

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

IN RE:	)	
Kaylin Thayer	)	Docket No. 2025-62
License No. 025.0137258	)	

REINSTATEMENT STIPULATION AND CONSENT ORDER

STIPULATION

NOW COME the State of Vermont, by and through Prosecuting Attorney Rachel Heath, and Kaylin Thayer, 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 nurses 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").

Stipulated Facts

2. Kaylin Thayer ("Respondent") of Castleton, Vermont is licensed by the State of Vermont as a Licensed Practical Nurse ("LPN") under license number 025.0137258. This license was originally issued on September 19, 2024 and expires on January 31, 2026.
3. On May 13, 2025, the Board of Nursing accepted a pre-charge stipulation and consent order that indefinitely suspended Respondent's LPN license.
4. The facts of this pre-charge stipulation, which Respondent did not admit to, included that she had diverted oxycodone tablets from the facility she was working at. Respondent consumed these pills after her shift as a way of coping with stress she was experiencing from family, personal matters, and completing a registered nursing program.
5. Under this pre-charge stipulation, Respondent's acts violated 26 V.S.A. § 1582(a)(2) (diverting or attempting to divert drugs or equipment or supplies for unauthorized use) and 3 V.S.A. § 129a(a)(15) (failing to exercise independent professional judgment in the performance of licensed activities when that judgment is necessary to avoid action repugnant to the profession).

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6. To seek reinstatement of her license under the pre-charge stipulation, Respondent was required to complete an independent evaluation and submit to three negative random drug and alcohol tests.
7. On September 19, 2025, Respondent petitioned for reinstatement of her license.
8. Respondent completed the three drug and alcohol tests. Two of these tests were negative, although one did test positive for alcohol metabolites, which Respondent ascribed to having consumed a kombucha.
9. Respondent also completed an independent evaluation, which found her fit to practice with recommended conditions of weekly outpatient therapy with a licensed alcohol and drug counselor, random urine screens, and restricted practice setting to decrease stress and increase safety around medications.
10. Based on Respondent's independent evaluation and the pre-charge stipulation, the State supports Respondent's reinstatement request with the conditions agreed upon by the parties and set forth below.

Understandings

11. Respondent admits the facts above are true and that the conditions below are necessary to protect the public.
12. 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.
13. 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.
14. Respondent has read and reviewed this entire document and agrees that it contains the entire agreement between the parties.
15. Respondent is not under the influence of any drugs or alcohol at the time she signs this Stipulation and Consent Order.
16. 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.
17. Respondent voluntarily waives her right to a contested hearing before the Board and waives any right to appeal from this Stipulation and Consent Order.
18. 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 of Nursing hereby **CONDITIONS** the Respondent's license for a **MINIMUM OF EIGHTEEN (18) MONTHS, commencing on the date of reinstatement**. The **CONDITIONS** shall be as follows:
1. Re-issuance of License. Upon the commencement of these conditions and the renewal of Respondent's license, if expired, 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 as ordered. Respondent shall be subject to the conditions until Respondent completes a minimum of **18 months** of supervised nursing practice in which Respondent works at least eighty (80) hours per month as a LPN. Part-time hours of fewer than eighty (80) hours every month shall be credited on a prorated basis. Respondent shall be prohibited from working more than forty (40) hours per week and shall verify hours worked on forms provided by the Case Manager.
 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 and/or correspondence regarding compliance with these conditions shall be submitted to the Case Manager in accordance with the Conditions listed below.
 4. Completion of Substance Abuse Counseling, Treatment Plan, Treatment Reports and Recovery Groups. Respondent shall engage in individual substance abuse counseling with a pre-approved counselor (the "Treating Professional") and comply with the substance abuse treatment plan until the Treating Professional certifies in writing that such counseling is no longer necessary and Respondent successfully petitions for a modification of these conditions. Within ten (10) days of the date of entry of this Order, Respondent shall provide a copy of the independent evaluation she completed for reinstatement and a copy of this Stipulation and Consent Order to the Treating Professional and inform him/her of Respondent's conditional license status and the accompanying conditions. Respondent shall cause the Treating Professional to submit to the Case Manager, on forms provided by the Case Manager, acknowledgement of receipt of the independent evaluation and Stipulation and Consent Order along with Respondent's current treatment plan.

Respondent shall authorize the Treating Professional to submit **monthly reports** on forms issued by the Case Manager. Respondent shall authorize the Treating Professional to provide all information requested, either orally or in writing, at any time during the period this Consent Order is in effect.

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If Respondent is prescribed medication as part of substance abuse counseling and treatment, Respondent's monthly treating professional reports must also indicate Respondent's current dosage and whether Respondent is appropriately taking the medication as prescribed. Respondent must continue to take such medications as prescribed, until the Treating Professional certifies in writing that such medication is no longer necessary.

In the event Respondent's medications are monitored by someone other than the approved Treating Professional, Respondent shall cause the prescribing provider to certify in writing, at intervals determined by the Case Manager, whether Respondent is appropriately taking the medication as prescribed. Respondent must continue to take such medications as prescribed until the prescribing provider certifies in writing that such medication is no longer necessary.

5. Random Drug and Alcohol Testing. Respondent shall submit to random drug and alcohol testing through the designated entity. All testing shall be done on a random, unannounced basis and analyzed by a lab qualified to analyze samples for forensic purposes. All specimens collected for tests shall be collected in an observed setting. All tests shall be negative.

Failure to appear for, refusal to provide, adulteration of, dilution of, or tampering with a sample for any test shall cause that test result to be presumed positive. Any positive test result shall constitute a violation of this Order. Failure to check in to determine whether Respondent is selected for testing on any given day, regardless of whether Respondent is actually selected that day, may be considered a violation of this Order.

6. Abstain from Drug and Alcohol Use. Respondent shall abstain completely from the consumption or possession of alcohol and drugs.
7. Drug Use Exception. Respondent may take scheduled/controlled medications lawfully prescribed for a bona fide illness or condition by a health care practitioner disclosed to the Case Manager in writing by Respondent within forty-eight (48) hours of the prescription. Respondent's health care practitioner shall inform the Case Manager, in writing and on appropriate letterhead, of knowledge of Respondent's conditional license status within ten days of entering the practitioner/patient relationship. Additionally, the practitioner shall inform the Case Manager of all scheduled/controlled medications prescribed – and the anticipation of how long such prescriptions will need to be taken – within 10 days of the prescription.

For prescribed scheduled/controlled medications or other medications known to have abuse potential, the Case Manager may request that the practitioner document that the medication is necessary. The Board may revoke the conditions herein if the practitioner fails to provide the necessity for any prescribed scheduled/controlled medications or other medication known to have abuse potential.

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Respondent shall provide the Case Manager with a current medication list of any medications taken on a scheduled or as-needed basis on forms issued by the Case Manager within 10 days of the date of reinstatement and shall update this list within forty-eight (48) hours of any change in these medications.

8. Notification to Employers/Educational Programs. Respondent shall provide a copy of this Stipulation and Consent Order to all employers in any current or future setting in which Respondent practices the profession and inform them of Respondent's conditional license status. Within ten (10) days of the date of entry of this Consent Order or of any subsequent employment in the profession, Respondent shall cause Respondent's immediate supervisor to submit to the Case Manager an employer agreement form, acknowledging receipt of the Stipulation and Consent Order and the ability to comply with the conditions in the Consent Order.

In the event Respondent is attending an educational program that has a clinical portion that involves actual patient care, Respondent shall provide a copy of the Stipulation and Consent Order to the Program Director. Respondent shall cause the Program Director to submit to the Case Manager a program agreement form provided by the Case Manager, acknowledging receipt of the Stipulation and Consent Order and the ability of the program to comply with the conditions in the Consent Order during the clinical experience.

9. Practice Under Supervision. Respondent shall practice as a LPN only in a setting where Respondent is supervised for the entire shift by a LPN or RN. The level of supervision required is Direct. Direct Supervision means the supervising nurse is present on the same unit as Respondent.
10. Reports from Employers/Program Director. Within one (1) month of the date of reinstatement or within one (1) month of the commencement of employment in the profession and monthly thereafter, Respondent shall cause every nursing employer Respondent has worked for during the month to submit to the Case Manager an evaluation of Respondent's work performance and attendance during that month. Moreover, on a quarterly basis, these reports shall include the results of the employer's medication audits of Respondent's medication administration and practices, if and when Respondent engages in medication administration. In the event Respondent is attending an educational program in the profession, Respondent shall cause the Program Director to submit to the Case Manager, on a monthly basis, a written evaluation of Respondent's performance and attendance. These reports shall be submitted in writing on forms issued by the Case Manager. All employer reports shall indicate satisfactory performance (i.e. consistently meeting all standards of practice of the profession) and attendance.
11. Types of Employment Prohibited. Respondent shall not work in a supervisory role. Respondent shall not work for a nurse registry, traveling nurse agency, float-pool, temporary nursing employment agency, or as a home health, private duty nurse or personal care provider requiring a nursing license during the effective period of this Consent Order.

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12. Administration of Medications. Respondent is prohibited from handling, managing, or administering any controlled substances. This condition may be removed only by Respondent filing a petition for modification after Respondent has worked as a nurse for six (6) months for at least forty (40) hours every two weeks (or the part-time equivalent) after the date of resuming nursing practice. The State may consent or object to any such petition, and the Board may hold a hearing.

In any such petition, Respondent must demonstrate, to the satisfaction of the Board, that Respondent can safely and competently administer such medications. Respondent must include support from Respondent's treating professional and employer or educational program administrator and a description of the documentation and inventory control procedures in place.

The removal of this prohibition shall not automatically result in the reinstatement of all medication privileges. The Board may gradually restore those privileges through whatever intermediary steps it determines are appropriate.

13. Release of Information Forms. This Order requires Respondent to authorize drug and/or alcohol treatment providers to report information in verbal and/or written format and/or to discuss Respondent and all treatment rendered to Respondent for drugs and/or alcohol with the case manager. All information reported may be provided to the Office of Professional Regulation investigators, and the information may be used for further prosecutions if so warranted or if the Office of Professional Regulation determines said information violates the terms of this Order or any rules or laws governing the profession of nursing.

Respondent is entitled to revoke this consent at any time. However, any revocation shall be considered a violation of this Order. This consent expires when the conditions are removed from Respondent's license.

This Stipulation and Consent Order shall itself constitute a valid written consent pursuant to the requirements of 42 C.F.R. § 2.31. Respondent understands that Respondent's treatment provider may require Respondent to sign a separate and distinct consent meeting the requirements of 42 C.F.R. § 2.31.

14. Interview with the Board or its Designee. Respondent shall appear in person for interviews with the Board or its designee upon request.

15. Out-of-State Practice. Before any out-of-state practice can be credited toward fulfillment of these terms and conditions, Respondent shall first obtain approval from the Case Manager. The Case Manager will approve out-of-state practice provided Respondent can still comply with the requirements of this Consent Order. If Respondent receives discipline on a professional license held in another state during the conditioned period, Respondent must inform the Case Manager of such, in writing, within ten (10) days of receiving such discipline.

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16. 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 Case Manager, in writing, of Respondent's current place of employment, personal address, and telephone number. Respondent shall further notify the Case Manager, in writing, within forty-eight (48) hours of any change in employment (including resignation or termination), personal address, or telephone number.
 17. Notification to Other States. In the event Respondent is licensed in nursing in any other state(s), Respondent must inform the licensing board of the state(s) in which Respondent is licensed of the conditional status of Respondent's Vermont license within thirty (30) days of the date of entry of this Order.
 18. License Renewal. This Order does not automatically extend the license and Respondent must comply with the requirements for license renewal.
 19. Costs. Respondent shall bear all costs of complying with this Consent Order.
 20. 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 resolved.
 21. Completion of Conditional License Period. Respondent shall submit a petition to the Docket Clerk to remove any and all conditions from Respondent's license. The State may support 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.
- B. Notwithstanding any provision above, the Respondent must continue to meet all Board requirements for maintaining a license, license renewal and license reinstatement.
 - C. 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).
 - D. Under 3 V.S.A. 129(I), this stipulation and consent order applies to all licenses this Board issues to Respondent, including future licenses.
 - 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.

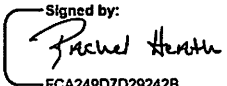
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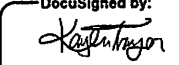
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AGREED TO:

Dated: 9/23/2025

STATE OF VERMONT
SECRETARY OF STATE
By: 
ECA249D7D29242B
Rachel Heath
Prosecuting Attorney

Dated: 9/23/2025

RESPONDENT
By: 
E88630CA10DB468...
Kaylin Thayer

APPROVED AND SO ORDERED:

Dated: 10/13/2025

VERMONT BOARD OF NURSING
By: 
3B82E78300124BE...
Chairperson

Date of Entry: 10/14/2025

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BOARD OF NURSING**

IN RE:	)	
Kaylin Thayer	)	Docket No. 2025-62
License No. 025.0137258	)	

Pre-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:

Alleged Facts and Stipulated Violations

1. Kaylin Thayer ("Respondent") of Castleton, Vermont is licensed by the State of Vermont as a Licensed Practical Nurse ("LPN") under license number 025.0137258. This license was originally issued on September 19, 2024 and expires on January 31, 2026.
2. During the relevant time, Respondent worked as an LPN at a nursing and rehabilitation center in Rutland, Vermont.
3. Between February and March 2024, Respondent diverted oxycodone medication.
4. During an interview with an OPR investigator, Respondent admitted to tampering with oxycodone cards.
5. Respondent admitted that she took 5mg oxycodone tablets out of the back of the medication cards and replaced the pills with Loratadine, an over the counter allergy pill.
6. Although Respondent could not remember how many times she had done this, she acknowledged she had diverted tablets from probably fewer than five cards.
7. The Facility found three cards that had been tampered with.
8. Respondent stated that she personally consumed the pills after her shifts as a way of dealing with her stress. Respondent denied selling the pills or giving them to anyone else.
9. During the relevant time, Respondent was experiencing stress from family and personal matters including completing a registered nursing program.
10. On April 28, 2025, the State filed a request for summary suspension of Respondent's LPN license. This stipulation moots the need for a contested hearing

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on the State's request for summary suspension and resolves the final merits of this docket.

11. Respondent's acts constitute grounds for discipline because Respondent committed unprofessional conduct in violation of 26 V.S.A. § 1582(a)(2) (diverting or attempting to divert drugs or equipment or supplies for unauthorized use) and 3 V.S.A. § 129a(a)(15) (failing to exercise independent professional judgment in the performance of licensed activities when that judgment is necessary to avoid action repugnant to the profession).

Understandings

12. This Pre-Charge 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 she engaged in the alleged misconduct.
13. Respondent agrees the conditions below are necessary to protect the public.
14. Respondent understands that this Pre-Charge Stipulation and Consent Order will be reviewed and the Board may accept or reject the Order set forth below. If the Board rejects all or any portion of the Order, then this entire document shall be null and void.
15. Respondent specifically waives any claim that any disclosures made to the Board 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 Board.
16. Respondent has read this document fully and agrees it contains the entire agreement between the parties.
17. 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.
18. Respondent voluntarily waives the right to a contested hearing and waives any right to appeal this Pre-Charge Stipulation and Consent Order.
19. Respondent is of sound mind and is not under the influence of drugs or alcohol when signing this Pre-Charge Stipulation and Consent Order.
20. Respondent agrees the Order set forth below may be entered, will be a binding Order upon Respondent, and will be made public.

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21. 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 **INDEFINITELY SUSPENDS** Respondent's LPN license **beginning on May 18, 2025**. To complete the nursing program Respondent is currently enrolled in, her license shall be active between the date of entry of this order and May 18, 2025, but Respondent shall not provide any patient care or administer any type of medication. Respondent must petition the Board for reinstatement. No sooner than forty-five (45) days prior to requesting reinstatement, Respondent must, at her own cost:
1. Obtain an independent evaluation report by a pre-approved licensed professional specializing in substance abuse treatment ("Independent Evaluator") who has verified receipt and review of this Pre-Charge Stipulation and Consent Order. The results of the Independent Evaluation must indicate that Respondent does not present a risk to the safety, health or welfare of Respondent's potential patients. The evaluation shall meet all Independent Evaluation Requirements and shall include 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 tests:
 - i. When Respondent is ready to petition for reinstatement, Respondent shall contact the Enforcement Unit Case Manager to set-up the drug and alcohol testing process and receive instructions. Once registered with the pre-approved person or entity, Respondent will have 45 days to submit a minimum of three (3) random drug and alcohol tests. The process by which Respondent learns whether he is selected to submit to a test 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 and 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.

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iii. Failure to appear for, refusal to provide, adulteration of, dilution of, or tampering with a sample for any test in anyway shall cause that test to be presumed positive; and

3. If recommended by an Independent Evaluator, enter into a treating professional agreement and substance abuse treatment plan with a pre-approved treating professional(s) and follow all recommendations. If treatment is recommended, Respondent must submit a treating professional agreement to the Enforcement Unit Case Manager before a reinstatement request will be considered.

- 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, the facts above, and anything else the Board deems relevant at that time.
- C. 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).
- D. 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

Dated: 5/2/25

By: /s/ Rachel Heath
Rachel Heath
Prosecuting Attorney

RESPONDENT

Dated: 5/2/2025

By: Kaylin Thayer
Kaylin Thayer

APPROVED AS TO FORM:

ATTORNEY FOR RESPONDENT

Dated: 5/2/2025

By: Ed Adrian, Esq.
Ed Adrian, Esq.

APPROVED AND SO ORDERED:

Dated: 5/13/25

Signed by:
By: William James Floyd III
388257830042485...
Board Chairperson

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Date of Entry: 5/14/25

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