

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

In re: Ce'Keria Mitchel	}	
Vermont License No. 075.0145673	}	Docket No. 2025-89
	}	

Appearances:

Prosecutor: George Hasselback, Esq.

Respondent: Did not appear

Hearing Officer: Maxine Jo Grad

DEFAULT ORDER

Findings of Fact

1. The Respondent holds a license to practice as a Licensed Nursing Assistant (LNA) under license number 075.0145673 issued by the State of Vermont. The license was originally issued on August 6, 2024, and expires on November 30, 2026. At all times in this matter, Respondent was employed as a travelling LNA at a nursing home located in St Johnsbury, VT.
2. The Hearing Officer held a hearing in the above matter on August 1, 2025, pursuant to 3 VSA Sec. 129(f). The hearing was held electronically pursuant to the Notice of Hearing. The State requested a Default because the Respondent had not responded to the charges in this case. A notice of the hearing on the default was sent to the Respondent's last known address, which is the address on file with the Office of Professional Regulation, on or about July 16, 2025, by first class mail, certified mail, and email. Neither the certified, first-class mail notice nor the email were returned.
3. Specification of Charges were filed in this case on or about June 16, 2025. A copy of the Specification of Charges is attached to this order. The notice of the charges were sent to the Respondent's last known address, which is the address on file with the Office of Professional Regulation on June 17, 2025, by certified mail, first-class mail and email. Neither the first-class mail notice, nor the email were returned. The certified mail green card was returned with Respondent's signature. Respondent signed it on July 2, 2025.
4. No Answer has been filed.
5. Under the Administrative Rules of the Officer of Professional Regulation, Rule 3.4, a default may be entered when an Answer is not filed within the required time period.
6. Upon consideration of the Prosecution's presentation and taking notice of the OPR file, the Hearing Officer of the Board finds Respondent to be in Default. The allegations contained in the Specification of Charges are therefore treated as the facts on which the Board may issue an order of professional discipline. OPR Rule 3.4, 3 V.S.A. § 809(d), and 3 V.S.A. § 814(c).
7. As indicated by the Board's file and the Prosecution's presentation, because Respondent has failed to answer the charges, the factual allegations in the

Specification of Charges are treated as if proved. O.P.R. Rule 3.4. Accordingly, the Board may find, based up the finding of Default from this Default Hearing held pursuant to 3 V.S.A. §809(d), that Respondent has engaged in the unprofessional conduct alleged in the Specification of Charges. The Respondent committed unprofessional conduct by violating: 26 V.S.A. §1582(a)(3) Engaging in conduct of a character likely to deceive, defraud, or harm the public; 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.

8. The State recommended **Revocation** of Respondent's privilege to practice as a Licensed Nursing Assistant in the State of Vermont.

Proposed Order

In accordance with the above Findings of Fact and Conclusions of Law, and consistent with the recommendation by the State, the Board does ORDER that the Respondent's privilege to practice as a Licensed Nursing Assistant in the State of Vermont be hereby **REVOKED beginning on the date of entry.**

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).

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

The Hearing Officer reports the above findings of facts, conclusions of law, and the Proposed Order to the Board of Nursing with the recommendation that the Board approve them and enter the Order as above.

Dated this 4th day of August 6, 2025.

/s/Maxine Jo Grad

Maxine Jo Grad

Hearing Officer of the Vermont Board of Nursing

The Vermont Board of Nursing of the Office of Professional Regulation considered the report of findings of fact and conclusions of law on 8/11/2025. After considering the report, the Hearing Authority takes the following action:

- / / Rejects the report and schedules the matter for hearing.
- / / Schedules the matter for additional evidence.
- / X / Accepts the report, adopts the findings of fact and conclusions of law, and orders the recommended discipline as set forth in the proposed order above.

SO ORDERED.

Vermont Board of Nursing of the Office of Professional Regulation

By: William James Floyd III
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Date: 8/13/2025, 2025

Vermont Board of Nursing

OFFICE OF PROFESSIONAL REGULATION

DATE OF ENTRY: 8/13/2025

APPEAL RIGHTS

This is a final administrative determination by the Vermont Board of Nursing or Director of the Office of Professional Regulation. 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, Fl. 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**

IN RE:	)	
Ce’Keria Mitchell	)	Docket No. 2025-89
License No. 075.0145673	)	

MOTION FOR DEFAULT

NOW COMES the State of Vermont, by and through Prosecuting Attorney Rachel Heath, 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 Ce’Keria Mitchell (“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 June 16, 2025. 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, and by email, on June 17, 2025. *See* ARPOPR 3.2. Respondent’s answer was due on or before July 7, 2025. *See* ARPOPR 3.4. As of this date, Respondent has failed to submit an answer.

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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 15th day of July 2025.

STATE OF VERMONT
SECRETARY OF STATE

By: /s/ Rachel Heath
Rachel Heath
Prosecuting Attorney
Rachel.heath@vermont.gov

STATE OF VERMONT



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IN RE:)
Ce'keria Mitchell) **Docket No. 2025-89**
License No. 075.0145673)

SPECIFICATION OF CHARGES

NOW COMES the State of Vermont and makes the following charges against the license of Respondent Ce'keria Mitchell:

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").

Statement of Facts

2. Ce'keria Mitchell ("Respondent") of Thomasville, Georgia is licensed by the State of Vermont as a Licensed Nursing Assistant ("LNA") under license number 075.0145673. This license was originally issued on August 6, 2024 and expires on November 30, 2026.
3. During the relevant time, Respondent worked as a traveling LNA for a nursing home ("Facility"), located in St. Johnsbury, Vermont.
4. Respondent was employed at the Facility between April 19, 2025 and May 22, 2025.
5. On May 22, 2025, an LPN asked Respondent to refrain from coming over to the wing of the Facility that he and another LNA were working on, as the other LNA felt she was being harassed by Respondent.
6. Respondent told the LPN, words to the effect of she could do whatever "the fuck" she wanted and called him disparaging names.
7. The LPN reported this behavior to his supervisor.
8. According to Respondent, she was informed she was fired, at which time she became enraged, went out of the Facility to her vehicle, got a hammer and went back into the Facility.

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9. Respondent then threatened the LPN and LNA with her hammer.
10. There were other nurses, patients, and family members present during this incident.
11. Respondent was restrained by other nurses while the hammer was taken out of her possession.
12. Respondent walked out the Facility, but on her way out she poured a soda on the LPN.
13. After the incident, Respondent informed a State Trooper who responded to the event that if she had not been restrained, she would have killed the LPN and LNA.
14. Respondent later informed an OPR investigator that she did not have to be restrained to leave the building.
15. The State filed a request for summary suspension on June 2, 2025.
16. The Board of Nursing held a hearing on June 9, 2025 and granted the State's request for summary suspension. On June 12, 2025, the Board entered a written order to the same effect.

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

17. The State re-alleges and incorporates Paragraphs 2 through 16 above.
18. As an LNA, Respondent is required to refrain from engaging in conduct of a character likely to deceive, defraud, or harm the public.
19. Paragraphs 2 through 16 demonstrate that Respondent engaged in conduct of a character likely to deceive, defraud, or harm the public when she threatened coworkers with a hammer in front of other coworkers, patients, and family members.
20. The act(s), omission(s), and/or circumstance(s) described above constitute grounds for discipline because Respondent committed unprofessional conduct of a character likely to deceive, defraud, or harm the public in violation of 26 V.S.A. § 1582(a)(3).

Violation Two: 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.

21. The State re-alleges and incorporates Paragraphs 2 through 16 above.

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22. Under Vermont law, an LNA must exercise independent professional judgment in the performance of licensed activities when such judgment is necessary to avoid action repugnant to the profession.
23. Paragraphs 2 through 16 above demonstrate that Respondent failed to exercise independent professional judgment in the performance of licensed activities when such judgment is necessary to avoid action repugnant to the profession when she threatened coworkers with a hammer in the presence of other coworkers, patients, and family members, and had the intention of seriously injuring her coworkers evidenced by her statement to the State Trooper that she would have killed them if she had not been restrained.
24. 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(a)(15).

Relief Requested

WHEREFORE, the State of Vermont respectfully requests that the Board of Nursing warn, reprimand, revoke, suspend, condition, or otherwise discipline Ce'keria Mitchell's LNA license.

DATED at Vermont, this 16th day of June 2025.

STATE OF VERMONT
SECRETARY OF STATE

By: /s/ Rachel Heath
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