/or circumstance(s) described above constitute grounds for discipline because Respondent made false, fraudulent, or forged statements or representations in procuring or attempting to procure registration or renew a license in violation of 26 V.S.A. §1582(a)(1).

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

44. The State re-alleges and incorporates Paragraphs 2 through 39 above.
45. As an LNA, Respondent is required to refrain from practicing the profession when medically or psychologically unfit to practice as a LNA.
46. Paragraphs 3 through 39 demonstrate that Respondent is practicing the profession when medically or psychologically unfit to do so, by practicing as a LNA while she is currently self-treating her severe opioid use disorder by consuming Suboxone that is obtained illicitly and self-administered without the supervision of a physician, and while using methamphetamine.
47. The act(s), omission(s), and/or circumstance(s) described above constitute grounds for discipline because Respondent committed unprofessional conduct by practicing the profession when medically or psychologically unfit to do so in violation of 3 V.S.A. § 129a(a)(5).

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

48. The State re-alleges and incorporates Paragraphs 2 through 39 above.
49. Vermont law requires a LNA to practice competently by refraining from conduct of a character likely to harm the public.
50. Paragraphs 3 through 39 above demonstrate that Respondent failed to refrain from conduct likely to harm the public when she failed to adequately secure and account for two Fentanyl strips of which she took custody.
51. The act(s), omission(s), and/or circumstance(s) described above constitute grounds for discipline because the Respondent has committed unprofessional conduct in violation of 26 V.S.A. §1582(a)(3).

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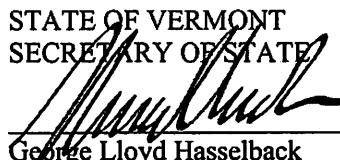
Relief Requested

WHEREFORE, the license of Tonya Salomaa should be revoked, suspended, reprimanded, conditioned, or otherwise disciplined.

DATED at Montpelier, Vermont this 6th day of February, 2023.

STATE OF VERMONT
SECRETARY OF STATE

By:


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