

State of Vermont
Vermont Board of Nursing

In re: Kate Barash Engel
License Number 026.0120220
Docket Number: 2022-30 & 2022-31

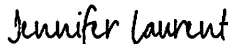
Order to Remove Conditions

On August 12, 2024, the Vermont Board of Nursing considered Kate Barash Engel's request for Removal of Conditions imposed pursuant to a Stipulation & Consent Order under Docket Numbers 2022-30 & 2022-31. Ms. Barash Engel has successfully met 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 Kate Barash Engel's RN license.

Vermont Board of Nursing

Signed by:

EB1741915719077...
Jennifer Laurent, Chair

Date: August 12, 2024

Date of Entry: 8 / 13 / 24



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 Rushing, Director

July 30, 2024

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

Case: Kate Barash-Engel
Credential: License # 026.0120220
Docket No: 2022-30 & 2022-31

Dear Attorney Doyle:

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*

Cc: Kristin Donnelly, Case Manager
Kate Barash-Engel, Respondent

Kate Barash-Engel
41 Longview Circle Unit C
Ayer, MA 01432
(802)999-9748
Katebe009@gmail.com

Re Docket No.: 2022-30 & 2022-31

July 30, 2024

To Whom it May Concern,

Please accept this letter as an official petition to remove any and all conditions from my Nursing License. I have complied completely with all terms of the order. Kristin Donnelly, Case Manager, can be contacted for the compliance documents. If any more information is needed, my contact information is provided.

Thank you,

Kate Barash-Engel



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

December 11, 2023

Kate Barash-Engel
41 Longview Circle, Unit C
Ayer, MA 01432

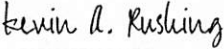
CASE: Kate Barash-Engel
Docket No.: 2022-30 & 2022-31

Dear Ms. Barash-Engel:

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

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: *Modification Stipulation and Consent Order*

cc: Jennifer Coline, Esq., Prosecuting Attorney
Kristin Donnelly, Case Manager
Kate Barash-Engel, Respondent, First Class Mail, Certified Mail & Email

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

IN RE:	)	Docket Nos. 2022-30
Kate Barash-Engel	)	2022-31
License No. 026.0120220	)	

MODIFICATION STIPULATION AND CONSENT ORDER

STIPULATION

NOW COMES the State of Vermont, by and through State Prosecuting Attorney Jennifer B. Colin, and Respondent Kate Barash-Engel, who hereby stipulate and agree as follows:

Board Authority

1. The Vermont Board of Nursing (the "Board") has jurisdiction to investigate and adjudicate allegations of unprofessional conduct committed by nurses pursuant to 3 V.S.A. §§ 129, 129a; 26 V.S.A. Chapter 28; the Administrative Rules of the Board of Nursing ("ARBN"); and the Administrative Rules of Practice of the Office of Professional Regulation.

Stipulated Facts

2. Kate Barash-Engel ("Respondent") of Essex Junction, Vermont, is licensed in the State of Vermont as a Registered Nurse under license number 026.0120220. This license was first issued on June 22, 2016 and expires on March 31, 2025.
3. In July 2021, Respondent diverted Gabapentin from the facility where she worked as a nurse. Respondent was prescribed Gabapentin at the time; however, she diverted the drug because she needed more than the prescribed amount for nerve pain in her foot and/or leg.
4. Gabapentin is a regulated drug; however, it is not a Schedule V controlled drug in Vermont as previously asserted by the State and set forth in the prior stipulation of the parties.
5. In December 2021, Respondent obtained an independent evaluation, which deemed she was fit to practice and recommended that she continue to engage with her treating professionals and follow their recommendations.
6. In February 2022, the State and Respondent negotiated a Stipulation which incorporated the recommendations of the evaluator and additional conditions, including abstention from drug and alcohol use, random drug and alcohol testing,

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substance abuse counseling, supervised practice, employer reports, and practice setting limitations.

7. In the Stipulation, Respondent and the State agreed to the conditions for a minimum of two years of full-time supervised nursing practice.
8. On March 14, 2022, the Board approved the Stipulation, and it was entered as an Order the following day ("2022 Order"). See 2022 Order, attached hereto as Attachment I.
9. To date, Respondent has been compliant with her conditions.
10. Respondent has accepted a nursing job in New Hampshire and will shortly begin working in her new position outside of Vermont.
11. Respondent is working with the New Hampshire Professionals Health Program to provide primary monitoring and oversight of Respondent's practice in New Hampshire.
12. In the NHPH Program, Respondent must: abstain from alcohol and drug use; engage in ongoing treatment with quarterly reports submitted to NHPHP; participate in monthly communications with the NHPHP; submit to random testing for alcohol and drugs; attend support meetings and have a sponsor; participate in individual therapy; submit self-assessments of progress in recovery and have a workplace monitor who submits reports to NHPHP.
13. Under the terms of Respondent's NHPH Program Contract, if Respondent fails to comply with the program requirements, the Program Director will notify the Vermont Board of Nursing, OPR, New Hampshire Board of Nursing and New Hampshire Office of Professional Licensure Certification.
14. Respondent's NHPH Program Contract may not be revoked by Respondent and shall be in effect until after both March 15, 2024 and completion of the 2022 Order.

Understandings

15. Respondent acknowledges that the facts above are true and that the conditions set out in the Consent Order below are appropriate and necessary to protect the public.
16. Respondent 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.
17. Respondent specifically waives any claims that any disclosures made to the full Board during its review of this agreement have prejudiced Respondent's rights to a fair and impartial hearing if this agreement is not accepted by the Board and proceeds to a contested hearing.

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18. Respondent has read and reviewed this entire document and agrees that it contains the entire agreement between the parties.
19. Respondent is not under the influence of any drugs or alcohol at the time Respondent signs this Stipulation and Consent Order.
20. 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.
21. Respondent voluntarily waives Respondent's right to a contested hearing before the Board and waives any right to appeal from this Stipulation and Consent Order.
22. 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 **MODIFIES** the Stipulation and Consent Order entered March 15, 2022 ("2022 Order" - Attachment 1) as follows:
 1. Revision to Paragraph 6 of Stipulated Facts. Paragraph 6 of the Stipulated Facts of the 2022 Order shall be revised to state: "Gabapentin is a regulated drug used to control and prevent seizures and relieve neuropathic pain."
 2. Compliance with NHPH Program Requirements. Respondent shall comply with all requirements of her NHPH Program contract. Compliance with the NHPH Program shall be deemed compliance with the 2022 Order. Respondent's violation of her NHPH Program contract may constitute a violation of this Order. In the event Respondent ceases the practice of nursing in New Hampshire, Respondent shall immediately, within forty-eight hours, notify the Case Manager. In such instance, primary monitoring of Respondent shall revert back to Vermont.
 3. Release of Information Forms. This Order requires Respondent to authorize NHPH Program and 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.

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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.

4. Interview with the Board or its Designee. Respondent shall appear in person or by telephone for interviews with the Board or Case Manager upon request.
 5. 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, email 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, email address, or telephone number.
 6. License Renewal. This Order does not automatically extend the license and Respondent must comply with the requirements for license renewal.
 7. Costs. Respondent shall bear all costs of complying with this Modification Stipulation and Consent Order.
 8. 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.
 9. Completion of Conditional License Period. Respondent shall submit a petition to the Docket Clerk to remove any and all conditions from 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 of proof and must present evidence that Respondent has fully complied with the terms of this Order and these conditions are no longer necessary to protect the public.
- B. All other provisions of the 2022 Order shall remain in full force and effect.
- 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 Modification 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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- E. This Modification 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: 12/5/2023

By: _____

DocuSigned by:

Jennifer Colin

Jennifer B. Colin
Prosecuting Attorney

RESPONDENT

Dated: 12/5/2023

By: _____

DocuSigned by:

Kate Barash-Engel

Kate Barash-Engel

APPROVED AND SO ORDERED:

VERMONT BOARD OF NURSING

Dated: 12/11/2023

By: _____

DocuSigned by:

Jennifer Laurent

Chairperson

Date of Entry: 12/11/2023

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

IN RE:	)	Docket Nos.	2022-30
Kate Barash-Engel	)		2022-31
License No. 026.0120220	)		

STIPULATION AND CONSENT ORDER

STIPULATION

NOW COMES the State of Vermont and hereby makes the following charges against Respondent Kate Barash-Engel:

Board Authority

1. The Vermont Board of Nursing (the "Board") has jurisdiction to investigate and adjudicate allegations of unprofessional conduct committed by nurses pursuant to 3 V.S.A. §§ 129, 129a; 26 V.S.A. Chapter 28; the Administrative Rules of the Board of Nursing ("ARBN"); and the Administrative Rules of Practice of the Office of Professional Regulation.

Stipulated Facts

2. Kate Barash-Engel ("Respondent") of Essex Junction, Vermont, is licensed in the State of Vermont as a Registered Nurse under license number 026.0120220. This license was first issued on June 22, 2016 and expires on March 31, 2023.
3. Respondent was employed as a registered nurse at the University of Vermont Medical Center (the "Facility") since she became a registered nurse in 2016.
4. In July 2021, Respondent was working as registered nurse in the Orthopedic Unit.
5. Between July 7, 2021 and July 22, 2021, Respondent diverted approximately fifty-eight (58) Gabapentin 300 mg capsules from the Orthopedic Unit's Pyxis machine.
6. Gabapentin is a Schedule V drug used to control and prevent seizures and relieve neuropathic pain.
7. On multiple occasions during the relevant time, Respondent accessed the specific pocket or drawer in the Pyxis machine containing Gabapentin, removed the medication, and performed a "cancelled transaction" indicating no medication was removed.
8. Respondent is prescribed Gabapentin for nerve pain in her foot and/or leg.

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9. Respondent admitted she began diverting Gabapentin when she started to need more Gabapentin than her prescription provided.
10. Respondent did not talk to her PCP about increasing her dose because she did not want to seem like she was drug seeking.
11. In September 2021, the Board suspended Respondent's Registered Nurse license.
12. In December 2021, Respondent engaged with an Independent Evaluator who has a Masters in Psychology and is licensed as an Alcohol and Drug Counselor and Clinical Mental Health Counselor.
13. The Independent Evaluator identified various diagnoses, some based upon the evaluation and some identified as diagnoses of other providers. Those diagnoses included Other (Unknown) Substance Use Disorder, Moderate (Gabapentin/Anticonvulsant).
14. Respondent is actively and currently engaged in a treatment regime that includes mental health treatment, psychiatric treatment and attendance at a self-help recovery group.
15. The Independent Evaluator recommended that Respondent continue to engage in current outpatient services and follow the recommendations of her treating professionals, including any increased level of care if recommended by such professionals. Respondent's treating professionals include a therapist, a psychiatric provider, a nutritionist and a primary care provider.

Violation One: 26 V.S.A. §1582(a)(2) Diverting or attempting to divert drugs or equipment or supplies for unauthorized use.

16. Paragraphs 2 through 15 above are incorporated herein.
17. As a Registered Nurse, Respondent is prohibited from diverting or attempting to divert drugs, equipment, or supplies for unauthorized use.
18. Respondent diverted or attempted to divert drugs for unauthorized use as demonstrated in Paragraphs 2 through 10 above.
19. The act(s), omission(s), and/or circumstance(s) described above constitute grounds for discipline because Respondent has committed unprofessional conduct in violation of 26 V.S.A. §1582(a)(2).

Violation Two: 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.

20. Paragraphs 2 through 15 above are incorporated herein.

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21. As a Registered Nurse, Respondent is required to exercise independent professional judgment in the performance of licensed activities.
22. Paragraphs 2 through 10 above demonstrate Respondent failed 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.
23. 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 3 V.S.A. §129a(a)(15).

Understandings

24. Respondent acknowledges that the facts above are true and that the conditions set out in the Consent Order below are appropriate and necessary to protect the public.
25. Respondent 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.
26. Respondent specifically waives any claims that any disclosures made to the full Board during its review of this agreement have prejudiced Respondent's rights to a fair and impartial hearing if this agreement is not accepted by the Board and proceeds to a contested hearing.
27. Respondent has read and reviewed this entire document and agrees that it contains the entire agreement between the parties.
28. Respondent is not under the influence of any drugs or alcohol at the time Respondent signs this Stipulation and Consent Order.
29. 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.
30. Respondent voluntarily waives Respondent's right to a contested hearing before the Board and waives any right to appeal from this Stipulation and Consent Order.
31. 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 **CONDITIONS** the Respondent's license for a **MINIMUM OF TWO (2) YEARS**, commencing on the date of entry of this order. The **CONDITIONS** shall be as follows:

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1. Re-issuance of License. Upon the commencement of these conditions, Respondent shall be issued a license labeled "conditioned."
2. 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 two (2) years** of supervised nursing practice in which Respondent works at least eighty (80) hours every month as a nurse. Part time hours of fewer than eighty (80) hours every month shall be credited on a prorated basis. Respondent shall be prohibited from working more than forty (40) hours per week.
3. 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.
4. Completion of Substance Abuse Counseling, Treatment Plan, Treatment Reports. Respondent shall engage in individual substance abuse counseling with a pre-approved counselor (the "Treating Professional") and comply with the substance abuse treatment plan until the Treating Professional certifies in writing that such counseling is no longer necessary and Respondent successfully petitions the Board for a modification of these conditions. Within ten (10) days of the date of entry of this Order, Respondent shall provide a copy of this Stipulation and Consent Order to the Treating Professional and inform him or her of Respondent's conditional license status and the accompanying conditions. Respondent shall cause the Treating Professional to submit to the Case Manager, on forms provided by the Case Manager, acknowledgement of receipt of the Stipulation and Consent Order along with Respondent's current treatment plan.

Respondent shall authorize the Treating Professional to submit **monthly** reports on forms issued by the Case Manager. Respondent shall authorize the Treating Professional to provide all information requested, either orally or in writing, at any time during the period this Consent Order is in effect.

If Respondent is prescribed medication 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 the medication as prescribed. Respondent must continue to take such medications as prescribed, until the Treating Professional certifies in writing that such medication is no longer necessary.

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.

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5. Self-help recovery groups. Respondent shall participate as recommended by Respondent's treating professional in substance abuse recover group(s). If such participation is recommended, Respondent shall submit quarterly reports documenting attendance on forms issued by the Case Manager.
6. Random Drug and Alcohol Testing. Respondent shall submit to random drug and alcohol testing through the designated entity. All testing shall be done on a random, unannounced basis and analyzed by a lab qualified to analyze samples for forensic purposes. All 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 result to be presumed positive. Any positive test result 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 disclosed to the Case Manager in writing by Respondent within forty-eight (48) hours of the prescription. If requested by the Enforcement Case Manager, Respondent's health care practitioner shall acknowledge, in writing and on appropriate letterhead, an understanding of Respondent's substance abuse issue(s) 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 Case Manager 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 forms issued 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 or when requested by the Case Manager.

9. Notification to Employers/Educational Programs. 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, 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 provided by the Case Manager, 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. Practice Under Supervision. Respondent shall practice as a nurse only in a setting where Respondent has on-site supervision for the entire shift by a licensed registered nurse that is in good standing with the Board. On-Site supervision means the supervising nurse is present in the same facility as Respondent.
11. 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 Case Manager 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 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 Case Manager, 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 Case Manager. All employer reports shall indicate satisfactory performance (ie., consistently meeting all standards of nursing practice) and attendance.
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, temporary nursing employment agency, or as a private duty nurse or personal care provider requiring a nursing license during the effective period of this Consent Order.
13. Interview with the Board or its Designee. Respondent shall appear in person or by telephone for interviews with the Board or Case Manager 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 Case Manager. Out-of-state nursing practice will be approved so long as Respondent can still comply with the provisions of this Consent Order. If Respondent receives discipline on a professional license held in another state during the conditioned period, Respondent must inform the Case manager of such, in writing, within ten (10) days of receiving such discipline.

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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, email 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, email 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 Respondent for drugs and/or alcohol with the Board and Case Manager. Any and all of this information may be provided to the Office of Professional Regulation investigators and prosecutors, 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 the Treating Professional may require Respondent 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 from 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 of proof and must present

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