

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

**IN RE:    MEGHAN MUIR  
          LICENSE NO. 026.0132161**

**DOCKET NO. 2024-9**

**Appearances:**

|             |                         |
|-------------|-------------------------|
| Prosecutor: | George Hasselback, Esq. |
| Respondent: | Did not appear          |

**Hearing Officer:**                Wesley M. Lawrence

**ORDER ON MOTION FOR DEFAULT**

Based on the evidence before me, I find as follows:

1. At all relevant times, Meghan Muir (“Respondent”), was licensed by the Vermont State Board of Nursing (“Board”) as a Registered Nurse under license number 026.0132161.
2. I held a Default Hearing in the above matter on April 15, 2024 pursuant to 3 V.S.A. §129(f) and 3 V.S.A. §809(d). This public hearing was held electronically via Microsoft Teams pursuant to a Notice of Hearing.
3. The State filed the Specification of Charges in this matter on January 18, 2024. Julie Bowen, the Docket Clerk for the Office of Professional Regulation, testified that she sent the Specification of Charges to Respondent on January 19, 2024 by regular mail, certified mail and email. The United State Postal Service returned the Certified Mail copy as “refused” on February 9, 2024. Neither the first class or emailed copies of the Specification of Charges were returned as undeliverable. I find that notice of the Specification of Charges was proper.
4. On March 26, 2024, the State moved for Respondent to be found in default because she has not responded to the Specification of Charges in this matter.
5. Ms. Bowen testified that she sent the Notice of Hearing for Default Judgment to the Respondent on March 26, 2024 by regular mail, certified mail, and e-mail. She received a signed return receipt for the copy mailed via Certified Mail on April 5, 2024. The e-mailed copy was not returned as undeliverable. I find that notice of the Hearing for Default Judgment was proper.
6. Respondent has not filed an answer, has not acknowledged in any way the Specification of Charges, and did not appear for the Default Hearing in this matter.

7. Under the Administrative Rules of the Office of Professional Regulation, Rule 3.4, a default may be entered when an answer is not filed within the required time period.
8. I find Respondent to be in default based on Ms. Bowen's testimony, the State's Motion for Default, Specification of Charges, presentation of evidence, and by taking official notice of the Office of Professional Regulation file. The allegations contained in the Specification of Charges are therefore treated as the facts upon which the Board of Nursing may issue an order of professional discipline. *See* OPR Rule 3.4, 3 V.S.A. §809(d), and 3 V.S.A. §814(c).
9. I shall treat all factual allegations in the Specification of Charges as proven. These are hereby incorporated by reference as if set forth at length herein. *See* O.P.R. Rule 3.4. The Specification of Charges, and all exhibits thereto, shall be appended to this Order.
10. I find that Respondent violated 26 V.S.A. § 1582(a)(1) (Making or causing to be made a false, fraudulent, or forged statement or representation in procuring or attempting to procure registration or renew a license) as set forth at length in the Specification of Charges.
11. Accordingly, the State recommended that Respondent's license be suspended indefinitely with conditions. These include a requirement that Respondent must petition for reinstatement. No sooner than forty-five (45) days prior to requesting reinstatement, Respondent must, at her own cost:
  - A. 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.
  - B. Submit to the Enforcement Unit Case Manager the results of a minimum of three (3) random urinalyses:
    - i. When Respondent is ready to petition for reinstatement, Respondent shall contact the Enforcement Unit Case Manager to set-up the drug 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.
    - ii. 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.

- iii. 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.
- C. 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.

### **PROPOSED ORDER**

Consistent with the above, and the recommendation of the State, the Board of Nursing hereby:

- A. INDEFINITELY SUSPENDS** Respondent's license 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 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 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 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 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).

I hereby forward the above Proposed Order to the Board of Nursing with the recommendation that the Board approve it.

DATED at Montpelier, Vermont this 24<sup>th</sup> day of April 2024.



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Wesley M. Lawrence  
Hearing Officer, Vermont Board of Nursing

The Vermont Board of Nursing, or the Director of the Office of Professional Regulation, considered the Proposed Order and its basis, above, on May 13, 2024.

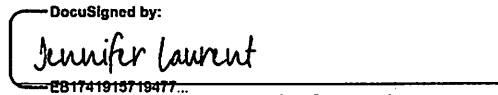
After considering the Proposed Order and its basis, above, the Board of Nursing takes the following action:

- ☐ Rejects the Hearing Officer's recommendation, and schedules the matter for hearing.
- ☐ Schedules the matter for additional evidence.
- ☒ Accepts the Hearing Officer's recommendation and orders the recommended discipline as set forth in the Proposed Order above.

The Respondent's license is Indefinitely Suspended and this continues until the Respondent petitions for reinstatement and the Board reinstates their license.

**SO ORDERED,**

Vermont Board of Nursing or Director of the Office of Professional Regulation.

DocuSigned by:  
  
EB1741913719477...  
Vermont Board of Nursing

OFFICE OF PROFESSIONAL REGULATION DATE OF ENTRY: 5/14/24

**APPEAL RIGHTS**

This is a final administrative determination by the Vermont Board of Nursing. A party aggrieved by a final decision of a board or hearing authority may appeal this decision by filing a written Notice of Appeal with the Director of the Office of Professional Regulation, Vermont Secretary of State, 89 Main Street, Floor 3, Montpelier, VT 05620-3402 within 30 days of the entry of this order.

If an appeal is filed, the Director of the office of Professional Regulation shall assign the case to an appellate officer. The review shall be conducted on the basis of the record created before the Board. In cases of alleged irregularities in procedure before the board, not shown in the record, proof on that issue may be taken by the appellate officer. 3 V.S.A. §§129(d) and 130a.

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

|                                |   |                          |
|--------------------------------|---|--------------------------|
| <b>IN RE:</b>                  | ) |                          |
| <b>Meghan Muir</b>             | ) | <b>Docket No. 2024-9</b> |
| <b>License No. 026.0132161</b> | ) |                          |

**MOTION FOR DEFAULT**

NOW COMES the State of Vermont, by and through Prosecuting Attorney George Hasselback, and pursuant to Rule 3.3 of the Administrative Rules of Practice for the Office of Professional Regulation (“ARPOPR”), hereby moves that the Board of Nursing (the “Board”) find Respondent Meghan Muir (“Respondent”) in default for the reasons stated in the following Memorandum of Law.

**MEMORANDUM OF LAW**

Rule 3.3 of ARPOPR requires a respondent to file an answer to a specification of charges “within 20 days of the date on which the notice of charges was mailed by the Director.” Under the Rules, if a respondent fails to file a timely answer, a default hearing shall be conducted. ARPOPR 3.4. At the default hearing, “the allegations of the charges will be treated as proven and disciplinary action will be taken.” *Id.*

In this matter, Respondent has failed to file a response to the charges and is, therefore, in default. The State filed the Specification of Charges against Respondent on January 18, 2024. Respondent was notified of the charges by letter from the Docket Clerk of the Office of Professional Regulation, sent by both certified and first class mail, on January 19, 2024. *See* ARPOPR 3.2. Respondent’s answer was due on or before February 8, 2024. *See* ARPOPR 3.4. As of this date, Respondent has failed to submit an answer.

STATE OF VERMONT



Prosecuting Attorney  
Office of  
Professional  
Regulation 89 Main  
Street  
3rd Floor  
Montpelier,

**WHEREFORE**, in accordance with ARPOPR 3.3, et seq., the State respectfully requests that the Board schedule a default hearing and find Respondent in default.

DATED at Montpelier, Vermont this 26th day of March, 2024.

STATE OF VERMONT  
SECRETARY OF STATE

By:



George L. Hasselback  
Prosecuting Attorney  
George.hasselback@vermont.gov

STATE OF VERMONT



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State of Vermont  
Office of the Secretary of State  
Office of Professional Regulation  
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Sarah Copeland Hanzas, Secretary of State  
S. Lauren Hibbert, Deputy Secretary  
Kevin A. Rushing, Director

January 19, 2024

Meghan Muir  
1 North Street  
Proctor, VT 05765-1130

Case: RE: Meghan Muir  
Credential: License # 026.0132161  
Docket No: 2024-9

**NOTICE OF SPECIFICATION OF CHARGES**

The State Prosecuting Attorney has filed the enclosed *Specification of Charges* and has asked the Office of Professional Regulation to take disciplinary action against your license.

You or your attorney must file a written Answer to the charges **within 20 days** of the date of this notice. Enclosed is an Answer form as a suggested format for your response to the charges. Return your Answer to the Docket Clerk and Prosecuting Attorney at the addresses listed on the Answer form. Once your Answer has been received, a hearing will be scheduled.

If you fail to answer the charges **within 20 days**, disciplinary action may be taken against your license by default and without your input. The *Administrative Rules for the Office of Professional Regulation* are available online at <https://sos.vermont.gov/opr/>.

If you have an attorney who has filed a Notice of Appearance with this office, we will continue to send copies of all correspondence to both you and your attorney unless directed otherwise.

Sincerely,

/s/Julie Bowen  
Docket Clerk

Enclosures: *Specification of Charges and Answer Form*

Cc: George Hasselback, Esq., Prosecuting Attorney  
Kristin Donnelly, Case Manager  
Meghan Muir, Respondent, First Class Mail, Certified Mail & Email



**STATE OF VERMONT  
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BOARD OF NURSING**

**IN RE:** )  
**Meghan Muir** ) **Docket No. 2024-9**  
**License No. 026.0132161** )

**SPECIFICATION OF CHARGES**

NOW COMES the State of Vermont and hereby makes the following charges  
against Respondent Meghan Muir.

**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 ("OPR").

**Statement of Facts**

2. Meghan Muir ("Respondent") of Proctor, Vermont is licensed by the State of Vermont as a Registered Nurse ("RA") under license number 026.0132161. This license was originally issued on August 3, 2017, and expires on March 31, 2025.
3. During the relevant time, Respondent was employed as RN in a medical facility located in Middlebury, Vermont ("the Facility").
4. On or about March 30, 2021, Respondent submitted an application for renewal of her RN license.
5. As part of that application process, Respondent was asked: Are you currently addicted to or in any way dependent on alcohol or habit-forming drugs? If "Yes," you must provide a detailed written explanation.
6. Respondent answered "no" to this question.
7. This answer was false.
8. As part of that application process, Respondent was also asked: Are you currently participating in a supervised program or professional assistance program which monitors you in order to assure that you are not engaging in the use of alcohol or controlled substances? If "Yes," please provide the contract/stipulation under which you are practicing.

STATE OF VERMONT



Prosecuting Attorney  
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9. Respondent also answered “no” to this question.
10. This answer was also false.
11. Respondent has been receiving regular prescriptions for Buprenorphine since approximately July 23, 2017.
12. Buprenorphine is commonly prescribed to treat opioid use disorder as part of a medication-assisted treatment program.

**Violation One: 26 V.S.A. §1582(a)(1) Making or causing to be made a false, fraudulent, or forged statement or representation in procuring or attempting to procure registration or renew a license.**

13. The State re-alleges and incorporates Paragraphs 2 through 12 above.
14. As an RA, Respondent is required to refrain from making or causing to be made a false, fraudulent, or forged statement or representation in procuring or attempting to procure registration or renew a license.
15. Paragraphs 2 through 12 demonstrate that Respondent made multiple false statements when she applied for her license to practice as a LNA. Specifically:
  - a. When asked if she was currently addicted to or in any way dependent on alcohol or habit-forming drugs, Respondent answered “no” despite receiving regular prescriptions for Buprenorphine since approximately July 23, 2017.
  - b. When asked if she was currently participating in a program that monitored her in order to ensure that she was not engaging in the use of alcohol or controlled substances, Respondent answered “no” despite then being enrolled in a medication assisted treatment (“MAT”) program.
16. The act(s), omission(s), and/or circumstance(s) described above constitute grounds for discipline because Respondent made false, fraudulent, or forged statements or representations in procuring or attempting to procure registration or renew a license in violation of 26 V.S.A. §1582(a)(1).

STATE OF VERMONT



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**Relief Requested**

**WHEREFORE**, the license of Meghan Muir should be revoked, suspended, reprimanded, conditioned, or otherwise disciplined.

**DATED** at Montpelier, Vermont this 18<sup>th</sup> day of January, 2024.

STATE OF VERMONT  
SECRETARY OF STATE

By: \_\_\_\_\_

*George Lloyd Hasselback*  
George Lloyd Hasselback  
Prosecuting Attorney  
(802)828-0350  
[george.hasselback@vermont.gov](mailto:george.hasselback@vermont.gov)

STATE OF VERMONT



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