

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

In re: Dalice Costa
License no. 026.0104001

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Docket No. 2024-189

Pré-Charge Stipulation and Consent 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:

Stipulated Facts and Violations

1. Dalice Costa ("Respondent") of Marshfield, Vermont is licensed as a Registered Nurse ("RN") under license number 026.0104001. The State of Vermont first issued this license on June 20, 2014, and the license expires on March 31, 2025.
2. While working as a public health nurse, Respondent vaccinated herself for measles. Respondent used the pediatric vaccine, which is not the correct vaccine for adults.
3. Respondent completed the Vaccine Administration Record and entered the name of another nurse and asked that nurse to sign the record, which she did.
4. This false record was ultimately deleted after the nurse who signed reported the incident.
5. These acts constitute grounds for discipline because Respondent committed unprofessional conduct in violation of 3 V.S.A. § 129a(a)(7) (willfully making or filing false reports or records in the practice of the profession, willfully impeding or obstructing the proper making or filing of reports or records, willfully failing to file the proper reports or records, or willfully providing inaccurate health or medical information to a patient, including purposeful misrepresentation of a patient's health status) and 3 V.S.A. § 129a(b) (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: (1) performance of unsafe or unacceptable patient or client care; or (2) failure to conform to the essential standards of acceptable and prevailing practice).

Understandings

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

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7. Respondent understands that this Pre-Charge Stipulation and Consent Order will be reviewed and the tribunal may accept or reject the Order set forth below. If the tribunal rejects all or any portion of the Order, then this entire document shall be null and void.
8. Respondent specifically waives any claim that any disclosures made to the tribunal 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 same tribunal.
9. Respondent has read this document fully and agrees it contains the entire agreement between the parties.
10. 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.
11. Respondent voluntarily waives the right to a contested hearing and waives any right to appeal this Pre-Charge Stipulation and Consent Order.
12. Respondent is of sound mind and is not under the influence of drugs or alcohol when signing this Pre-Charge Stipulation and Consent Order.
13. Respondent agrees the Order set forth below may be entered, will be a binding Order upon Respondent, and will be made public.
14. Respondent understands that Respondent is responsible for all compliance costs associated with this Pre-Charge Stipulation and Consent Order and any violation of this Order may result in additional disciplinary action.

ORDER

Based upon the above stipulation, 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 Pre-Charge Stipulation and Consent Order:

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,

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successfully complete (i.e., receive a passing score, if applicable) the following coursework, or equivalent pre-approved by the Enforcement Case Manager.

- i. Upholding the Standard: Professional Accountability in Nursing, from International Center for Regulatory Scholarship, 4.5 hours, and available here:

<https://catalog.icrsncsbn.org/browse/public/continuing-ed/nurses/courses/upholding-the-standard-sp24>

- ii. Righting a Wrong – Ethics & Professionalism in Nursing, from International Center for Regulatory Scholarship, 3 hours, and available here:

<https://catalog.icrsncsbn.org/browse/public/continuing-ed/nurses/courses/righting-a-wrong-sp24>

*Respondent must provide satisfactorily completed workbooks (if any) and certificates of completion to the Case Manager. Coursework may not be counted toward any continuing education requirement of licensure.

- C. 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.
- D. Respondents shall pay an **ADMINISTRATIVE PENALTY** in the amount of \$250.00. This Penalty shall be paid within six months of the date of entry of this 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 Pre-Charge 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 Pre-Charge Stipulation and Consent Order will remain part of Respondent's licensing file and may be considered relative to any future disciplinary matter.

AGREED TO:

STATE OF VERMONT
SECRETARY OF STATE

Signed by:

Rachel Heath

FCA248D7E29242B

Dated: 12/2/2024

By:

Rachel Heath

STATE OF VERMONT



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Prosecuting Attorney
RESPONDENT

Dated: 11/27/2024

By:

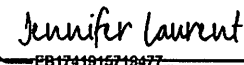
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Dalice Costa

APPROVED AND SO ORDERED:

Dated: 12/9/24

By:

Signed by:

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Board Chairperson

Date of Entry: 12/9/24

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