

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

IN RE:	)	
JANET H. BROWN	)	Docket No. 2014-300
License No. 026.0048152	)	

STIPULATION AND CONSENT ORDER

STIPULATION

NOW COME the State of Vermont, by and through State Prosecuting Attorney S. Lauren Hibbert, and the Respondent, Janet H. Brown, 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.

Stipulated Facts

2. Janet H. Brown (the "The Respondent") of Sacramento, California is licensed by the State of Vermont as a Registered Nurse under license number 026.0048152. This license was originally issued on or about May 19, 2009 and expires on or about March 31, 2015.
3. On or about August 8, 1999, the California Board of Nursing sanctioned Respondent license to practice and gave her a three year stayed revocation probation after she admitted to driving while intoxicated, failed to complete and alcohol treatment program, and while working she made several documentation errors with narcotics.
4. On or about May 21, 2010, the Ohio Board of Nursing reprimanded Respondent's license due to her discipline in California.

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5. On or about February 2, 2012, the Illinois Department of Financial and Professional Regulation approved a Consent Order reprimanding her nursing license due to her conduct in California.
6. On or about January 2, 2013, the Indiana Board of Nursing approved a Proposed Settlement Agreement against Respondent's nursing license for a Letter of Reprimand and \$250 fine because she failed to disclose she was terminated from a nursing position and that disciplinary action was taken in Ohio and California.
7. On or about March 6, 2013, the Kentucky Board of Nursing sanctioned Respondent for \$250 Civil Penalty due to her failure to disclose her previous discipline in other jurisdictions.
8. On or about January 22, 2014, the Alaska Board of Nursing accepted Respondent's voluntary surrender of her nursing license while there was an active investigation into if she had falsified an application in the past.
9. On or about February 21, 2014 the Virginia Department of Health Professions issued an Order suspending Respondent's license to practice based on her voluntary surrender in Alaska.
10. On or about March 25, 2014, Respondent entered into a Surrender Stipulation and Order with the Division of Occupational and Professional Licensing of the Department of Commerce of the State of Ohio due to falsification of her application by failing to disclose discipline in other jurisdictions.
11. On or about March 26th, 2014, Respondent's license to practice in Washington State was summarily suspended due to of the voluntary surrender in Alaska. On or about May 13, 2014 Respondent's license to practice was indefinitely suspended.
12. On or about April 30, 2014, Respondent agreed to a Voluntary Surrender of her license in Arizona based on the above conduct.
13. Within her original application, Respondent disclosed her discipline in California and her criminal history.
14. Within her 2011 renewal application, dated March 9, 2011, Respondent failed to disclose the discipline that occurred in Ohio.
15. Within her 2013 renewal application, dated February 26, 2013, Respondent disclosed the all of her previous discipline.

Violations

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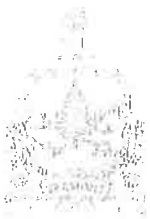
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16. The act(s), omission(s), and/or circumstance(s) described above constitute grounds for discipline because the Respondent has committed unprofessional conduct in violation of:
17. 26 V.S.A. § 1582(a)(1)(Has made or caused to be made a false, fraudulent, or forged statement or representation in procuring or attempting to procure registration or renew a license to practice nursing.);
18. 26 V.S.A. § 1582(a)(7) (Engages in conduct of a character likely to deceive, defraud, or harm the public); and,
19. 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

20. Respondent admits that the facts above are true and that the conditions below are necessary to protect the public.
21. 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.
22. 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.
23. Respondent has read and reviewed this entire document and agrees that it contains the entire agreement between the parties.
24. Respondent is not under the influence of any drugs or alcohol at the time she signs this Stipulation and Consent Order.
25. 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.
26. 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.
27. Respondent agrees that the Order set forth below may be entered by the Board.

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ORDER

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

- A. The Board of Nursing hereby changes Respondent's license status to **INACTIVE-CONDITIONED, commencing with the date of entry below**. If, in the future, Respondent requests reinstatement of her nursing license, her license will be **CONDITIONED** by the Board pursuant to whatever terms the Board finds reasonable at the time of Respondent's request for reinstatement.
- 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:

October 1, 2014

By:



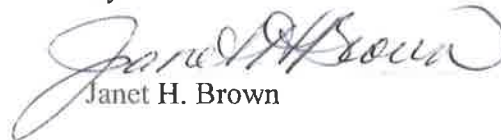
S. Lauren Hibbert
State Prosecuting Attorney

JANET H. BROWN
RESPONDENT

Dated:

9/26/2014

By:



Janet H. Brown

STATE OF VERMONT

APPROVED AND SO ORDERED:

VERMONT BOARD OF
NURSING

Dated:

10/13/14

By:



Date of Entry: 10/14/14

Chairperson

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