

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

IN RE:)
Donna Brazee) Docket No. 2025- 92
License No. 075.0113554)

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

Board Authority

1. The Vermont State Board of Nursing (the "Board") has jurisdiction to investigate and adjudicate allegations of unprofessional conduct committed by Licensed Nursing Assistants ("LNAs") 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").

Alleged Facts

2. Donna Brazee ("Respondent") of Rutland, VT, holds a license to practice as an LNA under license number 075.0113554. This license was originally issued on September 2, 2015, and expires on November 30, 2026.
3. At all times relevant to this matter, Respondent was employed as an LNA at a rehabilitation center located in Middlebury, VT ("the Facility").
4. On or about February 19, 2023, Respondent was assigned to care for a patient at the Facility identified by the initials "MR".
5. During her care for MR, MR became resistant to Respondent's continuing care.
6. As part of that care, Respondent had to change MR's clothing and bedding due to MR's incontinence.
7. While Respondent was changing MR, MR expressed that she was in pain.
8. MR said "no" and "stop" to Respondent while Respondent was attempting to change her.

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9. Respondent did not honor MR's wishes to stop care, nor did Respondent attempt to inform MR. as to the medical consequences of stopping the action of changing MR's clothing and bedding.
10. Another nurse nearby asked Respondent if Respondent needed any help with MR.
11. Respondent declined any help and continued to change MR's clothing and bedding over MR's protestations.

Violation One: 26 V.S.A. § 1582(a)(10) Failing to comply with the patient bill of rights provisions of 18 V.S.A. § 1852.

12. Paragraphs 2 through 11 are incorporated herein.
13. As a licensed LNA practicing in the State of Vermont, Respondent is required to comply with the patient bill of rights provisions of 18 V.S.A. § 1852.
14. 18 V.S.A. § 1852(a)(1) states that "[t]he patient has the right to considerate and respectful care at all times and under all circumstances with recognition of his or her personal dignity."
15. 18 V.S.A. § 1852(a)(5) states that "[t]he patient has the right to refuse treatment to the extent permitted by law. In the event the patient refuses treatment, the patient shall be informed of the medical consequences of that action..."
16. Paragraphs 2 through 11 above demonstrate that Respondent did not comply with the patient bill of rights provisions of 18 V.S.A. § 1852(a)(1) when she failed to provide considerate and respectful care to MR by disregarding MR's wishes for Respondent to stop treatment and continuing care over MR's protestations.
17. Paragraphs 2 through 11 above demonstrate that Respondent did not comply with the patient bill of rights provisions of 18 V.S.A. § 1852(a)(5) when she ignored MR's orders to "stop" changing her clothes and bedding, did not seek any help with MR, and did not inform MR about any medical consequences that would stem from ceasing treatment, but continued the treatment over MR's protestations.
18. The act(s), omission(s), and/or circumstance(s) described above constitute grounds for summary suspension because the Respondent has committed unprofessional conduct in violation of 26 V.S.A. § 1582(a)(10).

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Understandings

19. This Stipulation is neither an admission of liability 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 dispute that the State may be able to prove these charges by a preponderance of the evidence if this matter proceeds to a merits hearing.

20. 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.
21. Respondent specifically waives any claims that any disclosures made to the Board during its review of this agreement have prejudiced Respondent's rights to a fair and impartial hearing if this agreement is not accepted by the Board and proceeds to a contested hearing.
22. Respondent has read and reviewed this entire document and agrees that it contains the entire agreement between the parties.
23. Respondent is not under the influence of any drugs or alcohol at the time Respondent signs this Stipulation and Consent Order.
24. 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.
25. Respondent voluntarily waives Respondent's right to a contested hearing before the Board and waives any right to appeal from this Stipulation and Consent Order.
26. Respondent agrees that the Order set forth below may be entered by the Board.

ORDER

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

- A. The Board of Nursing hereby **REPRIMANDS** Respondent's license(s).
- B. The Board hereby **CONDITIONS** Respondent's license(s). The **CONDITIONS** shall be as follows:

1. Required Coursework. Respondent shall, at her own expense and within ninety (90) days of the date of entry of this Stipulation and Consent Order, successfully complete (i.e., receive a passing score, if applicable) ten (10) hours of pre-approved coursework on compassionate care and communication with vulnerable patient populations. The coursework must be pre-approved by the Enforcement Case Manager.

Respondent shall submit the certificates of completion, completed assignment book(s) and quiz results, if applicable, to the Enforcement Case Manager. Failure to satisfactorily complete the courses within the prescribed timeframe shall constitute a violation of this Order. The coursework may not be counted toward any continuing education requirement of licensure.

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D. Notwithstanding any provision above, the Respondent 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).

F. 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.

AGREED TO:

Dated: 6/6/2025

**STATE OF VERMONT
SECRETARY OF STATE**

By: Signed by:
George Hasselback
George L. Hasselback
State Prosecuting Attorney

Dated: 6/6/2025

RESPONDENT

By: Signed by:
Donna Brazee
Donna Brazee

APPROVED AND SO ORDERED:

Dated: 7/14/2025

By: Signed by:
William James Floyd III
Chairperson

Date of Entry: 7/15/25

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