

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

IN RE:)
Wendy Sondermann) **Docket No. 2023-121**
License No. 025.0007621)

STIPULATION AND CONSENT ORDER

STIPULATION

NOW COME the State of Vermont, by and through State Prosecuting Attorney Ultan Doyle, and Respondent Wendy Sondermann, who 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. Wendy Sondermann ("Respondent") of Bennington, Vermont is licensed by the State of Vermont as a Licensed Practical Nurse ("LPN") under license number 025.0007621. This license was originally issued on January 3, 1998 and expires on January 31, 2024.
3. During the relevant time period, Respondent was employed as an LPN by Bennington Health and Rehabilitation Center ("the Facility"), located in Bennington, Vermont.
4. As part of her responsibilities, Respondent was required to administer medications to a patient at the Facility ("the Patient"), who was unable to self-administer medications.
5. On or about October 15, 2022, the Patient's mother reported to the Facility that she had located a large number of pills at the Patient's bedside and wanted to know where they had come from.
6. When C.D., the Facility's Director of Nursing, questioned Respondent about the failure to administer the Patient's medications, Respondent admitted to sometimes leaving the Patient's medications at the Patient's bedside without administering them.
7. Respondent refused to participate in the Facility's investigation into her failure to administer the Patient's medications and tendered her resignation via text on October

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18, 2022. Had Respondent not resigned, she would have been terminated from the Facility on October 19, 2022.

8. When interviewed by OPR investigators about her failure to administer the Patient's medications, Respondent replied that she was "very sorry this happened," and that it was not intentional.
9. Respondent stated that the Patient usually took the medications herself; however, Respondent admitted that there were possibly times that she left the Patient without seeing the Patient taking the medications because she (Respondent) was busy.
10. Respondent also stated that she was aware that safe practice required her "to pour the medicine, give the medicine, make sure the resident takes it and then sign out what they took."

Violation One: 3 V.S.A. §129a(b)(2) 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: (2) failure to conform to the essential standards of acceptable and prevailing practice.

11. Paragraphs 2 through 10 above are incorporated herein.
12. The essential standards of acceptable and prevailing practice require that an LPN follow provider orders and administer medications to patients who are unable to administer their own medications.
13. Paragraphs 2 through 10 above demonstrate that Respondent failed to conform to the essential standards of acceptable and prevailing practice when she failed to administer medications to a patient, who was unable to self-administer medications.
14. 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(b)(2).

Understandings

15. Respondent admits that the facts above are true and that the conditions below are 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 Board during the review of this agreement have prejudiced Respondent's rights to a fair and impartial hearing in future hearings if this agreement is not accepted by the Board and proceeds to a hearing on the merits before the same Board.

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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 understands that she is responsible for all compliance costs associated with this Stipulation and Consent Order.
23. Respondent agrees that the Board may enter the Order set forth below.

ORDER

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

- A. The Board of Nursing hereby **WARNS** Respondent's license.
- B. The Board of Nursing hereby **CONDITIONS** Respondent's license commencing on the date of entry of this Stipulation and Consent Order. The **CONDITIONS** shall be as follows:
 1. Re-issuance of License. Upon the commencement of these conditions, Respondent shall be issued a license labeled "conditioned."
 2. License Renewal. This Order does not automatically extend the license and Respondent must comply with the requirements for license renewal.
 3. Required Coursework. Respondent shall, at her own expense and within ninety (90) days of the date of entry of this Stipulation and Consent Order, satisfactorily complete the following pre-approved courses:

- i. Righting a Wrong (offered by NCSBN);

*Respondent must provide satisfactorily completed workbooks and certificates of completion to the Case Manager.

**Coursework may not be counted toward any continuing education requirement of licensure.

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- D. Upon compliance with and completion of all required conditions, Respondent must petition to remove any or all conditions from the license and demonstrate full compliance with the Order.
- E. Notwithstanding any provision above, Respondent must continue to meet all requirements to maintain licensure, for license renewal, and for license reinstatement.
- F. 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).
- G. This Stipulation and Consent Order will remain part of Respondent's licensing file and may be considered relative to any future disciplinary matter.

AGREED TO:

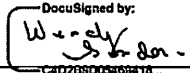
Dated: 1/16/2024

STATE OF VERMONT
SECRETARY OF STATE

By: 
Ultan Doyle, Esq.
State Prosecuting Attorney

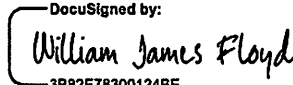
Dated: 1/12/2024

WENDY SONDERMANN
RESPONDENT

By: 
Wendy Sondermann

APPROVED AND SO ORDERED:

Dated: 2/13/24

VERMONT BOARD OF NURSING
By: 
Board Chair

Date of Entry: 2/14/24

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BOARD OF NURSING**

IN RE:	)	
Wendy Sonderrmann	)	Docket No.2023-121
License No. 025.0007621	)	

SPECIFICATION OF CHARGES

NOW COMES the State of Vermont and makes the following Charges against the Respondent, Wendy Sonderrmann:

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.

Statement of Facts

2. Wendy Sonderrmann (“Respondent”) of Bennington, Vermont is licensed by the State of Vermont as a Licensed Practical Nurse (“LPN”) under license number 025.0007621. This license was originally issued on January 3, 1998 and expires on January 31, 2024.
3. During the relevant time period, Respondent was employed as an LPN by Bennington Health and Rehabilitation Center (“the Facility”), located in Bennington, Vermont.
4. As part of her responsibilities, Respondent was required to administer medications to a patient at the Facility (“the Patient”), who was unable to self-administer medications.
5. On or about October 15, 2022, the Patient’s mother reported to the Facility that she had located a large number of pills at the Patient’s bedside and wanted to know where they had come from.
6. When C.D., the Facility’s Director of Nursing, questioned Respondent about the failure to administer the Patient’s medications, Respondent admitted to sometimes leaving the Patient’s medications at the Patient’s bedside without administering them.
7. Respondent refused to participate in the Facility’s investigation into her failure to administer the Patient’s medications and tendered her resignation via text on October 18, 2022. Had Respondent not resigned, she would have been terminated from the Facility on October 19, 2022.

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8. When interviewed by OPR investigators about her failure to administer the Patient's medications, Respondent replied that she was "very sorry this happened," and that it was not intentional.
9. Respondent stated that the Patient usually took the medications herself; however, Respondent admitted that there were possibly times that she left the Patient without seeing the Patient taking the medications because she (Respondent) was busy.
10. Respondent also stated that she was aware that safe practice required her "to pour the medicine, give the medicine, make sure the resident takes it and then sign out what they took."

Violation One: 3 V.S.A. §129a(b)(2) 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: (2) failure to conform to the essential standards of acceptable and prevailing practice.

11. The State re-alleges and incorporates Paragraphs 2 through 10 above.
12. The essential standards of acceptable and prevailing practice require that an LPN follow provider orders and administer medications to patients who are unable to administer their own medications.
13. Paragraphs 2 through 10 above demonstrate that Respondent failed to conform to the essential standards of acceptable and prevailing practice when she failed to administer medications to a patient, who was unable to self-administer medications.
14. 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(b)(2).

Relief Requested

WHEREFORE, the LPN license of Respondent should be revoked, suspended, reprimanded, conditioned, or otherwise disciplined.

DATED at Montpelier, Vermont this 30th day of August, 2023.

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