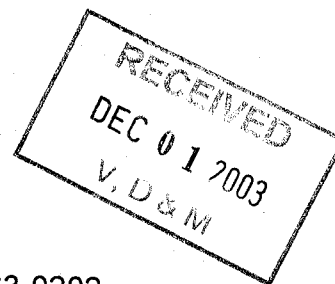


STATE OF VERMONT
VERMONT BOARD OF NURSING



In Re:

Amy Blodgett,
License No. 26-16335

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Docket No. NU63-0202

STIPULATION AND CONSENT ORDER

STIPULATION

NOW COME the State of Vermont, through Attorney General William H. Sorrell, and Respondent who stipulate and agree as follows:

1. The Board of Nursing has jurisdiction to investigate complaints of unprofessional conduct and approve consent orders pursuant to 3 V.S.A. §129, and 26 V.S.A. §§1574, 1582.
2. Respondent is a registered nurse licensed by the State of Vermont, holding license number 26-16335.
3. At all times relevant to this Stipulation and Consent Order, Respondent was employed by Central Vermont Home Health & Hospice (hereinafter CVHH&H) of Berlin, Vermont.
4. Respondent admits that on or about February 6, 2002 she was caring for one S.B. who suffers from diabetes. Respondent admitted S.B. to CVHH&H's care, did an assessment, but did not look at S.B.'s feet. S.B. suffers from diabetes and a check of extremities is necessary. Respondent asked S.B. about his feet since he was alert and oriented. S.B. reported that he had no ulcers on his feet. It was later determined that S.B.'s feet were stage "1" with bleeding under a former wound and a bruise under the heel.

5. Respondent admits that on other occasion also involving S.B. who had suffered from a MRSA (staff) infection on his bottom in the past, and who complained that the dressing over the wound was oozing, she advised S.B. that Medicare probably would not pay for the visit because he was attending a doctor's appointment later that day and she would not be able to arrive and change the dressing before it was time to leave for the appointment. She then suggested that he should put a towel in his pants to contain the drainage and to go to his doctor's appointment.

6. Respondent admits that on 2/8/02 she was also caring for one R.L. who was a patient. Respondent initiated a phone call from another client's one-room apartment occupied at the time of the call by the client and two other people. Respondent placed the phone call and identified the subject of the call as the patient R.L. and proceeded to discuss R.L.'s medical needs in the presence and hearing of those other three people.

7. Respondent admits the conclusions of unprofessional conduct as set forth below in the Board's Order.

8. Respondent understands that the Nursing Board must review and accept the terms of the Stipulation and Consent Order. If the Board rejects any portion, the entire Stipulation and Consent Order shall be null and void.

9. Respondent has read and reviewed this entire document and agrees that it contains the entire agreement between the parties.

10. Respondent voluntarily enters this agreement after the opportunity to consult with legal counsel and is not being coerced by anyone into signing this Stipulation and Consent Order.

11. Respondent voluntarily waives her right to charges and a contested hearing before the Board of Nursing.

12. Respondent agrees that the Board may enter the Order set forth below.

ORDER

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

A. Respondent's actions described in paragraphs 3 through 6 demonstrate grounds for discipline pursuant to 26 V.S.A. § 1582(a)(3)(unable to practice nursing competently by reason of any cause) and Vermont Nursing Board Rule IV.B. (2)(A)&(B), since they constitute unacceptable patient care and failure to conform to the essential standards of acceptable and prevailing nursing practice and 26 V.S.A. §1582(a)(7) engages in conduct of a character likely... to harm the public.

B. Respondent Amy Blodgett's license is hereby **CONDITIONED** for a term of one (1) year commencing with the date of entry of this Stipulation and Consent Order and subject to the following terms and restrictions:

(1) Length of Time Conditions Imposed.

These conditions shall remain in place until Respondent has completed one (1) year of supervised nursing practice in which she works at least forty (40) hours every two (2) weeks in nursing. Part time hours of less than forty (40) hours every two (2) weeks shall be credited on a prorated basis.

(2) Notification of Place of Employment/Personal Address/Telephone Number.

Within five (5) days of the date of entry of this Stipulation and Consent Order or of becoming employed, Respondent shall notify the Board, in writing, of her current place of nursing employment, personal address, and telephone number. Respondent shall further notify the Board, in writing, within forty-eight

(48) hours of any change in nursing employment, personal address, or telephone number.

(3) 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 she practices as a nurse and inform them of her conditional license status. Within ten (10) days of the date of entry of this Stipulation and Consent Order or of any subsequent employment, Respondent shall cause her immediate supervisor(s) to write to the Board, on the employer's letterhead, acknowledging receipt of the Stipulation and Consent Order and the ability to comply with its conditions. In the event Respondent is attending a nursing program, which has a clinical portion, which involves actual patient care, she shall provide a copy of the Stipulation and Consent Order to the Program director. Respondent shall cause the Program Director to write to the Board, on school letterhead, acknowledging receipt of the Stipulation and Consent Order and ability of the program to comply with its conditions during clinical experience.

(4) Reports from Employers/Nursing School.

Within one (1) month of the date of entry of this Stipulation and Consent Order or within one month of the commencement of employment, and every month thereafter for the one (1) year the conditions are in place, Respondent shall cause every employer she has worked for during the month to submit to the Board an evaluation of Respondent's performance and attendance during that month. This report shall be submitted in writing on forms issued by the Board and accompanied by a cover letter on the employer's letterhead. In the event the Respondent attends nursing school, she shall cause the Program

Director to submit to the Board, on a monthly basis, a written evaluation of her performance and attendance. This report shall be submitted in writing on forms issued by the Board and accompanied by a cover letter on the school's letterhead.

(5) Practice Under Supervision.

Respondent shall practice only in a setting where she has on-site supervision on the unit for the entire shift by a registered nurse in good standing with the Vermont Board of Nursing.

(6) Educational Requirement.

Within six (6) months of the date of re-employment in nursing, Respondent shall complete continuing education courses in the following areas: patient assessment, infection control, and patient confidentiality. Said courses must be pre-approved by the Board or the Board's designee.

(7) Prohibited Duties.

Respondent shall not work as a Charge Nurse.

(8) Violation of the Stipulation and Consent Order.

If Respondent violates the terms of this Stipulation and Consent Order in any respect, the Board, after giving her notice and an opportunity to be heard, may revoke the terms of the conditional license and take further disciplinary action. If a complaint or charges are filed against Respondent during the term of this Stipulation and Consent Order, the conditional license period shall be extended until the matter is final.

(9) Reevaluation of Conditions.

In the event Respondent does not work in nursing within one (1) year of the date of entry of this Stipulation and Consent Order, she may appear before

the Board for reevaluation of the conditions of this Stipulation and Consent Order.

(10) Re-issue of License.

Within five (5) days of the date of entry of this Stipulation and Consent Order, Respondent shall submit her license to the Board of Nursing for a reissued license labeled "conditioned".

(11) Out of State Practice/Residence.

Before any out-of-state practice or residence can be credited toward fulfillment of these terms and conditions, it must be first approved by the Board prior to Respondent leaving the State of Vermont. If Respondent fails to receive such approval before leaving the State, none of the time spent out-of-state will be credited toward the fulfillment of the terms and conditions of this Stipulation and Consent Order.

(12) Completion of Conditional License Period.

Upon completion of the conditional license period, Respondent may petition the Board to remove any and all conditions on her license and after formal review by the Board, her nursing license may be fully restored by appropriate Board action. Respondent shall demonstrate, to the Board's satisfaction, that she fully complied with all the terms of this Stipulation and Consent Order. If Respondent demonstrates to the Board's satisfaction that she has fully complied with the terms of this Stipulation and Consent Order, her license will be reinstated.

Notwithstanding any provision above, Respondent must meet all Nursing Board requirements for license renewal and license reinstatement.

C. By signing this Stipulation and Consent Order, Respondent authorizes her employer and nursing school administrator to provide all information requested by the Nursing Board, or its designee, either orally or in writing, at any time during the period this Stipulation and Consent Order is in effect.

D. 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)(7).

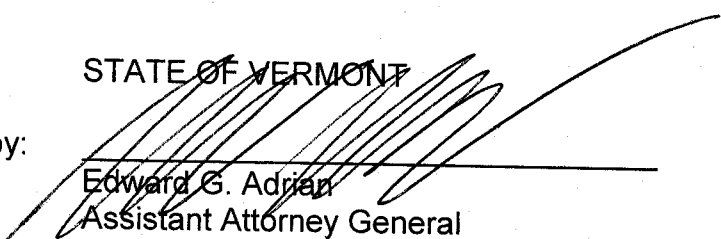
E. This Stipulation and Consent Order will remain part of Respondent's licensing file and may be used for purposes of determining sanctions in any future disciplinary matter.

Dated:

11/5/04

by:

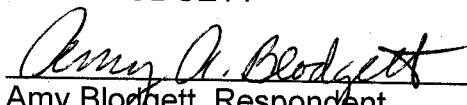
STATE OF VERMONT


Edward G. Adrian
Assistant Attorney General

Dated:

26 Nov 03

AMY BLODGETT


Amy Blodgett, Respondent

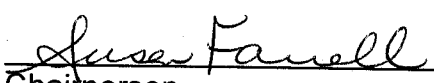
APPROVED AND SO ORDERED:

VERMONT BOARD OF NURSING

Dated:

01-12-04

by:


Chairperson

Date of entry:

1/20/04