

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

IN RE:)
MARY F. ALVEY)
License Nos. 025.0093272-TEMP,)
License Tracking No. 025.0093271)

Docket No. 2013-172

STIPULATION AND CONSENT ORDER

NOW COMES the State of Vermont, by State Prosecuting Attorney Gabriel M. Gilman, and the respondent, Mary F. Alvey, who stipulate and agree as follows:

[Board Authority

1. The Vermont State Board of Nursing ("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. § 1582; the Administrative Rules of the Board of Nursing ("ARBN"); and the Rules of the Office of Professional Regulation.

Statement of Facts

2. Mary D. Alvey ("Respondent") of Hoopeston, Illinois, was credentialed on a temporary basis by the State of Vermont as a Licensed Practical Nurse under license number 025.0093272-TEMP. The temporary permit was valid between February 19, 2013 and May 20, 2013.
3. At all times relevant, Respondent was employed as a traveling nurse for Core Medical Group and assigned to Mountain View Center, Rutland, Vermont.
4. On or about March 9, 2013, Respondent signed the name of another nurse, B.T., in the narcotics log, indicating that a narcotics count had been verified by B.T. when it had not been.
5. B.T. opened the narcotics log and discovered that her signature had been entered by someone else. When questioned, Respondent explained, "I just assumed the count was correct."
6. There is no evidence Respondent's conduct was related to drug diversion.
7. While this matter was pending, and in order to obviate a period of conditional licensure, Respondent successfully completed, through the NCSBN Learning Extension, more than ten contact hours of remedial coursework pertaining to professional responsibility.

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Montpelier, VT
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Violation

8. 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)(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.).

Understandings

9. Respondent acknowledges that the facts above are true and accurate.
10. 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.
11. 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.
12. Respondent has read and reviewed this entire document and agrees that it contains the entire agreement between the parties.
13. Respondent is not under the influence of any drugs or alcohol at the time she signs this Stipulation and Consent Order.
14. 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.
15. Respondent voluntarily waives her right to a contested hearing before the Board of Nursing and waives any right to appeal from this Stipulation and Consent Order.
16. 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 **WARNS** the Respondent's license.
- B. Notwithstanding any provision above, the Respondent must continue to meet all Nursing Board requirements for maintaining a license, license renewal and license reinstatement.

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- 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: 10/7/13

By: [Signature]
Gabriel Gilman
State Prosecuting Attorney

MARY F. ALVEY
RESPONDENT

Dated: 30 Sept 2013

By: Mary F. Alvey
Mary F. Alvey

APPROVED AS TO FORM

Pocius
DAVID M. ~~POIGUS~~, ESQ.
ATTORNEY FOR RESPONDENT

Dated: 10/7/13

By: [Signature]
David M. ~~Pocius~~, Esq.
Pocius

APPROVED AND SO ORDERED:

VERMONT BOARD OF NURSING

Dated: 10/14/13

By: [Signature]
Chairperson

Date of Entry: 10/15/13

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