



**State of Vermont
Office of the Secretary of State**

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

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

January 10, 2023

Sara Douglas
P.O. Box 233
Enosburg Falls, VT 05450

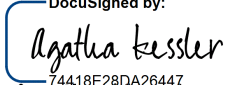
CASE: Sara Douglas
Docket No.: 2022-275
Application Tracking #: LI-598802

Dear Ms. Douglas:

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:

74418E28DA26447...
Agatha Kessler
Deputy Director

Enc: *Stipulation and Consent Order*

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

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

IN RE:)
Sara Jane Douglas) **Docket No. 2022-275**
Application Tracking No. LI-598802)

STIPULATION AND CONSENT ORDER

STIPULATION

NOW COME the State of Vermont, by and through State Prosecuting Attorney Jennifer B. Colin, and Applicant Sara Jane Douglas, who hereby Stipulate and Agree as follows:

Board Authority

1. The Vermont Board of Nursing (the "Board") has authority to deny an applicant's license if it finds that the applicant has engaged in unprofessional conduct in any jurisdiction. 3 V.S.A. § 129(a); 3 V.S.A. §129a; 26 V.S.A. Ch.28; the Vermont Board of Nursing Administrative Rules, and the Rules of the Office of Professional Regulation.

Basis for Denial

Basis for Denial One: 3 V.S.A. §129a(a)(10) Conviction of a crime related to the practice of the profession or conviction of a felony, whether or not related to the practice of the profession.

2. On November 14, 2022, Applicant Sara Jane Douglas signed and submitted to OPR an Application ("Application") for licensure as a Licensed Nursing Assistant ("LNA"). The Application was complete on November 28, 2022.
3. On December 21, 2022, the Application was preliminarily denied, a decision appealed by the Applicant.
4. In the Application, Application answered "Yes" to the following question:

Have you EVER been convicted of a criminal misdemeanor or felony in Vermont or ANY other state, federal authority, or other jurisdiction?

5. Applicant disclosed misdemeanor criminal convictions of two counts of Fraudulent Use of a Credit Card, Greater than \$50, a violation of 9 V.S.A. §4043 which provides:

A person shall not with intent to defraud, obtain, or attempt to obtain money, property, services, or any other thing of value, by the use of a credit care that he or she knows, or reasonably shall have known, to

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have been stolen, forged, revoked, cancelled, unauthorized, or invalid for use by him or her for such purpose.

6. Applicant's fraudulent use of a credit card occurred May 19, 2018. Applicant was criminally cited on July 19, 2018 and pleaded guilty on January 15, 2019.
7. As part of the Application, Applicant submitted a written explanation of the events referenced in Paragraphs 2 through 6 above. In the explanation, Applicant claimed she was not aware the credit card in question was stolen and that she used the card to make purchases for a friend. As to the criminal charges, Applicant stated: "The case was closed later that month in January 2019."
8. Applicant's misdemeanor convictions are related to the practice of the profession in that as an LNA, Applicant would potentially have unsupervised and unencumbered access to credit cards and other valuable property belonging to the elderly and other vulnerable populations in various types of practice settings, including home health care.
9. Paragraphs 2 through 8 above demonstrate that within the last three years Applicant was convicted of misdemeanor crimes related to the practice of the profession.

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

10. The State re-alleges and incorporates Paragraphs 2 through 9 above.
11. Vermont law prohibits LNA's from engaging in conduct of a character likely to deceive, defraud, or harm the public.
12. Paragraphs 2 through 11 above demonstrate that Applicant engaged in conduct of a character likely to deceive, defraud, or harm the public by two instances of fraudulent use of a credit card.

Understandings

13. Applicant admits the facts set forth above are true and the Board may find that the Applicant engaged in unprofessional conduct.
14. Applicant admits that the order below is necessary to protect the public.
15. Applicant understands that the 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.
16. Applicant specifically waives any claims that any disclosures made to the Board during its review of this agreement have prejudiced Applicant's rights to a fair and impartial hearing in future hearings if the Board does not accept this agreement.

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17. Applicant has read and reviewed this entire document and agrees that this document contains the entire agreement between the parties.
18. Applicant is not under the influence of any drugs or alcohol at the time of signature of this Stipulation and Consent Order.
19. Applicant 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.
20. Applicant voluntarily waives the right to a contested hearing before the Board and waives any right to appeal from this Stipulation and Consent Order.
21. Applicant agrees that the Board may enter into the Order set forth below.

ORDER

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

- A. The Board hereby grants Applicant licensure as an LNA.
- B. The Board hereby **WARNS** Applicant's license when it is issued.
- C. The Board of Nursing hereby **CONDITIONS** Applicant's license when it is issued. Applicant's license will be **CONDITIONED FOR A MINIMUM OF ONE (1) YEAR** from the date issued. The conditions will be as follows:
 1. Issuance of License. Upon the commencement of these conditions, Applicant shall be issued a license and it shall be labeled "conditioned."
 2. Length of Time of Conditions Imposed. The conditions shall remain in place until Applicant has completed all conditions ordered. Applicant shall be subject to the conditions until Applicant completes a **minimum of one (1) year** of practice in which she works at least eighty (80) hours each month as an LNA. Part time hours of fewer than eighty (80) hours per month shall be credited on a prorated basis.
 3. Notification to Employers/Nursing School. Applicant shall provide a copy of this Stipulation and Consent Order to all employers in any current or future setting in which Applicant practices as an LNA and inform them of Applicant's conditional license status. Within ten (10) days of the date of entry of this Consent Order or of any subsequent nursing employment, Applicant shall cause Applicant'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.

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In the event Applicant is attending a nursing program or re-entry program which has a clinical portion that involves actual patient care, Applicant shall provide a copy of the Stipulation and Consent Order to the Program Director. Applicant 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.

4. Reports from Employers/Program Director. Within one (1) month of the date the license is issued or within one (1) month of the commencement of LNA employment and **monthly** thereafter, Applicant shall cause every nursing employer Applicant has worked for during the month to submit to the Board an evaluation of Applicant's work performance and attendance during that month. In the event Applicant is attending a nursing program or re-entry program, Applicant shall cause the Program Director to submit to the Board, on a monthly basis, a written evaluation of Applicant'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 practice) and attendance.
5. Types of Employment Prohibited. Applicant shall not work in a supervisory role. Applicant 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 LNA or personal care provider requiring a nursing or nursing assistant license during the effective period of this Consent Order.
6. Costs. Applicant shall bear all costs of complying with this Consent Order.
7. Violation of this Order. If Applicant violates this Order the Board, after giving Applicant 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 Applicant during the term of this Order, this Order shall be automatically extended until the unprofessional conduct matter is concluded.
8. Completion of Conditional License Period. Applicant must petition the Board, or its designee, to remove any and all conditions on Applicant's license. Applicant must present proof that Applicant has fully complied with the terms of this Order. Applicant must also present proof of successful substance abuse rehabilitation, that Applicant poses no danger to the public or the practice of nursing, and that Applicant can safely and competently perform the duties of a licensed nurse.

- D. Notwithstanding any provision above, Applicant must continue to meet all requirements for maintaining a license, license renewal, and license reinstatement.
- E. 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).

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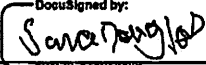
- F. This Stipulation and Consent Order will remain part of Applicant's licensing file and may be used for purposes of determining sanctions in any future disciplinary matter.

AGREED TO:

Dated: 1/5/2023

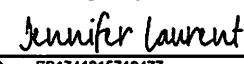
STATE OF VERMONT
SECRETARY OF STATE
By: 
Jennifer B. Colin
Prosecuting Attorney

Dated: 1/5/2023

APPLICANT
By: 
Sara Jane Douglas

APPROVED AND SO ORDERED:

Dated: 1/10/2023
Date of Entry: 1/10/2023

VERMONT BOARD OF NURSING
By: 
Board Chairperson

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