

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

IN RE:	)	
Sabrina Carr	)	Docket No. 2024-106
Vermont License No. 075.0137047	)	
	)	

STIPULATION AND CONSENT ORDER

STIPULATION

NOW COME the State of Vermont, by and through State Prosecuting Attorney George Hasselback, and Respondent Sabrina Carr, who hereby Stipulate and Agree as follows:

Board Authority

1. 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 (“OPR Rules”).

Stipulated Facts

2. Sabrina Carr (“Respondent”) of Barton, Vermont holds a license to practice as an LNA under license number 075.0137047 issued by the State of Vermont. This license was originally issued on December 26, 2020, and expires on November 30, 2024.
3. At all times relevant to this matter, Respondent was employed as an LNA at a nursing home located in Barre, Vermont (“the Facility”).
4. Respondent was scheduled to work at the Facility on or about January 16 and 17, 2024, on the 2:45 p.m. to 11:15 p.m. “evening shift” and the 11:15 p.m. to 7:15 a.m. “night shift.”
5. Respondent began work as scheduled on the evening shift that day, received her nursing assignments, and began to care for patients.
6. During that shift, Respondent had a disagreement with another LNA regarding who was responsible for caring for a particular patient.

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7. Subsequently, Respondent demanded from the Unit Manager that she (Respondent), the Unit Manager, and the other LNA have a meeting to discuss the disagreement.
8. The Unit Manager informed Respondent that a meeting could be had, but that Respondent did not have the authority to direct Unit Manager's actions.
9. Respondent subsequently told the Unit Manager "I am quitting. I cannot do this anymore. I know I am going to get fired or whatever but I don't care" or words to that effect.
10. The Unit Manager warned Respondent that if she left without conducting a proper transfer of patient care, that she (Respondent) could be reported to the Board for patient abandonment.
11. The Unit Manager then asked Respondent to meet with her in the Unit Manager's office to discuss Respondent's concerns.
12. Respondent agreed, and met with the Unit Manager
13. Respondent explained to the Unit Manager that she believed there to be "cliques" amongst the Facility's staff, and that this was the source of her discontent, but did not specifically identify any individuals.
14. The Unit Manager assured Respondent that the Facility's policy was that all employees work together as a team and told Respondent that she (the Unit Manager) would be meeting with all staff to reinforce this expectation.
15. Following this conversation, Respondent informed the Unit Manager that she felt better.
16. The Unit Manager then offered Respondent a break to cool down and told Respondent to return to duty when she felt able to.
17. Subsequently, the Unit Manager's replacement arrived, and the Unit Manager went off-shift.
18. The Unit Manager walked to the front of the Facility to leave where she encountered Respondent.
19. The Unit Manager then asked Respondent if she felt better, to which Respondent replied "much better" or words to that effect and thanked the Unit Manager for meeting with her.
20. The Unit Manager wished Respondent well for the remainder of her shift and said that she would see Respondent the next day.
21. Respondent replied "see you tomorrow" or words to that effect.

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22. Approximately ten minutes later, the Unit Manager was informed by another member of the Facility's staff that Respondent had left the Facility without informing anyone else and without conducting any transfer of her assigned patients and quit her job.

Violation One: 26 V.S.A. §1582(a)(6) Leaving a nursing assignment without properly advising appropriate personnel.

23. The State re-alleges and incorporates Paragraphs 2 through 22 above.
24. As a licensed LNA in the State of Vermont, Respondent is required to properly advise appropriate personnel prior to leaving a nursing assignment.
25. Paragraphs 2 through 22 demonstrate that Respondent failed to properly advise appropriate personnel prior to leaving a nursing assignment when she left her shift without informing anyone of her intention to do so and without conducting any transfer of patient care.
26. The act(s), omission(s), and/or circumstance(s) described above constitute grounds for discipline because Respondent committed unprofessional conduct in violation of 26 V.S.A. §1582(a)(6).

Understandings

27. This Stipulation is neither an admission of facts 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 contest that the State has evidence which, if believed by the fact finder, may establish by a preponderance of the evidence that Respondent engaged in the alleged misconduct.
28. Respondent agrees the conditions below are necessary to protect the public.
29. Respondent understands that the Nursing 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.
30. If accepted by the Board, 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.
31. Respondent has read and reviewed this entire document and agrees that it contains the entire agreement between the parties.
32. Respondent is not under the influence of any drugs or alcohol at the time she signs this Stipulation and Consent Order.

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33. 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.
34. 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.
35. 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 **REPRIMANDS** Respondent's license.
- B. The Board of Nursing hereby **CONDITIONS** Respondent's license commencing with the date of entry of this Stipulation and Consent Order. The conditions will be as follows:
 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.
 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. Interview with the Board or its Designee. Respondent shall appear in person for interviews with the Board or its designee 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 Board, in writing, of Respondent's current place of employment, personal address, and telephone number. Respondent shall further notify the Board, in writing, within forty-eight (48) hours of any change in employment (including resignation or termination), personal address, or telephone number.
 6. Notification to Other States. If 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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7. Required Coursework. Respondent shall, at her own expense and within six (6) months of the date of entry of this Stipulation and Consent Order, successfully complete (i.e., receive a passing score, if applicable) ten (10) hours of pre-approved coursework on proper procedures for the transfer of patient care. The coursework must be pre-approved by the Enforcement Case Manager.

Respondent shall submit the certificates of completion, completed assignment book(s) and quiz results, if applicable, to the Enforcement Case Manager. Failure to satisfactorily complete the courses within the prescribed timeframe shall constitute a violation of this Order. The coursework may not be counted toward any continuing education requirement of licensure.

8. Respondent shall pay a monetary administrative penalty of \$250.00 within 30 days of entry of this Order.
 9. Costs. Respondent shall bear all costs of complying with this Consent Order.
 10. 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.
 11. 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.
 12. License Renewal. This Order does not automatically extend the license and Respondent must comply with the requirements for license renewal.
- C. Notwithstanding any provision above, the Respondent must continue to meet all Nursing Board requirements for maintaining a license, license renewal and license reinstatement.
 - D. 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).
 - 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.

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AGREED TO:

Dated: 9/26/2024

Dated: 9/26/2024

**STATE OF VERMONT
SECRETARY OF STATE**

By: Signed by:
George Hasselback
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George Hasselback
Prosecuting Attorney

RESPONDENT

By: DocuSigned by:
Sabrina Carr
147F74D48A094D4...
Sabrina Carr

APPROVED AND SO ORDERED:

Dated: 10/19/24

Date of Entry: 10/20/24

VERMONT BOARD OF NURSING

By: Signed by:
Jennifer Laurent
EB1741915719477...
Chairperson

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SPECIFICATION OF CHARGES

NOW COMES the State of Vermont (the "State") and makes the following charges against Respondent Sabrina Carr:

Board Authority

1. The Vermont State Board of Nursing (the "Board") has jurisdiction to investigate and adjudicate allegations of unprofessional conduct committed by Licensed Nursing Assistants ("LNAs") 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

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Violation One: 26 V.S.A. §1582(a)(6) Leaving a nursing assignment without properly advising appropriate personnel.

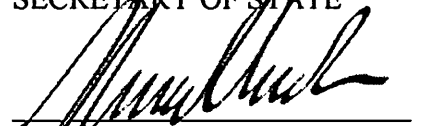
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26. The act(s), omission(s), and/or circumstance(s) described above constitute grounds for discipline because Respondent committed unprofessional conduct in violation of 26 V.S.A. §1582(a)(6).

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

DATED at Montpelier, Vermont this 10th day of July, 2024.

STATE OF VERMONT
SECRETARY OF STATE

By:


George Lloyd Hasselback
Prosecuting Attorney
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george.hasselback@vermont.gov

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