

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

IN RE:	)	
Matilda Caldwell	)	Docket No. 2023-129
License Nos. 026.0150067	)	Docket No. 2023-130
025.0134778	)	
075.0122073	)	

STIPULATION AND CONSENT ORDER

NOW COME the State of Vermont, by and through State Prosecuting Attorney George Hasselback, and Respondent Matilda Caldwell by and through her counsel Hannah White, esq., who hereby Stipulate and Agree as follows:

Board Authority

1. The Vermont State Board of Nursing (the "Board") has jurisdiction to investigate and adjudicate allegations of unprofessional conduct committed by a Registered Nurse ("RN") 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").

Stipulated Facts

2. Matilda Caldwell (the "Respondent") of Claremont, New Hampshire is licensed by the State of Vermont as a Registered Nurse ("RN") under license number 026.0150067. This license was originally issued on June 16, 2022, and expired on March 31, 2025.
3. Respondent is also licensed by the State of Vermont as a Licensed Practical Nurse ("LPN") under license number 025.0134778. This license was originally issued on July 12, 2019 and expired on January 31, 2024.
4. Respondent was also licensed by the State of Vermont as a Licensed Nursing Assistant ("LNA") under license number 075.0122073. This license was originally issued on July 11, 2016, and expired on November 30, 2020.
5. On or about March 11, 2024, Respondent's RN license was indefinitely suspended pursuant to a Stipulation and Consent Order agreed to by the Parties.
6. Respondent now seeks reinstatement of her RN license.
7. Based upon the Respondent's compliance with the Stipulation and Consent Order, the State supports Respondent's reinstatement request, with the conditions as outlined below.

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Understandings

8. Respondent admits the facts above are true and the conditions below are necessary to protect the public.
9. 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.
10. Respondent specifically waives any claims that any disclosures made to the full Board during its review of this agreement have prejudiced her rights to a fair and impartial hearing in future hearings if this agreement is not accepted by the Board.
11. Respondent has read and reviewed this entire document and agrees that it contains the entire agreement between the parties.
12. Respondent is not under the influence of any drugs or alcohol at the time she signs this Stipulation and Consent Order.
13. 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.
14. Respondent voluntarily waives her right to a contested hearing before the Board of Nursing and waives any right to appeal from this Stipulation and Consent Order.
15. 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 **REINSTATES and CONDITIONS** the Respondent's license and/or re-entry permit for a **MINIMUM OF THREE YEARS, commencing on the date of reinstatement**. The **CONDITIONS** shall be as follows:
 1. Renewal. Respondent is immediately eligible to renew and revive her Registered Nurse license. Respondent must comply with all requirements of license renewal.
 2. Re-issuance of License. Upon the commencement of these conditions and the renewal of Respondent's license, Respondent shall be issued a license labeled "conditioned."
 3. Length of Time of Conditions Imposed. Respondent shall be subject to the conditions for a minimum of three (3) years in which Respondent works at least eighty (80) hours every calendar month as a nurse and until Respondent has fully completed all conditions as ordered. Part time hours of fewer than eighty (80) hours

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every calendar month shall be credited on a pro-rated basis. Respondent shall not work more than forty (40) hours per week.

4. 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.
5. Completion of Substance Abuse Counseling, Treatment Plan, Treatment Reports and recovery groups. Respondent shall enter into and continue substance abuse counseling and comply with substance abuse treatment plan until the pre-approved treating professional certifies in writing to the Board that such counseling is no longer necessary. Compliance with the treatment plan includes, but is not limited to, engaging in face-to-face meetings with the treating professional at the frequency recommended in the treatment plan.
 - a. Within ten (10) days of the date of beginning treatment, Respondent shall provide a copy of this Stipulation and Consent Order to her treatment provider and inform him or her of Respondent's conditional license status and the accompanying conditions. Respondent's treating professional shall submit to the Case Manager, on forms provided by Case Manager, acknowledgement of receipt of the Stipulation and Consent Order along with Respondent's current treatment plan.
 - b. Respondent shall authorize Respondent's treating professional to submit to the Board and the Case Manager **monthly** reports on forms issued by the Board. Respondent shall authorize Respondent's treating professional to provide all information requested by the Nursing Board and Case Manager, either orally or in writing, at any time during the period this Consent Order is in effect.
 - c. If Respondent takes prescribed medications 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 her medication as prescribed. Respondent must continue to take such medications as prescribed, until her treating professional certifies in writing to the Case Manager that such medication is no longer necessary.
 - d. 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.
6. Random Drug and Alcohol Testing. Respondent shall submit to random drug and alcohol testing through the Board pre-approved entity. All testing shall be done on a random, unannounced basis and analyzed by a lab qualified to analyze samples for

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forensic purposes and approved by the Board. All urine 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 to be presumed positive. Any positive test 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 Board in writing by Respondent within forty-eight (48) hours of the prescription. Respondent's health care practitioner shall inform the Case Manager, in writing and on appropriate letterhead, of knowledge of Respondent's conditional license status 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 Board or its designee 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 provided 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.

9. Notification to Employers/Nursing School. 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 approved by the Board, 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 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.

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10. 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 Board an evaluation of Respondent's work performance and attendance during that month. 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 Board. All employer reports shall indicate satisfactory performance (i.e., consistently meeting all standards of nursing practice) and attendance.
11. Practice Under Supervision. Respondent shall practice as a registered nurse only in a setting where Respondent has onsite supervision for the entire shift by a licensed registered nurse that is in good standing with the Board.
12. Administration of Medications. Respondent is prohibited from administering any controlled substances.
13. 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, home health care agency, temporary nursing employment agency, or as a private duty nurse or personal care provider requiring a nursing or nursing assistant license during the effective period of this Consent Order.
14. Interview with the Board or its Designee. Respondent shall appear in person for interviews with the Board or its designee upon request.
15. 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 Board or its designee. The Board will approve out-of-state nursing practice so long as Respondent can still comply with the provisions of this Consent Order. If Respondent receives discipline on a nursing license held in another state during the conditioned period, Respondent must inform the Board of such, in writing, within ten (10) days of receiving such discipline.
16. 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, 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, or telephone number.
17. 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.

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18. License Renewal. This Order does not automatically extend the license and Respondent must comply with the requirements for license renewal.

19. 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 or its designee and the Case Manager. 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.

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.

20. Costs. Respondent shall bear all costs of complying with this Consent Order.

21. 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.

22. Completion of Conditional License Period. Respondent shall submit a petition to the Docket Clerk to remove any and all conditions on 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 and must present proof that Respondent has fully complied with the terms of this Order and these conditions are no longer necessary to protect the public.

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- B. Notwithstanding any provision above, the Respondent must continue to meet all Board requirements for maintaining a license, license renewal and license reinstatement.
- C. 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).
- D. This 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

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

RESPONDENT

Dated: 9/2/25

By: Matilda Caldwell
Matilda Caldwell

COUNSEL FOR RESPONDENT

Dated: 9/2/2025

By: /s/ Hannah C. Waite
Hannah White

APPROVED AND SO ORDERED:

VERMONT BOARD OF NURSING

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Dated: 9/8/2025

Date of Entry: 9/9/2025

Signed by:
By: William James Floyd III
Chairperson

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025.0134778	)	
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STIPULATION AND CONSENT ORDER
STIPULATION

NOW COMES the State of Vermont, by and through Prosecuting Attorney George Hasselback, and Respondent Mathilda Caldwell, by and through her counsel Rich Cassidy, Esq., 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. Matilda Caldwell (the "Respondent") of Claremont, New Hampshire is licensed by the State of Vermont as a Registered Nurse ("RN") under license number 026.0150067. This license was originally issued on June 16, 2022, and expires on March 31, 2025.
3. Respondent is also licensed by the State of Vermont as a Licensed Practical Nurse ("LPN") under license number 025.0134778. This license was originally issued on July 12, 2019, and expires on January 31, 2024.
4. Respondent was also licensed by the State of Vermont as a Licensed Nursing Assistant ("LNA") under license number 075.0122073. This license was originally issued on July 11, 2016, and expired on November 30, 2020.
5. At all times relevant to this matter, Respondent was employed as an RN at Springfield Hospital in Springfield, VT ("the Facility").
6. On or about November 26, 2022, Respondent was working at the Facility.

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7. On that date, Respondent diverted a total of two (2) milligrams of intravenous hydromorphone from the Pyxis in the Facility's emergency department.
8. Respondent diverted these medications with the intent to use them to end her own life.
9. Subsequently, Respondent had a change of heart and disposed of the medications at the emergency department of the Facility before departing the Facility at the end of her shift.
10. On or about November 30, 2022, the Facility terminated Respondent's employment.

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

11. Paragraphs 2 through 10 above are incorporated herein.
12. As an RN Respondent is prohibited from diverting or attempting to divert drugs, equipment, or supplies for unauthorized use.
13. Paragraphs 2 through 10, Respondent diverted or attempted to divert drugs for unauthorized use.
14. 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)(5) Practicing the profession when medically or psychologically unfit to do so.

15. Paragraphs 2 through 10 above are incorporated herein.
16. As an RN, LPN, and/or LNA, Respondent must be medically and psychologically fit to practice the profession of nursing.
17. Paragraphs 2 through 10 demonstrate Respondent has practiced the profession when medically or psychologically unfit to do so in that she was practicing while specifically carrying out a plan to end her own life.
18. The act(s), omission(s), and/or circumstance(s) described above constitute grounds for discipline because Respondent has committed unprofessional conduct in violation of 3 V.S.A. §129a(a)(5).

Understandings

19. Respondent admits the facts above are true and the conditions below are necessary to protect the public.

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20. 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.
21. Respondent specifically waives any claims that any disclosures made to the 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.
22. Respondent has read and reviewed this entire document and agrees that it contains the entire agreement between the parties.
23. Respondent is not under the influence of any drugs or alcohol at the time Respondent signs this Stipulation and Consent Order.
24. 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.
25. 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.
26. 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 hereby **INDEFINITELY SUSPENDS** Respondent's licenses to practice as a Registered Nurse. Respondent must petition for reinstatement. No sooner than forty-five (45) days prior to requesting reinstatement, Respondent must, at her own cost:
 1. Obtain an independent mental health and substance/alcohol abuse evaluation by a pre-approved licensed professional with more than ten years' experience ("Independent Evaluator") who has verified receipt of this Stipulation and Consent Order. The evaluation report shall meet the independent evaluation requirements posted on OPR's website. The results of the Independent Evaluation must indicate that Respondent is fit to practice and does not present a risk to the safety, health, or welfare of Respondent's potential patients, as well as any recommendations that would ensure Respondent is safe to practice. The evaluation must be submitted to the Enforcement Unit Case Manager.
 2. Submit to the Enforcement Unit Case Manager the results of a minimum of three (3) random urinalyses:
 - a. When Respondent is ready to petition for reinstatement, Respondent shall contact the Enforcement Unit Case Manager to set-up the drug

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screen process and receive instructions. Once registered with the pre-approved person or entity, Respondent will have approximately 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.

- b. The drug tests 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.
 - c. Failure to appear for, refusal to provide, adulteration of, dilution of, or tampering with a sample for any drug screen shall cause that screen to be presumed positive.
3. If recommended by an Independent Evaluator, enter into a treating professional agreement and mental health and/or substance/alcohol abuse treatment plan with a pre-approved treating professional and follow all recommendations.
- B. If reinstated, Respondent's license **SHALL BE CONDITIONED** pursuant to whatever terms the Board finds reasonable at the time of Respondent's reinstatement request, taking into account the independent evaluation, drug testing results, the facts above, and anything else the Board deems relevant at that time. Conditions may include treatment/counseling, urine screens/testing, additional/ongoing coursework, practice setting and scope limitations, supervision, and employer reports.
 - 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 Stipulated 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).
 - E. This 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.
 - F. This Stipulation and Consent Order shall be applicable as a matter of law to all other licenses issued by the Board of Nursing, as provided in 3 V.S.A. §129(l).

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AGREED TO:

Dated: 3/8/2024

STATE OF VERMONT
SECRETARY OF STATE

By:

George C. Hasselback
State Prosecuting Attorney

Dated: Mar 7, 2024

RESPONDENT
By: *Matilda Caldwell*
Matilda Caldwell (Mar 7, 2024 16:18 EST)
Matilda Caldwell

Dated: 03/04/2024

ATTORNEY FOR RESPONDENT
By: Richard T. Cassidy
Rich Cassidy, Esq.

APPROVED AND SO ORDERED:

Dated: 3/11/24
Date of Entry: 3/11/24

By: *Jennifer Laurent*
DocuSigned by:
684744045740477...
Chairperson

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