

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

IN RE:)
Hope Chappell) Docket No. 2024-63
Application Tracking No. LI-715476)

STIPULATION AND CONSENT ORDER

STIPULATION

NOW COME the State of Vermont, by and through State Prosecuting Attorney Ultan Doyle, and Hope Chappell ("Applicant"), who hereby Stipulate and Agree as follows:

Board Authority

1. The Vermont State Board of Nursing (the "Board") has authority to deny an applicant's license if it finds that the applicant has engaged in unprofessional conduct in any jurisdiction. 3 V.S.A. § 129(a); 3 V.S.A. § 129a; 26 V.S.A. Ch.28; the Vermont Board of Nursing Administrative Rules, and the Rules of the Office of Professional Regulation.

Basis for Denial

Basis for Denial One: 3 V.S.A. § 129a(a)(1) Fraudulent or deceptive procurement or use of a license.

2. On May 10, 2023, Applicant was charged with Driving While Intoxicated, a misdemeanor, in violation of New York Vehicle and Traffic Law § 1192.3.
3. On February 14, 2024, Applicant was convicted of an amended charge of Driving While Ability Impaired in violation of New York Vehicle and Traffic Law § 1192.1.
4. In an Application for an License Nurse Assistant ("LNA") license submitted on December 22, 2023, Applicant was asked the following question:

Are you currently under INVESTIGATION or PENDING
CHARGES in Vermont or ANY other state, federal authority, or other
jurisdiction?

5. Applicant answered "No" to this question.
6. This answer was false because at the time, Respondent had a pending Driving While Intoxicated charge in the State of New York.
7. Applicant signed the Application with the following admonitions and certifications in the "Attestation" section:

STATE OF VERMONT



Prosecuting Attorney
Office of
Professional Regulation
89 Main Street
3rd Floor
Montpelier, VT
05620-3402

Caution to Applicant

A false statement on this application may constitute unprofessional conduct and may be a basis for denial of a license application or discipline of a license, to include revocation. 3 V.S.A. § 129a. A person who declares, certifies, or verifies in a signed writing that a statement is true and is made under the pains and penalties of perjury, and who willfully makes a false statement in the declaration, certification, or verification, shall be guilty of perjury, a crime punishable by imprisonment not more than 15 years or a fine of not more than \$10,000.00, or both. 13 V.S.A. § 2901 & 2904(b).

Certification of Identity

In the case of an application for individual licensure, I am the person in whose name this application is completed; or in the case of a corporate applicant, I am an authorized officer of the applicant corporation, having executive authority to complete this application and personal knowledge of and accountability for the representations herein.

Certification of Accuracy

I understand that submission of this application represents that I have understood each question, that I have been candid and disclosed all relevant information, and that I have answered each question from sound personal knowledge, not a hunch, guess, or supposition. I understand that any failure to provide accurate information could result in a preliminary denial of my application or as a basis for unprofessional conduct charges against my license.

Certification of Truthfulness

I hereby certify, under the pains and penalties of perjury, that the answers, entries, and representations herein are true and accurate.

8. Based on the representations Applicant made in the Application, OPR issued Respondent a provisional LNA license on December 22, 2023.
9. This license was rescinded on April 11, 2024.
10. Paragraphs 2 through 9 demonstrate that Applicant engaged in fraudulent or deceptive procurement of a license by falsely answering in the Application that she did not have any pending charges.

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Understandings

11. Applicant admits the facts set forth above are true and the Board may find that the Applicant engaged in unprofessional conduct.
12. Applicant admits that the order below is necessary to protect the public.
13. Applicant 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.
14. Applicant specifically waives any claims that any disclosures made to the Board during its review of this agreement have prejudiced Applicant's rights to a fair and impartial hearing in future hearings if the Board does not accept this agreement.
15. Applicant has read and reviewed this entire document and agrees that this document contains the entire agreement between the parties.
16. Applicant is not under the influence of any drugs or alcohol at the time of signature of this Stipulation and Consent Order.
17. Applicant 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.
18. Applicant voluntarily waives the right to a contested hearing before the Board and waives any right to appeal from this Stipulation and Consent Order.
19. Applicant agrees that the Board may enter into the Order set forth below.

ORDER

Based on the Stipulation above, it is **ORDERED AND ADJUDGED** as follows:

- A. The Board hereby grants Applicant licensure as an LNA.
- B. The Board hereby **WARNS** Applicant's license when it is issued.
- C. An **ADMINISTRATIVE PENALTY OF TWO HUNDRED AND FIFTY DOLLARS (\$250.00)** is assessed against Respondent. Respondent shall remit payment within six (6) months of the date of entry of this Order. Payment of the penalty may be made on a payment plan if needed.
- D. Notwithstanding any provision above, Applicant must continue to meet all requirements for maintaining a license, license renewal, and license reinstatement.
- E. 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).

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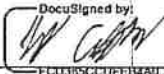
F. This Stipulation and Consent Order will remain part of Applicant's licensing file and may be used for purposes of determining sanctions in any future disciplinary matter.

AGREED TO:

Dated: 5/13/2024

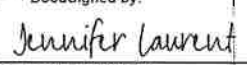
STATE OF VERMONT
SECRETARY OF STATE
By: 
Ultan Doyle
Prosecuting Attorney

Dated: 5/13/2024

APPLICANT
By: 
Hope Chappell

APPROVED AND SO ORDERED:

Dated: 6/10/24
Date of Entry: 6/10/24

VERMONT BOARD OF NURSING
By: 
Jennifer Laurent
Board Chairperson

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