

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

**In re: Shawntea Hamilton
License No. 025.0134937**

Docket No. 2023-125

DEFAULT ORDER

Appearances:

Prosecuting Attorney: George L. Hasselback, Esq.

Respondent: Did not appear

Hearing Officer: Michael S. Kupersmith, Esq.

Introduction

The Hearing Officer conducted a default hearing in the above-entitled matter on February 13, 2024, pursuant to 3 V.S.A. § 129(f). The hearing was conducted remotely as provided in the Emergency Rules for Remote Hearings adopted by the Office of Professional Regulation (OPR). The State requested a default order because the Respondent had not responded to the Specification of Charges filed in this case. The State was represented by George L. Hasselback, Esq. The Respondent did not appear and was not represented by counsel.

Findings of Fact

Since the Respondent failed to file an Answer to the Specification of Charges, “the allegations of the [specification of] charges will be treated as proven and disciplinary action will be taken. . . .” Rule 3.4, Vermont Administrative Rules of Practice. Accordingly, the following facts are deemed proven.

1. Shawntea Hamilton (“Respondent”) of Detroit, Michigan is licensed as an LPN under license number 025.0134937. This license was originally issued on September 13, 2019, and expired on January 31, 2022.
2. At all times relevant to this matter, Respondent was working as a travelling nurse in various jurisdictions.

3. Respondent was arrested on or about July 11, 2023, in Toledo, Ohio and charged with second-degree murder in the Superior Court of Snohomish County, Washington.
4. This charge remains pending.
5. This charge is based upon allegations that Respondent shot and killed her significant other on or about June 10, 2023.
6. On October 10, 2023, the Board summarily suspended Respondent's Vermont LPN license.

Conclusions of Law

Respondent has received adequate actual and/or constructive notice of the Charges in this matter as indicated by the Board's file and the Prosecutor's presentation. Because the Respondent has failed to file an Answer, the factual allegations contained in the Specification of Charges are taken as proven. Accordingly, the Board concludes that the Respondent engaged in unprofessional conduct as alleged, to wit: engaged in conduct likely to harm the public in violation 3 V.S.A. § 129a(a)(28).

PROPOSED ORDER I

In accordance with the Findings of Fact and Conclusions of Law set forth above, and consistent with the recommendations of the Prosecuting Attorney, the Board **ORDERS** that the Respondent's license be **REVOKED**.

PROPOSED ORDER II

In accordance with the Findings of Fact and Conclusions of Law set forth above, but because Respondent has not yet been convicted of any crime, the Board **ORDERS** that the Respondent's license be **SUSPENDED INDEFINITELY**. At such time as the Respondent applies for reinstatement, the Board may impose preconditions to reinstatement as well as conditions on her reinstated license as it deems appropriate at the time.

The Hearing Officer reports the above facts, conclusions of law, and finding of default to the Board with the recommendation that the Board approve them and enter one of the Proposed Orders set forth above.

Dated this 13th day of February 2024



Michael S. Kupersmith
Hearing Officer

The Board of Nursing considered the report of findings of fact and conclusions of law at its meeting on March 11, 2024. After considering the report, the Board 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 proposed discipline as set forth in the proposed order #1 above.
/ / Accepts the report, adopts the findings of fact and conclusions of law, rejects the recommended sanction, and schedules the matter for additional hearing on sanctions.

SO ORDERED,

DocuSigned by:



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Board of Nursing

By: Jennifer Laurent, Chair

Date of Entry: 3/11/24

Appeal Rights

This is a final administrative determination by the Board of Nursing. A party aggrieved by a final decision by the Board may appeal this decision by filing a written Notice of Appeal with the Director of the Office of Professional Regulation, 89 Main Street, 3rd floor, Montpelier, VT 05620-3402, within 30 days of the date of 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 appeal shall be conducted based on the record created before the Board. In cases of alleged irregularities in procedure before the Board not shown on the record, proof of that issue may be taken by the Appellate Officer. 3 V.S.A. §§ 129(d) and 130a. A stay of this Order may also be requested.

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IN RE:)
Shawntea Hamilton) **Docket No. 2023-125**
License No. 025.0134937)

SPECIFICATION OF CHARGES

NOW COMES the State of Vermont (“the State”) and makes the following charges against Shawntea Hamilton (“Respondent”):

Board Authority

1. The Vermont State Board of Nursing (the “Board”) has jurisdiction to investigate and adjudicate allegations of unprofessional conduct committed by licensed practical nurses (“LPNs”) pursuant to 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. Shawntea Hamilton (“Respondent”) of Detroit, Michigan is licensed as an LPN under license number 025.0134937. This license was originally issued on September 13, 2019, and expired on January 31, 2022.
3. At all times relevant to this matter, Respondent was working as a travelling nurse in various jurisdictions.
4. Respondent was arrested on or about July 11, 2023, in Toledo, Ohio and charged with second-degree murder in the Superior Court of Snohomish County, Washington.
5. This charge remains pending.
6. This charge is based upon allegations that Respondent shot and killed her significant other on or about June 10, 2023.
7. On October 10, 2023, the Board summarily suspended Respondent’s VT LPN license.

STATE OF VERMONT



Prosecuting Attorney
Office of
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89 Main Street
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Violation One: 3 V.S.A. § 129a(a)(28) Engaging in conduct of a character likely to deceive, defraud, or harm the public.

8. The State re-alleges and incorporates Paragraphs 3 through 7 above.
9. As a licensed LPN in the State of Vermont, Respondent is required to refrain from engaging in conduct of a character likely to deceive, defraud, or harm the public.
10. Paragraphs 3 through 7 demonstrate that Respondent engaged in conduct of a character likely to harm the public in that she shot her significant other, resulting in his death.
11. The act(s), omission(s), and/or circumstance(s) described above constitute grounds for discipline because Respondent committed unprofessional conduct of a character likely to deceive, defraud, or harm the public in violation of 3 V.S.A. § 129a(a)(28).

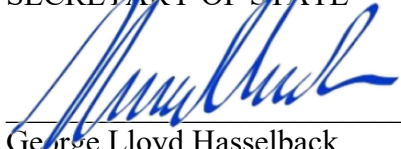
Relief Requested

WHEREFORE, Respondent's professional license should be revoked, suspended, reprimanded, conditioned, or otherwise disciplined.

DATED at Montpelier, Vermont this 23 day of October, 2023.

STATE OF VERMONT
SECRETARY OF STATE

By: _____


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STATE OF VERMONT



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