

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

IN RE:)
DARLENE R. CAMPBELL, L.P.N.) Docket No: NU 35-0200
License No. 025-0002697)

STIPULATION AND CONSENT ORDER

STIPULATION

NOW COME the State of Vermont, through Attorney General William H. Sorrell, and Respondent Darlene R. Campbell, L.P.N., who stipulate and agree as follows:

Board Authority

- 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 129a, and 26 V.S.A. §§1574 and 1582.
- 2) Having a mental, emotional or physical disability, the nature of which interferes with the ability to practice nursing competently is unprofessional conduct and is a basis on which the Board can impose disciplinary action. 26 V.S.A. §1582(a)(6).

Facts

- 3) The Respondent (whose address is listed in the database of the Office of Professional Regulation as 167 Elmwood Ave., Apt. 2, Burlington, Vermont 05401) is licensed as a Licensed Practical Nurse under License Number 025 – 0002697.
- 4) Respondent's license was originally issued in 1971 and Respondent's license is currently extended.
- 5) The Respondent was employed at the Burlington Health and Rehabilitation Center in Burlington, Vermont at all times relevant.
- 6) Respondent admits the following:
 - a) Respondent disclosed on her last renewal application, during January 2000, that Respondent had a "physical or mental condition...

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which in any way impairs or limits... [her] ability to practice nursing with reasonable skill and safety."

b) Respondent disclosed the above information due to, but not limited to, a prior stroke.

c) The above condition(s) had caused Respondent physical and mental problems, including but not limited to:

- i) impaired memory and ability to sequence;
- ii) fatigue; and
- iii) lifting restrictions.

d) Respondent's condition continues to impair her ability to practice nursing with reasonable skill and safety.

7) By way of history, in 1996 the Burlington Health and Rehabilitation Center restricted the Respondent's ability to administer medications due to the above condition, and Respondent was given the title of Geriatric Assistant with the corresponding duties, as well as duties of a unit secretary.

Charges

A. Having a mental, emotional or physical disability, the nature of which interferes with the ability to practice nursing competently is unprofessional conduct and is a basis on which the Board can impose disciplinary action. 26 V.S.A. §1582(a)(6).

Understandings

B. The Respondent understands that the Board of Nursing must review and accept the terms of the Order set forth below and that if the Board rejects all or any portion of the Order, then this entire document shall be null and void.

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

D. The Respondent agrees that she has had sufficient opportunity to consult with legal counsel before signing this document.

E. The Respondent is voluntarily waiving her right to a contested hearing before the Board of Nursing.

F. The Respondent agrees that the Order set forth immediately below may be entered by the Board of Nursing.

Consent Order

G. Based on the above stipulations, it is **ADJUDGED** as follows:

- (1) The "Facts" listed above are true; and
- (2) The Respondent has engaged in unprofessional conduct in that the Respondent:
 - (a) Has a mental, emotional or physical disability, the nature of which interferes with the ability to practice nursing competently is unprofessional conduct and is a basis on which the Board can impose disciplinary action. 26 V.S.A. §1582(a)(6).

H. Based on the above stipulation and on the above Findings and Conclusions of this Board, it is **ORDERED** follows:

- (1) The Respondent's license is **INDEFINITELY SUSPENDED**.

I. If the Respondent petitions the Board to reinstate her license, in the petition the Respondent must demonstrate, to the satisfaction of the Board, that:

- (a) The Respondent poses no danger to the public or the practice of nursing and she will safely and competently perform the duties of a licensed registered nurse; and
- (b) She meets any applicable requirements for license renewal and license reinstatement.

J. 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).

K. This Stipulation and Consent Order will remain part of the Respondent's licensing file and may be used in determining sanctions in future disciplinary matters.

AGREED TO:

Date: 4/4/01

BY: DARLENE R. CAMPBELL
RESPONDENT

Darlene R. Campbell
Darlene R. Campbell

AND BY:

STATE OF VERMONT
WILLIAM H. SORRELL
ATTORNEY GENERAL

Date: 4/4/01

George C. Haegle IV
George C. Haegle IV
Assistant Attorney General

ACCEPTED AND SO ORDERED:

BOARD OF NURSING

Date: April 9, 2001

Susan Farrell
Chairperson

Dated entered: 4-12-01

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