

STATE OF VERMONT
BOARD OF NURSING

In re: Elizabeth Beddie
License No. 75-12610

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Docket No. NU08-0804

SUMMARY SUSPENSION ORDER

On September 13, 2004, this case came before the Board of Nursing for a hearing on the State's request for summary suspension.

Based upon the evidence presented at the hearing, the Board finds that there is sufficient evidence to establish to the necessary degree that the public health, safety, or welfare imperatively require emergency action against the Respondent's license.

Pursuant to 3 V.S.A. § 814(c), Respondent Elizabeth Beddie's nursing license is SUMMARILY SUSPENDED until a hearing on charges has been held and determined, or other resolution of this case.

BOARD OF NURSING

By: Lisa Farrell
Chair

Dated: September 13, 2004

OFFICE OF PROFESSIONAL REGULATION

DATE OF ENTRY: 9/15/04

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

IN RE:

ELIZABETH BEDDIE

License No. 075-0012610

)
) **Docket No: NA 08-0804**
)

REQUEST FOR SUMMARY SUSPENSION

Authority

1. The Board of Nursing ("Board") has jurisdiction to investigate and adjudicate allegations of unprofessional conduct committed by nursing assistants pursuant to 3 V.S.A. §§129 and 129a; 3 V.S.A. §814; 26 V.S.A. §§1595 and 1598; the Administrative Rules of the Board of Nursing ("ARBN"); the Rules of the Office of Professional Regulation.
2. The Board is authorized by 3 V.S.A. §814 to summarily suspend the license of a nursing assistant when it finds that the public health, safety or welfare imperatively requires emergency action.

Statement of Facts

3. The Respondent, Elizabeth Beddie, is licensed in the State of Vermont as a nursing assistant under license number 075-0012610.
4. The Respondent was originally licensed on May 16, 2002 and the Respondent's license is currently set to expire on November 30, 2004.
5. At all times relevant, the Respondent was employed as a nursing assistant at Berlin Health and Rehabilitation Center located in Berlin, Vermont.
6. On August 7, 2004, the Respondent was observed on video surveillance tampering with a Duragesic patch containing the drug Fentanyl that was attached to patient D.C., a ninety-eight year old woman diagnosed with Chronic Dementia and Degenerative Joint Disease. After puncturing the patch, the Respondent was observed squeezing the drug from the patch onto her finger and then placing her finger in her mouth and sucking on it.
7. On August 9, 2004, the Respondent was observed on video surveillance removing a Duragesic patch containing the drug Fentanyl from the upper back of patient D.C. After removing the patch, the Respondent placed it in the front pocket of her scrub, she then finished providing care to D.C. and left the room. The Respondent returned

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Prosecuting Attorney
Office of
Professional Regulation
Montpelier, VT 05602

to the room approximately one minute after leaving and placed the patch back on D.C. The patch was found by staff with a hole in it and no medication left inside.

8. As a result of these actions, the Respondent was arrested and charged with two counts of Obtaining a Regulated Drug by Deceit, a felony offense; and two counts of Abuse of a Vulnerable Adult, a misdemeanor offense.

Relief Requested

9. The facts as set out above establish that the public health, safety, or welfare imperatively requires emergency action.

10. The above acts and circumstances, alone or in combination, constitute unprofessional conduct pursuant to:

- i. 26 V.S.A. §1595(6) (has diverted or attempted to divert drugs for unauthorized use); and
- ii. 26 V.S.A. §1595(4) (has abused or neglected a patient); and
- iii. 26 V.S.A. §1595(5) (is unfit or incompetent to function as a nursing assistant by reason of any cause) which includes, but is not limited to, performing unsafe or unacceptable patient care pursuant to ARBN Chapter 5, Rule IV(II)(A)(1), failing to conform to the essential standards of acceptable and prevailing nursing assistant practice pursuant to ARBN Chapter 5, Rule IV(II)(A)(2), and engaging in conduct of a character likely to harm the public pursuant to ARBN Chapter 5, Rule IV(II)(A)(3); and
- iv. 3 V.S.A. §129a(a)(3) (failure to comply with provisions of federal or state statutes or rules governing the practice of the profession).

WHEREFORE, the license of Elizabeth Beddie should be revoked, suspended or otherwise disciplined.

Dated at Montpelier, Vermont this 7th day of September 2004.

STATE OF VERMONT



Prosecuting Attorney
Office of
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Montpelier, VT 05602

STATE OF VERMONT
SECRETARY OF STATE

By:

Edward G. Adrian

State Prosecuting Attorney

na.beddie.sumsusp