

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

IN RE:)
LANRE ABAWONSE) Docket No. 2018-55
License No. 026.1034281)

REINSTATEMENT STIPULATION AND CONSENT ORDER

STIPULATION

NOW COME the State of Vermont, by and through State Prosecuting Attorney Jennifer Colin, and Respondent Lanre Abawonse, Registered Nurse, who hereby stipulate and agree as follows:

Board Authority

1. The Vermont State Board of Nursing (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.

Stipulated Facts

2. Lanre Abawonse (the "Respondent") of Oklahoma City, Oklahoma, is licensed by the State of Vermont as a Registered Nurse under license number 026.1034281. This license was originally issued on November 8, 2017 and expired on March 31, 2019. This license is currently suspended.
3. On October 15, 2019, the Board entered a Default Order under Docket No. 2018-55 indefinitely suspending the Respondent's license.
4. The conduct underlying the suspension occurred in Oklahoma in 2016 and 2017.
5. The 2019 Default Order requires Respondent to obtain an independent evaluation which states he does not present a risk to the public, submit three (3) random urine analyses and, if recommended by the Independent Evaluator, enter into a treating professional agreement and substance abuse treatment plan with a pre-approved treating professional prior to reinstatement of his RN license.
6. Respondent now seeks reinstatement of his RN license.
7. As required by the 2019 Default Order, Respondent submitted to three random urinalyses, all with negative results.

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8. Respondent obtained an independent evaluation, as required by the 2019 Default Order.
9. The results of Respondent's evaluation do not indicate any substance use diagnosis. The Independent Evaluator did not recommend any ongoing substance use treatment.
10. Based on the underlying facts of the 2019 Default Order and the content and substance of Respondent's independent evaluation, the State supports Respondent's reinstatement request, with the conditions as outlined 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 Nursing 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 his 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 he 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 his right to a contested hearing before the Board of Nursing 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 **REINSTATES** and **CONDITIONS** the Respondent's license and/or re-entry permit for a **MINIMUM OF ONE (1) YEAR**, commencing on the date of reinstatement. The **CONDITIONS** shall be as follows:
1. Renewal. Respondent is immediately eligible to renew and revive his Registered Nurse license. Respondent must comply with all requirements of license renewal.
 2. Re-issuance of License. Upon the commencement of these conditions and the renewal of Respondent's license, Respondent shall be issued a license labeled "conditioned."
 3. Length of Time of Conditions Imposed. The conditions shall remain in place until Respondent has completed all conditions ordered. Respondent shall be subject to the conditions until Respondent completes a **minimum of one (1) year** of supervised registered nursing practice in which Respondent works at least eighty (80) hours every calendar month as a registered nurse. Part time hours of fewer than eighty (80) hours every calendar month shall be credited on a prorated basis. Respondent shall be prohibited from working more than forty (40) hours per week.
 4. Monitoring. The Office of Professional Regulation, through the Enforcement Case Manager, shall be responsible for monitoring Respondent's compliance with these Conditions. All reports or correspondence regarding compliance with these conditions shall be submitted to the Case Manager in accordance with the Conditions listed below.
 5. Required Coursework. Respondent shall, at his 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) the NCSBN online course entitled "Righting a Wrong: Ethics and Professionalism in Nursing" (<https://www.ncsbn.org/5125.htm>) and submit test results, workbooks completed to the satisfaction of the Case Manager, and certificates of completion to the Office of Professional Regulation.
- Failure to successfully complete the course within the prescribed timeframe shall constitute a violation of this Order. The coursework may not be counted toward any continuing education requirement of licensure.
6. 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 test results shall be negative.

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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.

This condition may be removed only by Respondent filing a petition with the Board after Respondent has fully complied with the random testing requirement for a minimum period of six (6) months. The State shall consent or object to any such petition, and a hearing may be held. In any such petition, Respondent must demonstrate, to the satisfaction of the Nursing Board, full compliance with this provision.

7. Abstain from Drug and Alcohol Use. Respondent shall abstain completely from the consumption or possession of alcohol and drugs.
8. 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. If requested by the Enforcement Case Manager, Respondent's health care practitioner shall acknowledge, in writing and on appropriate letterhead, an understanding of Respondent's substance abuse issue(s) within seven (7) days of entering into 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 seven (7) days of the prescription.

The Case Manager may request that the practitioner document the necessity for the prescribed scheduled/controlled medications or other medications known to have abuse potential.

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 seven (7) days of the date of reinstatement and shall update this list within forty-eight (48) hours of any change in these medications or when requested by the Case Manager.

9. Notification to Employers/Nursing School. Respondent shall provide a copy of this Stipulation and Consent Order to all employers in any current or future setting in which Respondent practices as a nurse 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 nursing employment, Respondent shall cause Respondent's immediate supervisor to submit to the Board an employer agreement form approved by the Board, acknowledging receipt of the Stipulation and Consent Order and the ability to comply with the conditions in the Consent Order.

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In the event Respondent is attending a nursing program which 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 Board a nursing program agreement form approved by the Board, acknowledging receipt of the Stipulation and Consent Order and the ability of the program to comply with the conditions in the Consent Order during clinical experience.

10. Reports from Employers/Program Director. Within one (1) month of the date of reinstatement or within one (1) month of the commencement of nursing employment and monthly thereafter, Respondent shall cause every nursing employer Respondent has worked for during the month to submit to the Board an evaluation of Respondent's work performance and attendance during that month. In the event Respondent is attending a nursing program, Respondent shall cause the Program Director to submit to the Board, 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 Board. All employer reports shall indicate satisfactory performance (i.e., consistently meeting all standards of nursing practice) and attendance.
11. Practice Under Supervision. Respondent shall practice as a registered nurse only in a setting where Respondent has on-site supervision for the entire shift by a licensed registered nurse that is in good standing with the Board.
12. 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, home health care agency, temporary nursing employment agency, or as a private duty nurse or personal care provider requiring a nursing or nursing assistant license during the effective period of this Consent Order.
13. Interview with the Board or its Designee. Respondent shall appear in person for interviews with the Board or its designee upon request.
14. 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 Board or its designee. The Board will approve out-of-state nursing practice so long as Respondent can still comply with the provisions of this Consent Order. If Respondent receives discipline on a nursing license held in another state during the conditioned period, Respondent must inform the Board of such, in writing, within ten (10) days of receiving such discipline.
15. 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 Board, in writing, of Respondent's current place of employment, personal address, and telephone number. Respondent shall further notify the Board, in writing, within forty-eight (48) hours of any change in employment (including resignation or termination), personal address, or telephone number.

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16. Notification to Other States. In the event that Respondent is licensed in nursing in any other state(s), Respondent must inform the nursing licensing board of the state(s) in which Respondent is licensed of the conditional status of Respondent's Vermont nursing license within thirty (30) days of the date of entry of this Order.
17. License Renewal. This Order does not automatically extend the license and Respondent must comply with the requirements for license renewal.
18. Costs. Respondent shall bear all costs of complying with this Consent Order.
19. 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 concluded.
20. Completion of Conditional License Period. Respondent shall submit a petition to the Docket Clerk to remove any and all conditions on Respondent's license. The State will assent to 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. 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: July 02, 2021

By: E-SIGNED by Jennifer Colin
on 2021-07-02 11:39:26 EDT
Jennifer Colin, Esq.
State Prosecuting Attorney

RESPONDENT

Dated: July 02, 2021

By: E-SIGNED by Lanre Abawonse
on 2021-07-02 11:35:48 EDT
Lanre Abawonse

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APPROVED AND SO ORDERED:

July 12, 2021
Dated: _____

Date of Entry: 7/13/2021

VERMONT BOARD OF NURSING

By: E-SIGNED by Jennifer Laurent
on 2021-07-12 12:45:01 EDT
Chairperson

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

In re LANRE S. ABAWONSE
License No. 026.0134281

}
}
} Docket No. 2018-55
}

Appearances:

Prosecutor: Jennifer B. Colin, Esq.
Respondent: Did not appear

Hearing Officer: George K. Belcher

DEFAULT ORDER

The Hearing Officer of the Vermont Board of Nursing held a hearing pursuant to 3 VSA Sec. 129(f) in the above matter on October 2, 2019 at the Office of Professional Regulation in Montpelier, Vermont. Respondent did not attend and was not represented by counsel.

Findings of Fact

1. Respondent is a Licensed Registered Nurse and is therefore subject to the regulatory authority of this Board. 3 V.S.A. §§ 129, 129a, 26 V.S.A. Chapter 28, and the Administrative Rules of the Board of Nursing, and the Rules of the Office of Professional Regulation.
2. Charges were filed in this matter on June 21, 2019. The Respondent was sent a Notice of Charges in this matter by certified mail and first class mail to the address of the Respondent which was on file with the Office of Professional Regulation on June 25, 2019. The certified mail notice of charges was returned with the notation that the mailing was "refused". The ordinary mail notice was not returned. A copy of the Specification of Charges is attached to this Default Order.
3. OPR Rule 3.3 requires that an Answer be filed within 20 days of the date on which the notice of charges was mailed by the Director.
4. On September 12, 2019 a notice was sent to the Respondent advising of the hearing before the Board to find a default and advising that, "If you wish to contest the charges you must contact the office immediately at (802) 828-2367 and show good cause for failing to answer the charges against you." This notice was mailed by certified mail and regular mail. Neither the certified mail notice, nor the regular mail notice, were returned as of the date of the hearing. The State Prosecutor likewise sent to the Respondent a copy of the State's Motion for Default and no contact was made by the Respondent to the State Prosecutor.
5. Respondent has not filed an answer to the charges, nor any communication concerning good cause for failure to answer. The Respondent did not appear at the hearing on

default.

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. It is specifically found that in March of 2018 the Respondent was convicted of felony possession of a controlled substance without a valid prescription and witness intimidation. While the charges referenced above were pending, the Respondent applied for a Vermont Nursing License on November 2, 2017 and represented that there were no criminal charges pending in any jurisdiction at the time of his license application. After the Vermont licensure and the subsequent criminal convictions, the Respondent failed to report his conviction to the Vermont Office of Professional Regulation.
8. It was the recommendation of the State of Vermont that the Respondent's license be indefinitely suspended with the standard drug and alcohol conditions should the Board later determine that the Respondent's license should be reinstated. Those recommended conditions follow in the proposed order below.

Conclusions of Law

Respondent has received adequate or constructive notice of the charges in this matter 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 finds, based upon 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: 3 VSA Sec. 129a(a)(10) (conviction of a felony); 3 VSA Sec. 129a(a)(11) (failure to report conviction of a felony); and 3 VSA Sec. 129a(a)(1) (fraudulent procurement of a license).

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 license be **Indefinitely Suspended**. In the event that the Respondent seeks to regain his license, he must petition for reinstatement. Within forty-five (45) days of requesting reinstatement, Respondent must, at his own cost:

- (a) Obtain an independent evaluation report by a pre-approved licensed professional specializing in drug and alcohol abuse ("Independent Evaluator") who has verified receipt of the Default 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;
- (b) Submit to the Enforcement Unit Case Manager the results of a minimum of three (3) random urine analyses:

- (i) When Respondent is ready to petition for reinstatement, Respondent shall contact the Enforcement Unit Case Manager at the Office of Professional Regulation to set-up the urine analysis process and receive instructions. Once registered with the pre-approved person or entity, Respondent will have 45 days to submit to a minimum of three (3) random urine analyses. The process by which Respondent learns whether the Respondent 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;
- (ii) The urine analyses must be collected in an observed setting, administered by a pre-approved lab qualified to analyze samples for forensic purposes, the results of which shall be negative;
- (c) 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 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, urine analysis results, the facts contained in the Default Order, and any other relevant factors at that time.

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

Dated this 3^d day of October, 2019.

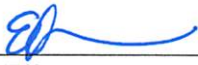

George K. Belcher
Hearing Officer of the Vermont Board of Nursing

The Vermont Board of Nursing considered the report of findings of fact and conclusions of law at its meeting on October 14. After considering the report, the Board takes the following action:

- / / Rejects the report and schedules the matter for hearing.
- / / Schedules the matter for additional evidence.
- /✓/ 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

By: 
Ellen Watson, Chair
Vermont Board of Nursing

Date: 10-14- 2019

OFFICE OF PROFESSIONAL REGULATION

DATE OF ENTRY: 10.15.19

Appeal Rights

This is a final administrative determination by the Vermont Board of Nursing. A party aggrieved by a final decision of a board 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 St., 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.

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RECEIVED
OCT 08 2019
Secretary of State
Professional Regulation

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

IN RE:)
Lanre S. Abawonse) Docket No. 2018-55
License No. 026.0134281)

SPECIFICATION OF CHARGES

NOW COMES the State of Vermont and makes the following charges against Respondent Lanre S. Abawonse:

Board Authority

1. The Vermont State Board of Nursing (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").

Statement of Facts

2. Lanre S. Abawonse (the "Respondent") of Oklahoma City, Oklahoma is licensed by the State of Vermont as a Registered Nurse ("RN") under license number 026.0134281. This license was originally issued on November 8, 2017, and expires on March 31, 2019.
3. In 2016, Respondent worked as an RN at Mercy Hospital Oklahoma City in Oklahoma.
4. On July 2, 2016, Respondent was involved in a car accident and was taken to the Emergency Department of the University of Oklahoma Medical Center ("OUMC") in Oklahoma City.
5. While treating Respondent, medical staff looked in Respondent's bag to find his identification and noted two full 2mg/ml vials of Dilaudid.
6. Two additional vials of Dilaudid were found in Respondent's pants after they were cut off of him by medical staff in the course of treatment.
7. On July 2, 2016, Respondent was arrested in Oklahoma City, Oklahoma for unlawful felony possession of a controlled dangerous substance, several vials of Dilaudid (hydromorphone) without a prescription, a violation of Oklahoma Statutes Title 63, §2-406(A).

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8. Hydromorphone is classified as a Schedule II Controlled Substance under Section 812 of the Controlled Substances Act, 21 U.S.C. §801 et seq.
9. On June 16, 2017, Respondent was arrested for the felony crime of attempting to prevent a witness from giving testimony, a violation of 21 Okl.St.Ann. §455.
10. Respondent's arrest on June 16, 2017 was precipitated by Respondent going to the home of a witness in the 2016 drug case, a nurse from the OUMC Emergency Department, early in the morning and claiming to have a FedEx envelope that required hand-delivery to the witness. The witness felt something was wrong because Respondent was acting strangely and was not wearing a FedEx uniform. The witness became frightened because she believed the incident was tied to Respondent's 2016 drug case. The witness told law enforcement that she and her family packed and left town that day "because we were scared for our lives."
11. The incident of Respondent at the witness's home was captured via video and audio recording on an electronic communication device the witness had at her home.
12. On March 7, 2018, Respondent pled guilty to felony possession of a controlled dangerous substance without a prescription, a violation of Oklahoma Statutes Title 63, §2-406(A).
13. On March 7, 2018, Respondent entered an Alford plea, meaning a plea of guilty while maintaining his claim of innocence, on the felony charge of witness intimidation, a violation of 21 Okl.St.Ann. §455.
14. On March 7, 2018, Respondent entered a plea agreement for both charges in which the State of Oklahoma sentenced him to a three-year deferred sentence after serving seven months with credit for time served ("Plea Agreement").
15. The Plea Agreement required the following conditions, in addition to others not relevant to this proceeding:

[D]efendant shall surrender his nursing license and any other health care license he possesses to the appropriate board governing the activity. Accompanying the surrender will be plea paperwork associated with this guilty plea on the above-cited cases. Verification of surrender and plea of guilty notice shall be delivered to the Oklahoma County District Attorney's Office Probation Officer when said surrender occurs;

The Defendant shall not attempt to obtain any certification or license to practice medicine or provide health care to any person for the term of his probation (3 years from plea);...

The defendant shall complete a drug and alcohol assessment and comply with any suggested follow-up....

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16. On November 2, 2017, while both felony criminal charges were pending in the State of Oklahoma, Respondent submitted an Application to the Vermont Office of Professional Regulation ("Application") to obtain licensure as a Registered Nurse ("RN").
17. In the Application, Respondent certified, under the pains and penalties of perjury, his false answer of "No" to the following question:

"Are any criminal charges pending against you in any jurisdiction?"
18. On April 6, 2018, Respondent and the Oklahoma Board of Nursing executed an Agreed Order to Accept Voluntary Surrender of Nursing License ("Oklahoma Order").
19. Under the terms of the Oklahoma Order, the Oklahoma Board of Nursing will not consider any application by Respondent for reinstatement for a period of three years from the date of the Oklahoma Order.
20. Under the terms of the Oklahoma Order, upon reinstatement, Respondent's Oklahoma nursing license will be placed in temporary suspension pending Respondent's admission to the Peer Assistance Program.
21. If Respondent does not successfully complete the Peer Assistance Program in Oklahoma, his nursing license there will be revoked for two years.
22. Respondent did not report to OPR the two felony convictions within thirty days.

Violation One: 3 V.S.A. §129a(a)(10) Conviction of a crime related to the practice of the profession or conviction of a felony, whether or not related to the practice of the profession.

23. The State repeats and re-alleges Paragraphs 2-22 as if fully set forth herein.
24. Paragraphs 2-15 above demonstrate that Respondent was convicted in Oklahoma of two felony charges in 2018, including a charge of possession of a dangerous and controlled substance without a prescription, a crime related to the practice of the nursing profession.
25. The act(s), omission(s), and/or circumstance(s) described above constitute grounds for discipline because Respondent has engaged in professional misconduct by being convicted of two felonies, one of which was related to the practice of the profession, in violation of 3 V.S.A. §129a(a)(10).

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Violation Two: 3 V.S.A. §129a(a)(11) Failure to report to the Office a conviction of any felony or misdemeanor offense in a Vermont District Court, a Vermont Superior Court, a federal court, or a court outside Vermont within 30 days.

26. The State repeats and re-alleges Paragraphs 2-22 as if fully set forth herein.
27. Paragraphs 2-15, 22 above demonstrate that Respondent failed to report to OPR within 30 days his two felony convictions from the State of Oklahoma in March 2018.
28. The act(s), omission(s), and/or circumstance(s) described above constitute grounds for discipline because Respondent has engaged in professional misconduct by failing to report two felony convictions to OPR in violation of 3 V.S.A. §129a(a)(11).

Violation Three: 3 V.S.A. 129a(a)(1) Fraudulent or deceptive procurement or use of a license.

29. The State repeats and re-alleges Paragraphs 2-22 as if fully set forth herein.
30. Paragraphs 2-17 above demonstrate that Respondent deceptively procured his Vermont Registered Nurse license in November 2017 by falsely stating that there were no criminal charges pending against him in any jurisdiction.
31. The act(s), omission(s), and/or circumstance(s) described above constitute grounds for discipline because Respondent engaged in professional misconduct by fraudulently procuring his nursing license in violation of 3 V.S.A. §129a(a)(1).

Relief Requested

WHEREFORE, the license of Lanre S. Abawonse should be revoked suspended, reprimanded, conditioned, or otherwise disciplined.

DATED at Montpelier, Vermont this 20th day of June, 2019.

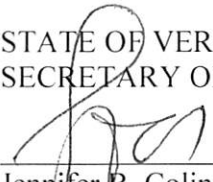
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STATE OF VERMONT
SECRETARY OF STATE

By:


Jennifer B. Colin
Prosecuting Attorney
(802)828-1219
Jennifer.Colin@sec.state.vt.us



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

In re: LANRE ABAWONSE
License No. 026.0134281

}
} Docket No. 2018-55 (RN)
}

SUMMARY SUSPENSION ORDER

Participating Board Members:

Ellen Watson, APRN, Chair
Jennifer Laurent, APRN
Virginia Hudson, RN
Deborah Swartz, RN
Luana Tredwell, LPN
William G. White, Jr., Public Member

Appearances:

Prosecuting the case: Jennifer B. Colin, Esq.
Respondent: was not present and not represented

Presiding Officer:

George K. Belcher

Exhibits:

State Exhibit 1: Respondent's Vermont License Application
State Exhibit 1a: Attestation Clause to Application
State Exhibit 2: Authorization for Verification of out-of-state licensure
State Exhibit 3: Vermont Nursing License dated 11/8/17
State Exhibit 4: Certified Documents from Oklahoma Nursing Board
State Exhibit 5: Email communication from Respondent to Vermont Nursing Board

**Summary Suspension Order
FINDINGS OF FACT, CONCLUSIONS OF LAW,
AND ORDER**

This matter came before the Board of Nursing on a Request for a Summary Suspension. The hearing was held on June 11, 2018, at the Office of Professional Regulation in Montpelier, Vermont.

Findings of Fact

Based on a review of the pleadings and the file, and on evidence presented to the Board at the hearing, the Board finds as follows:

1. Respondent is a Registered Nurse licensed in Vermont. His license was issued on November 8, 2017 and is set to expire on March 31, 2019. He was also licensed in Oklahoma as a Registered Nurse. (Ex. 4, P. 1) He is subject to the regulatory authority of the Vermont Board. 3 V.S.A. §§ 129, 129a, 26 V.S.A. Chapter 28, the Administrative Rules of the Board of Nursing, and the Rules of the Office of Professional Regulation. 3 V.S.A. § 814(c) permits the Board to summarily suspend a license if it finds that public health, safety, or welfare imperatively requires emergency action, and incorporates a finding to that effect in its order.
2. The prosecutor has filed a "Request for Summary Suspension." A copy of the Request is attached to this Decision and Order. The Respondent was sent a copy of the Request for Summary Suspension on June 1, 2018 by certified mail. There was no evidence of actual service of the notice. The Respondent did not appear at the hearing.
3. On July 2, 2016 the Respondent was arrested for possession of a controlled substance (Dilaudid) without a prescription. (Ex. 4, P 10) On March 7, 2018 the Respondent pled guilty to the charge in Oklahoma District Court (Violation of 63 Oklahoma Statutes Sec. 2-402; a Felony; Docket CF2016-8089) (Ex. 4, P. 22).
4. On June 23, 2017 the State of Oklahoma charged the Respondent with Attempting to Prevent a Witness from Giving Testimony, a felony. The Respondent entered an Alford Plea to this charge on March 7, 2018 (Docket CF2017-3967).
5. As part of the plea agreement to both convictions, the Respondent agreed, "Within 10 days of plea, the defendant shall surrender his nursing license and any other health care license he possesses to the appropriate board governing the activity... The Defendant shall not attempt to obtain any certification or license to practice medicine or provide health care to any person for the term of his probation (3 years from plea)." (See Ex. 4, P. 29) The Respondent voluntarily surrendered his Oklahoma nursing license. On April 6, 2018 the Oklahoma Board of Nursing found that he had violated the Oklahoma Nursing Practices Act and that his license could not be reinstated for a period of a minimum of three (3) years. (Ex 4, P. 1-5)
6. On the Respondent's Vermont License Application dated November 2, 2017, the Respondent stated that he was not "... currently under investigation or pending charges in any licensing jurisdiction." (Ex. 1, P. 4) His attested answer on this part of the Application was false.
7. On March 22, 2018 the Respondent filed a communication with the Vermont Board of Nursing wherein he requested "... that my license remain in Active status". (Ex. 5)
8. The Respondent did not report to the Vermont Board of Nursing his felony convictions which occurred on March 7 of 2018, but, rather, he requested that the Vermont Nursing Board continue his Vermont Nursing license as Active.
9. The State has proven the allegations contained in the Request for Summary Suspension.

10. The evidence presented show facts which imperatively require emergency action for the public health, safety, and welfare. Specifically, summary suspension is necessary to prevent patient harm, and to protect the general integrity of the medical profession.

Conclusions of Law

Our Findings of Fact and Conclusions of Law in this Summary Suspension hearing are for purposes of deciding whether *at this time* there is an imperative need to take emergency action. 3 V.S.A. § 814(c). Our Findings of Fact and Conclusions of Law herein are for purposes of this Order only.

The Board concludes that the allegations in the Request for Summary Suspension have been established to the necessary degree. For purposes of this Summary Suspension Hearing, the Findings of Fact above do support Summary Suspension of Respondent's license. There is an imperative need to take emergency action. 3 V.S.A. § 814(c). It seems apparent that: the Respondent acquired his Vermont Nursing license under false representations (3 VSA Sec. 129a(a)(1)); that he has been convicted of two felonies (3 VSA Sec. 19a(a)(10)); and that he failed to report conviction of a felony as required to do so (3 VSA Sec. 129a(a)(11)).

Vermont law requires that unprofessional charges be filed promptly with Respondent being afforded a prompt hearing. At any merits hearing in this matter, the prosecutor will bear the burden of proving unprofessional conduct. Our Findings and Conclusions in this matter will not absolve the prosecution or Respondent from producing or challenging relevant evidence at a merits hearing. The Findings of Fact and Conclusions of Law at a contested hearing will be based exclusively on the evidence admitted at that hearing.

Order

The Request for Summary Suspension is **Granted**. Respondent's license is **Summarily Suspended** pending proceedings for revocation or other action. These proceedings shall be promptly instituted and determined. 3 V.S.A. § 814(c).

Vermont Board of Nursing

By:


Ellen Watson, APRN, Chair

Date: June 18, 2018

DATE OF ENTRY: 8-13-18

APPEAL RIGHTS

This is a final administrative determination by the Vermont Board of Nursing. A party aggrieved by a final decision of a board 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.