

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

IN RE:

**Jennifer Ricker
License No. 026.0097155**

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**Docket Nos. 2023- 132
2023- 133**

Pre-Charge Voluntary Surrender Stipulation and Order

The matter captioned above arises from a complaint made to the Office of Professional Regulation. The parties to the case hereby agree to an expedited resolution of the matter as follows:

Alleged Facts and Violations

1. Jennifer Ricker ("Respondent") of Vershire, Vermont was licensed by the State of Vermont as a Registered Nurse ("RN") under license number 026.0012973. This license was originally issued on March 23, 1979 and expired on March 31, 2023.
2. During the relevant time period, Respondent was employed as an RN by a medical facility ("the Facility") in White River Junction, Vermont.
3. Respondent worked as Endoscopic RN at the Facility's Gastrointestinal Unit.
4. On or about May 26, 2022, the Facility's Nurse Manager contacted Respondent to ask her about an alleged medication error that Respondent made on May 24, 2022.
5. Respondent stated that on May 24, 2022, she inadvertently dropped Versed (Midazolam) into a needle container while administering Fentanyl so she withdrew another vial of Versed and that afterwards she entered the incorrect amount of Versed that she wasted.
6. On May 26, 2022, the Facility verbally counseled about her medication management inaccuracies.
7. On June 16, 2022, Respondent's Pyxis access was suspended "due to continued inaccuracy with medication management."
8. The Facility's Nurse Manager subsequently initiated an investigation of Respondent's medication management.
9. This investigation included a review of all of Respondent's Pyxis activity from April 1, 2022 to June 15, 2022 and cross-referencing this activity with nursing sedation flow sheets and provider notes.

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10. The Nurse Manager concluded in the investigation that Respondent had an unacceptable and dangerous rate of medication errors, and that she was unsafe to continue direct patient care.
11. As a result of the investigation's findings, the Facility terminated Respondent's employment.
12. These acts constitute grounds for discipline because Respondent committed unprofessional conduct in violation of 3 V.S.A. §129a(b)(1)(Performance of unsafe or unacceptable patient or client care); and 3 V.S.A. §129a(b)(2)(Failure to conform to the essential standards of acceptable and prevailing practice).

Understandings

13. This Stipulation is neither an admission of liability by Respondent nor a concession by the State of Vermont that its charges are not well-founded. To avoid delay, uncertainty, inconvenience, and the expense of protracted litigation, the Parties enter this full and final Stipulation pursuant to these Understandings and the Order below. Respondent does not dispute that the State may be able to prove these charges by a preponderance of the evidence if this matter proceeds to a merits hearing.
14. Respondent understands that this Pre-Charge Stipulation and Order will be reviewed and the Board may accept or reject the Order set forth below. If the Board rejects all or any portion of the Order, then this entire document shall be null and void.
15. Respondent specifically waives any claim that any disclosures made to the Board during its review of this agreement prejudice Respondent's right to a fair and impartial hearing if this agreement is not accepted and proceeds to a merits hearing before the Board.
16. Respondent has read this document fully and agrees it contains the entire agreement between the parties.
17. This Pre-Charge Stipulation and Consent Order is entered into voluntarily by Respondent after the opportunity to consult with legal counsel. Respondent has not been coerced by anyone into signing this Pre-Charge Stipulation and Consent Order.
18. Respondent voluntarily waives the right to a contested hearing and waives any right to appeal this Pre-Charge Stipulation and Consent Order.
19. Respondent is of sound mind and is not under the influence of drugs or alcohol when signing this Pre-Charge Stipulation and Consent Order.
20. Respondent agrees the Order set forth below may be entered, will be a binding Order upon Respondent, and will be made public.

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21. Respondent agrees that the Board may accept the voluntary surrender of her license and that the Order set forth below may be entered by the Board.

ORDER

Based upon the above stipulation, it is **ORDERED AND ADJUDGED** as follows:

- A. The Board of Nursing hereby **ACCEPTS** Respondent's **VOLUNTARY SURRENDER** of her Registered Nurse license.
- B. Any future application for licensure shall be subject to the licensing requirements of that particular profession. If a future application for licensure in the State of Vermont is approved, that license shall be **CONDITIONED** pursuant to whatever terms are found to be reasonable at the time of Respondent's application for licensure, taking into account the stipulated facts above.
- 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:

Dated: 9/25/2023

STATE OF VERMONT
SECRETARY OF STATE
DocuSigned by:
Ultan Doyle
EB1741915719477...
Ultan Doyle
Prosecuting Attorney
(802) 828-1217
ultan.doyle@vermont.gov

Dated: 9/19/23

RESPONDENT
By: Jennifer Ricker
Jennifer Ricker

APPROVED AND SO ORDERED:

Dated: 10/9/23

DocuSigned by:
Jennifer Laurent
EB1741915719477...
Board Chairperson

Date of Entry: 10/10/23

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