

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

IN RE:)
JENNIFER TUCKER) **Docket No. 2026-8**
License No. 025.0098346)

STIPULATION AND CONSENT ORDER

NOW COMES the State of Vermont, by and through State Prosecuting Attorney Rachel Heath, and the respondent, Jennifer Tucker, who stipulate and agree as follows:

Board Authority

1. 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 Rules”).

Alleged Facts

2. Jennifer Tucker (“Respondent”) of Chelsea, Michigan, is licensed as a Licensed Practical Nurse (“LPN”) under license number 025.0098346. The State of Vermont first issued this license on December 17, 2023, and the license expired on January 31, 2026.
3. On May 2, 2016, the Board of Nursing summarily suspended Respondent’s LPN license after a hearing.
4. The Board found that while working as an LPN, Respondent diverted medications under her control, manipulated the drug records to avoid detection, attempted to defraud her supervisor concerning her drug use, and failed to file accurate records about her nursing practice.
5. The Board found that because of her drug use, Respondent was unable to competently and safely practice nursing and therefore summary suspension was necessary to protect the public.
6. On December 13, 2016, the Board of Nursing entered a Stipulation and Consent Order (December 2016 Order) indefinitely suspending Respondent’s license.
7. The violations in the Oder were as follows: 26 V.S.A. § 1582(a)(2) (Diverting or attempting to divert drugs or equipment or supplies for unauthorized use), 26 V.S.A. § 1582(a)(3) (Engaging in conduct of a character likely to deceive, defraud,

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or harm the public), and 3 V.S.A. § 129a(a)(7) (Willfully making or filing false reports or records in the practice of the profession; willfully impeding or obstructing the proper making or filing of reports or records or willfully failing to file the proper reports or records).

8. To return to practice, the December 2016 Order required Respondent to complete an independent evaluation from a licensed professional specializing in drug and alcohol abuse and three random urine analyses.
9. On December 6, 2017, Respondent filed a petition seeking reinstatement of her license. At the time of her petition, she had not yet completed all the requirements for reinstatement. The State filed two subsequent joint motions to provide Respondent with additional time to comply with the requirements for reinstatement.
10. After a hearing on April 9, 2018, the Board found Respondent still had not yet completed the requirements to return to practice as she had not provided the Board with a copy of the independent evaluation, and she was using marijuana to reduce anxiety but had not yet received a medical marijuana card. The Board set a hearing for July to provide Respondent with additional time to comply with the reinstatement requirements.
11. In the interim, on April 25, 2018, the Pennsylvania Board of Nursing indefinitely suspended Respondent's LPN license until she could prove she could practice with reasonable skill and safety and assessed a \$500 fine. The Board found that Respondent had been disciplined in Vermont and failed to report that discipline as required by Pennsylvania law.
12. On July 9, 2018, the Vermont Board of Nursing held another hearing to determine Respondent's petition for reinstatement. After making findings of fact and conclusions of law, the Board granted Respondent's request for reinstatement and conditioned her license. This Order was entered on October 10, 2018 (October 2018 Order).
13. The conditions of the October 2018 Order were to be in place for a minimum of three years of licensed nursing practice with a minimum of 40 hours of practice every two weeks, with a prorated calculation also detailed.
14. The conditions of the October 2018 Order included substance abuse counseling, random drug and alcohol testing, abstention from drugs and alcohol, employer reports, practice under direct supervision, prohibition from administering controlled substances until a successful petition to remove this condition after a minimum of six months of practice, and restriction on the type of nursing employment.
15. On or about June 1, 2021, Respondent filed a petition to modify the conditions on her license. Respondent averred that she was experiencing financial hardship from the required random drug screens.

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16. The Board issued a decision and order on December 22, 2021 (December 2021 Order), after holding a hearing on December 13, 2021 on Respondent's petition.
17. The Board found that Respondent had failed to call the entity conducting her urinalysis to determine if she had been selected for random drug testing more than 600 times between October 2018 and December 2021. The Board further found in that time, Respondent had only submitted 13 urine samples in total and had not submitted any samples since July 2020.
18. In the December 2021 Order, the Board denied Respondent's petition, finding that while she testified that she had submitted two or three urine samples per month and up to four or five samples, the evidence did not support her claims. The Board further noted that her inability to afford the tests was not the only reason for noncompliance, as her failure to call in to determine if she was selected for a test also violated the October 2018 Order.
19. On or about January 31, 2022, Respondent's LPN license expired.
20. Respondent did not apply to renew her LPN license until December 27, 2024.
21. Respondent's LPN license application to renew her license was granted on January 9, 2025. Respondent's license was reactivated and returned to conditioned status on that date pursuant to the conditions in the October 2018 Order as she had not yet completed the minimum required three years of nursing practice.
22. Since renewing her license, Respondent has not complied with any of the October 2018 Order conditions.
23. On January 10, 2025, an OPR case manager emailed Respondent to provide her with information and a letter on how to comply with the October 2018 Order.
24. On January 13, 2025, Respondent emailed the case manager to inform her she renewed her Vermont license to obtain a Michigan license without having to retake nursing licensure exams. She further stated that she was unemployed and was not sure she could afford drug testing.
25. The case manager responded to Respondent on January 14, 2025, reminding Respondent that she needed to comply with all conditions in the October 2018 Order, and that they had previously discussed this around the time that she let her license expire in 2022.
26. The case manager further informed Respondent that to date, Respondent had completed 22 months of supervised practice.
27. To this, Respondent replied, "Ok" on January 28, 2025.

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28. In July 2025, Respondent and the case manager again discussed that Respondent had not taken any steps to comply with the October 2018 Order since renewing her license.
29. Respondent iterated that she did not have a nursing job in Vermont and was looking for jobs in other states.
30. The case manager reminded Respondent that while her license was active, she was required to comply with the October 2018 Order and would need to petition the Board to make any changes to those requirements.
31. Since these communications in July, Respondent has not had any further communication with the case manager.
32. As of the date of this filing, Respondent has not complied with any conditions of the 2018 Board Order since renewing her license.

Violation One: 3 V.S.A. § 129a(a)(4) Failing to comply with an order of the board or violating any term or condition of a license restricted by the board.

33. Paragraphs 2 through 32 above are incorporated herein.
34. As an LPN, Respondent is required to comply with any orders issued against her license.
35. Paragraphs 2 through 32 demonstrate Respondent failed to comply with any requirement of the October 2018 Order since she renewed her license January 10, 2025.
36. The act(s), omission(s), and/or circumstance(s) described above constitute grounds for discipline because the Respondent has committed unprofessional conduct in violation of 3 V.S.A. § 129a(a)(4).

Understandings

37. This 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.
38. Respondent agrees the Order below is necessary to protect the public.
39. 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.

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40. Respondent specifically waives any claim that any disclosures made to the Board during review of this agreement have prejudiced Respondent's right to a fair and impartial hearing if this agreement is not accepted and proceeds to a hearing on the merits before the same Board.
41. Respondent has read and reviewed this entire document and agrees it contains the entire agreement between the parties.
42. Respondent is not under the influence of any drugs or alcohol at the time of signing this Stipulation and Consent Order.
43. 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.
44. Respondent voluntarily waives the right to a contested hearing before the Board and waives any right to appeal from this Stipulation and Consent Order.
45. Respondent understands that she is responsible for all compliance costs associated with this Stipulation and Consent Order.
46. Respondent agrees the Board may enter the Order set forth below.

ORDER

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

- A. The Board of Nursing hereby **INDEFINITELY SUSPENDS** Respondent's license. Respondent must petition the Board for reinstatement.
 1. Indefinite Suspension. 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 evaluation report by a licensed professional that the Case Manager pre-approves ("Independent Evaluator"). The Independent Evaluator must specialize in substance abuse treatment and verify receipt and review of the Summary Suspension Request in D-2016-102, the Specification of Charges in D-2016-102 and this docket (D-2026-8), Stipulation and Consent Order in D-2016-102 entered on December 13, 2016, Decision on Respondent's Petition for Reinstatement of License entered April 14, 2018, Decision on Petition for Reinstatement of License entered October 10, 2018 in D-2016-102, Decision and Order on Respondent's Petition to Amend Order in D-2016-102 entered on December 22, 2021, and this stipulation in the above-referenced docket. The results of the Independent Evaluation must indicate that Respondent does not present a risk to the safety,

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health or welfare of Respondent's potential patients. The evaluation shall meet all Independent Evaluation Requirements, available here: https://outside.vermont.gov/dept/sos/office_professional_regulation/discipline_resources_reports/guidelines_independent_evaluations_requirements.pdf, and shall include any recommendations that would ensure Respondent is safe to practice. The evaluation must be submitted to the Case Manager.

- b. 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 Case Manager to set up the drug and alcohol testing process and receive instructions. Once registered with the person or entity approved by the Case Manager, Respondent will have 45 days to submit a minimum of three (3) random drug and alcohol tests. The process by which Respondent learns whether she 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. The Case Manager must approve the person or entity that administers the drug and alcohol tests; and approve the lab qualified to analyze samples for forensic purposes. The results of the tests must be negative.
 - 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
- c. If Independent Evaluator recommends, enter into a treating professional agreement and substance abuse treatment plan with a treating professional(s) that the Case Manager approves and follow all recommendations. If treatment is recommended, Respondent must submit a treating professional agreement to the Case Manager before a reinstatement request will be considered.

- 2. If reinstated, Respondent's license **SHALL BE CONDITIONED** pursuant to whatever terms are reasonable at the time of Respondent's reinstatement request, taking into account the independent evaluation, drug screen results, this Stipulation and Consent Order, the procedural history of D2016-102, and any other relevant factors at that time. Respondent's license may also be warned or reprimanded if reinstated.

- B. Pursuant to 3 V.S.A. § 125(b)(11), a Disciplinary Action Surcharge in the amount of two-hundred and fifty dollars (\$250.00) is assessed against Respondent. Respondent shall remit payment within six (6) months of the date of entry of this Order. Payment

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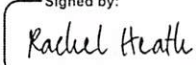
of the surcharge may be on a payment plan if needed. Failure to remit payment may result in the non-renewal of Respondent's license.

- C. Notwithstanding any provision above, the Respondent must continue to meet all Nursing Board requirements for maintaining a license, license renewal and license reinstatement.
- D. 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).
- E. Under 3 V.S.A. 129(l), this stipulation and consent order applies to all licenses this Board issues to Respondent.
- 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:

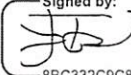
STATE OF VERMONT
SECRETARY OF STATE

Dated: 7/22/2026

By: 
Rachel Heath
Prosecuting Attorney

RESPONDENT

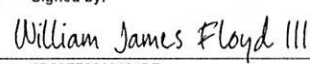
Dated: 7/22/2026

By: 
Jennifer Tucker

APPROVED AND SO ORDERED:

VERMONT BOARD OF NURSING

Dated: 8/10/2026

By: 
Chairperson

Date of Entry: 8/11/26

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