

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

IN RE:)
Stephanie Rotax) Docket No. 2025-111
License No. 026.0150813)

STIPULATION AND CONSENT ORDER

STIPULATION

NOW COME the State of Vermont, by and through State Prosecuting Attorney George Hasselback, and Respondent Stephanie Rotax by and through her counsel Jessica Burke, esq., who hereby Stipulate and Agree as follows:

Board Authority

1. The Vermont State Board of Nursing (the "Board") has jurisdiction to investigate and adjudicate allegations of unprofessional conduct committed by a Registered Nurse ("RN") 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

2. Stephanie Rotax ("Respondent") of Ripton, VT, holds a license to practice as an RN under license number 026.0150813. This license was originally issued on November 17, 2022, and expires on March 31, 2027.
3. At all times relevant to this matter, Respondent was employed as an RN with a home health and hospice service doing business in Vermont ("the Service").
4. On or about May 9, 2025, Respondent was assigned as a weekend, on-call nurse by the Service.
5. Respondent's supervisor contacted Respondent on that date at approximately 4:45 p.m. and gave Respondent a nursing assignment.
6. That nursing assignment involved responding to a nursing home to participate in the death pronouncement of one of the Service's patients.
7. Respondent accepted this nursing assignment.
8. Respondent did not inform her supervisor, or anyone else, that the Respondent was in any way unfit to perform licensed nursing services at that time.

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9. At that time, Respondent was under the influence of alcohol and unfit to practice licensed nursing services.
10. Respondent left her residence in her personal vehicle to perform the nursing assignment that had been assigned to her.
11. On her way to the nursing home, Respondent was travelling erratically, failing to stop at red traffic lights, and failing to maintain her lane of travel, almost hitting other motorists on the road.
12. Subsequently, Respondent lost control of her vehicle, left the roadway, and crashed at approximately 5:45 p.m.
13. During this crash, Respondent's vehicle rolled over one or more times.
14. Respondent initially told first responders that Respondent's mother was "missing" and that Respondent was trying to locate her.
15. Subsequently, Respondent informed law enforcement officers that she was travelling to a nursing assignment when she crashed and that she had been travelling westbound "down the mountain" at the time of the crash.
16. Based upon observations made at the crash site, law enforcement officers believed that Respondent had been travelling eastbound "up the mountain" at the time of the crash, and asked Respondent to clarify whether she had been going to, or coming from, the nursing home when she crashed.
17. Respondent then changed her statement and said that she was travelling home after the death pronouncement at the nursing home when she crashed.
18. Respondent never made it to the nursing home for the death pronouncement.
19. During their investigation, law enforcement officers began to suspect that Respondent was under the influence of alcohol or some other substance.
20. Initially, Respondent denied drinking any alcohol.
21. At approximately 7:12 p.m., a preliminary breath test of Respondent's breath indicated a BAC of .310%.
22. At approximately 7:30 p.m., during an interview with law enforcement officers, Respondent admitted to drinking "a box of wine" by herself at "home."
23. During that interview, Respondent stated that she had stopped drinking at approximately 2:00 p.m.
24. At approximately 7:54 p.m. a subsequent test of Respondent's blood indicated a BAC of .302%.

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25. The investigating officers determined that at the time she was operating her vehicle to respond to the nursing home Respondent's BAC was between .332% and .342%.
26. Several days later, Respondent called the Service and left a voicemail for her supervisor.
27. While the voicemail is difficult to fully understand, Respondent can be heard apologizing to her supervisor, stating that Respondent was "going through a lot," and mentioning "addiction."
28. On or about July 14, 2025, Respondent's license was summarily suspended by the Board pending a hearing on this matter.

Violation One: 26 V.S.A. § 1582(a)(3) Engaging in conduct of a character likely to deceive, defraud, or harm the public.

29. Paragraphs 2 through 28 above are incorporated herein.
30. As an RN, practicing in the State of Vermont, Respondent is required to refrain from engaging in conduct of a character likely to deceive, defraud, or harm the public.
31. Paragraphs 2 through 28 demonstrate that Respondent engaged in conduct of a character likely to harm the public when she accepted a nursing assignment when she was highly intoxicated, attempted to drive to a nursing home to fulfill that nursing assignment while highly intoxicated, drove erratically enroute to a nursing assignment, and left the roadway and rolled her personal vehicle while enroute to a nursing assignment.
32. 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)(3).

Violation Two: 3 V.S.A. § 129a(b)(2) Failure to conform to the essential standards of acceptable and prevailing practice.

33. Paragraphs 2 through 28 above are incorporated herein.
34. As an RN, practicing in the State of Vermont, Respondent is required to practice in conformance with the essential standards of acceptable and prevailing practice.
35. Paragraphs 2 through 28 demonstrate that Respondent failed to conform to the essential standards of practice in that the applicable standards of practice require that an RN decline any nursing assignments when that RN knows or should know that they are not fit to practice nursing, and Respondent accepted a nursing assignment when she knew or should have known that she was unfit to practice nursing due to being highly intoxicated.

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36. The act(s), omission(s), and/or circumstance(s) described above constitute grounds for discipline because Respondent committed unprofessional conduct in violation of 3 V.S.A. § 129a(b)(2).

Violation Three: 3 V.S.A. § 129a(a)(5)) Practicing the profession when medically or psychologically unfit to do so.

37. Paragraphs 2 through 28 above are incorporated herein.
38. As an RN, practicing in the State of Vermont, Respondent is required to refrain from practicing nursing when medically or psychologically unfit to do so.
39. Paragraphs 2 through 28 demonstrate that Respondent practiced the profession of nursing when medically or psychologically unfit to do so when she was on-call and accepted a nursing assignment when highly intoxicated.
40. The act(s), omission(s), and/or circumstance(s) described above constitute grounds for discipline because Respondent committed unprofessional conduct in violation of 3 V.S.A. § 129a(b)(2).

Understandings

41. Respondent admits the facts above are true and the conditions below are necessary to protect the public.
42. Respondent 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.
43. 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.
44. Respondent has read and reviewed this entire document and agrees that it contains the entire agreement between the parties.
45. Respondent is not under the influence of any drugs or alcohol at the time she signs this Stipulation and Consent Order.
46. 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.
47. 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.
48. Respondent agrees that the Order set forth below may be entered by the Board.

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ORDER

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

- A. The Board hereby **INDEFINITELY SUSPENDS** Respondent's licenses to practice as a RN. Respondent must petition for reinstatement. Withing 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 drug and alcohol urinalyses:
 - a. When Respondent is ready to petition for reinstatement, Respondent shall contact the Enforcement Unit Case Manager to set-up the drug/alcohol 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/alcohol 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/alcohol 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

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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 Stipulated 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.
- F. This Stipulation and Consent 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(f).

AGREED TO:

STATE OF VERMONT
SECRETARY OF STATE

Dated: 8-25-2025

By: _____

STATE OF VERMONT
SECRETARY OF STATE

By: George Hasselback
George Lloyd Hasselback
Prosecuting Attorney
(802) 828-0350
george.hasselback@vermont.gov

Dated: 8/21/2025

By: Stephanie Rotax
Stephanie Rotax

Dated: 8/23/25

By: Jessica Burke
Jessica Burke counsel for Respondent

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APPROVED AND SO ORDERED:

Dated: 9/8/2025

Date of Entry: 9/9/2025

VERMONT BOARD OF NURSING

Signed by:
By: William James Floyd III
3002E78300124BE...
Chairperson

OFFICE OF VERMONT



Legal Attorney
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141 Main Street
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IN RE:)
Stephanie Rotax) **Docket No. 2025-111**
License No. 026.0150813)

SPECIFICATION OF CHARGES

NOW COMES the State of Vermont and hereby makes the following charges against Respondent Stephanie Rotax:

Board Authority

1. The Vermont State Board of Nursing (the "Board") has jurisdiction to investigate and adjudicate allegations of unprofessional conduct committed by a Registered Nurse ("RN") 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").

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5. Respondent's supervisor contacted Respondent on that date at approximately 4:45 p.m. and gave Respondent a nursing assignment.
6. That nursing assignment involved responding to a nursing home to participate in the death pronouncement of one of the Service's patients.
7. Respondent accepted this nursing assignment.
8. Respondent did not inform her supervisor, or anyone else, that the Respondent was in any way unfit to perform licensed nursing services at that time.
9. At that time, Respondent was under the influence of alcohol and unfit to practice licensed nursing services.

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Violation One: 26 V.S.A. § 1582(a)(3) Engaging in conduct of a character likely to deceive, defraud, or harm the public.

29. The State re-alleges and incorporates Paragraphs 2 through 28 above.
30. As an RN, practicing in the State of Vermont, Respondent is required to refrain from engaging in conduct of a character likely to deceive, defraud, or harm the public.
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Relief Requested

WHEREFORE, the license of Respondent should be revoked, suspended, reprimanded, conditioned, or otherwise disciplined.

DATED at Vermont, this 17th day of July 2025.

STATE OF VERMONT
SECRETARY OF STATE

By: George Hasselback
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