

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

IN RE:	)	
REBECCA A. BLAKE	)	Docket No. 2020-107
License No. 025.0007745	)	

STIPULATION AND CONSENT ORDER

STIPULATION

NOW COME the State of Vermont, by and through State Prosecuting Attorney Elizabeth A. St. James, and the Respondent, Rebecca A. Blake, 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. Chapter 28; the Administrative Rules of the Board of Nursing (the “ARBN”); and the Rules of the Office of Professional Regulation.

Stipulated Facts

2. Rebecca A. Blake (“Respondent”) of Rutland, Vermont, is registered in the State of Vermont as a Licensed Practical Nurse (“LPN”) under license number 025.0007745. This license was first issued on January 21, 1999, and expires on January 31, 2022.
3. Respondent is also licensed by the Massachusetts Board of Registration in Nursing as a Licensed Practical Nurse under license number LN 63702.
4. Respondent submitted a renewal application for her Vermont LPN license on February 27, 2018.
5. Respondent answered “No” to the question, “Has Vermont or any other state, federal authority, or any jurisdiction taken any DISCIPLINARY ACTION against (e.g. warned, reprimanded, fined, restricted, conditioned, suspended, or revoked) a license, certificate, or registration that you hold or have held in any profession or occupation?”
6. This answer was false.
7. On November 3, 2016, the Massachusetts Board of Registration in Nursing disciplined Respondent and placed her Massachusetts LPN license on probation.

8. Respondent failed to abide by the terms of her Massachusetts Board Order and her license was suspended on February 13, 2018.

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

9. The State re-alleges and incorporates paragraphs 2 through 8 above.
10. Licensed Practical Nurses must be truthful in the application process and are prohibited from engaging in fraudulent or deceptive procurement or use of a license.
11. Paragraphs 2 through 8 above demonstrate that Respondent fraudulently or deceptively procured or used a license when she failed to disclose out-of-state discipline on her Vermont renewal application.
12. The act(s), omission(s), and/or circumstance(s) described above constitute grounds for discipline because Respondent has committed unprofessional conduct in violation of 3 V.S.A. §129a(a)(1).

Violation Four: 3 V.S.A. §129a(a)(15) Failing to exercise independent professional judgment in the performance of licensed activities when that judgment is necessary to avoid action repugnant to the obligations of the profession.

13. The State re-alleges and incorporates Paragraphs 2 through 8 above.
14. As a Licensed Practical Nurse, Respondent is required to exercise independent professional judgment in the performance of licensed activities.
15. Paragraphs 2 through 8 above demonstrate Respondent failed to exercise independent professional judgment in the performance of licensed activities when that judgment is necessary to avoid action repugnant to the obligations of the profession.
16. 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)(15).

Understandings

1. Respondent admits the facts as outlined above are true and the Board may find that the Respondent engaged in unprofessional conduct and that the order below is necessary to protect the public.
2. 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.

3. Respondent specifically waives any claims that any disclosures made to the Board during its review of this agreement have prejudiced Respondent's rights to a fair and impartial hearing in future hearings if this agreement is not accepted.
4. Respondent has read and reviewed this entire document and agrees that it contains the entire agreement between the parties.
5. Respondent is not under the influence of any drugs or alcohol at the time of signature of this Stipulation and Consent Order.
6. 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.
7. Respondent voluntarily waives the right to a contested hearing and waives any right to appeal from this Stipulation and Consent Order.
8. Respondent agrees that the Order set forth below may be entered.

ORDER

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

- A. The Board of Nursing hereby **WARNS** Respondent's license.
- B. Notwithstanding any provision above, Respondent must continue to meet all 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: January 21, 2021

By: /s/ Elizabeth A. St. James
Elizabeth A. St. James
Prosecuting Attorney

REBECCA BLAKE
RESPONDENT



Dated: January 20, 2021

By: _____
Rebecca Blake

APPROVED AND SO ORDERED:

Dated: _____

By: _____
Board Chair

Date of Entry: 3/11/2021