

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

IN RE:

DONNA M. BIZON

License No. 026.0023061

)
)
)

Docket No. 2009-355

STIPULATION AND CONSENT ORDER

STIPULATION

NOW COME the State of Vermont, by and through State Prosecuting Attorney BetsyAnn Wrask, and the Respondent, Donna M. Bizon, RN, who 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. § 1582; the Administrative Rules of the Board of Nursing (the "ARBN"); and the Rules of the Office of Professional Regulation.

Statement of Facts

2. Donna M. Bizon (the "Respondent") of Rutland, Vermont is licensed by the State of Vermont as a Registered Nurse under license number 026.0023061. This license was originally issued on or about August 22, 1996 and is currently set to expire on or about March 31, 2011. Respondent has also been licensed by the State of Vermont as a Licensed Practical Nurse. This license was originally issued on or about February 1, 1996 and expired on or about January 31, 1998.
3. At all times relevant, Respondent was employed as a Registered Nurse at Mountain View Center (the "Facility"), located in Rutland, Vermont.
4. On or about August 24, 2009 in a Mandatory Report of Unprofessional Conduct to the Board, Director of Nursing M.H. reported that Respondent was terminated from the Facility after Respondent failed to comply with policies related to HIPPA. M.H. advised that on or about August 17, 2009, Respondent approached in a hallway a patient's daughter; son-in-law; and another patient who was visiting with the patient's daughter and discussed the patient's diagnosis and other medical information. It was noted that Respondent realized after the incident that she should not have discussed this information in the hallway.

STATE OF VERMONT



Prosecuting Attorney
Office of
Professional Regulation
9 Baldwin Street
Montpelier, VT
05609-1107

5. On or about September 14, 2009 in an interview with State Investigator Steve Kennedy, Respondent stated that she had started talking with the patient's daughter in the hallway about the patient. Respondent stated she was very busy at the time. Respondent stated that she did not realize until after she began talking that another resident was in the hallway, as Respondent did not see this resident. Respondent stated that she now realizes that she should have had this discussion elsewhere.

Charges

6. 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:
- a. 3 V.S.A. § 129a(b)(1) and (2) (Failure to practice competently by reason of any cause on a single occasion or on multiple occasions may constitute unprofessional conduct, whether actual injury to a client, patient, or customer has occurred. Failure to practice competently includes: (1) performance of unsafe or unacceptable patient or client care; or (2) failure to conform to the essential standards of acceptable and prevailing practice); and
 - b. 3 V.S.A. § 129a(a)(3) (Failing to comply with provisions of federal or state statutes or rules governing the practice of the profession).

Understandings

- 7. 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.
- 8. 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.
- 9. Respondent has read and reviewed this entire document and agrees that it contains the entire agreement between the parties.
- 10. Respondent is not under the influence of any drugs or alcohol at the time she signs this Stipulation and Consent Order.
- 11. 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.
- 12. 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.

STATE OF VERMONT



Prosecuting Attorney
Office of
Professional Regulation
9 Baldwin Street
Montpelier, VT
05609-1107

13. 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** Respondent's license to practice registered nursing.
- B. 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).
- C. 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

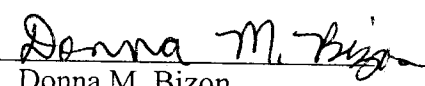
Dated: 5.3.10

By: 

Betsy Ann Wrask
State Prosecuting Attorney

DONNA M. BIZON
RESPONDENT

Dated: 4/30/10

By: 

Donna M. Bizon

APPROVED AND SO ORDERED:

VERMONT BOARD OF NURSING

Dated: 5.10.10

By: 

Chairperson

Date of Entry: 5/13/10
nu.bizon.stip

STATE OF VERMONT



Prosecuting Attorney
Office of
Professional Regulation
9 Baldwin Street
Montpelier, VT
05609-1107