

STATE OF VERMONT
VERMONT BOARD OF NURSING

In Re:)
Sandra M. Cerutti) Docket No. NU27-0901
License No. 26-25400)

STIPULATION AND CONSENT ORDER

STIPULATION

NOW COME the State of Vermont, through Attorney General William H. Sorrell, and Respondent Sandra M. Cerutti, 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 26-25400.
3. At all times relevant to this Specification of Charges Respondent was employed by Fletcher Allen Health Care of Burlington, Vermont.
4. Respondent admits that on or about September 12, 2001 Respondent scheduled to work on Baird 3 as an LNA and not in her capacity as a registered nurse.
5. Respondent admits that on that occasion a patient in Room 82-2 on Baird 3 was complaining of pain and sought pain medication. Her assigned Nurse, Linda Bessery, LPN was in another room working with a patient.
6. Respondent admits that she went and answered a call light and informed this patient that she could not provide her with any more Benadryl since

she had been given some earlier.

7. Respondent admits that Bessery had informed Respondent that patient in 82-2 had had Benadryl at 0200 and could not have any more until 0800. Benadryl is for itching and not for pain. As an LNA Respondent's duties included assisting with vital signs, assisting with patients and answering call lights. She was not to give out medications and if a patient needed medication she was to find the patient's nurse or the charge nurse.

8. Respondent admits that Patient 82-2 rang her call bell and requested pain medication. When Bessery arrived in the room the patient requested pain medication and was given pain medication and calmed down immediately.

9. Respondent admits that she was aware the patient was complaining of pain. Respondent knew that the patient had been given Benadryl earlier and that Benadryl is for itching and not a general pain medication. Respondent acknowledges that she finally reviewed the chart and found that the patient had been prescribed the pain drug delaudid, which had not been given. Her delay in properly reporting this patient's complaint of pain and taking action resulted in delaying care of up to 45 minutes,

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

11. 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.

12. Respondent has read and reviewed this entire document and agrees

that it contains the entire agreement between the parties.

13. 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.

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

15. 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 4 through 9 above are 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 fail to conform to the essential standards of acceptable and prevailing nursing practice.

B. Respondent Sandra M. Cerutti's license is hereby **reprimanded**.

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)(7).

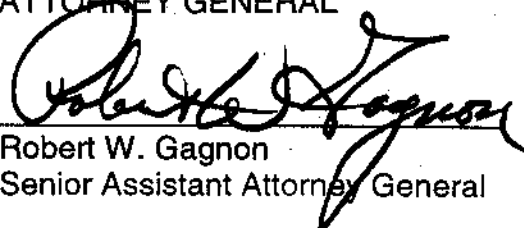
D. This Stipulation and Consent Order will remain part of Respondent's licensing file and may be used for purposes of determining sanctions in any future disciplinary matter.

STATE OF VERMONT

WILLIAM H. SORRELL
ATTORNEY GENERAL

Dated: 9-25-02

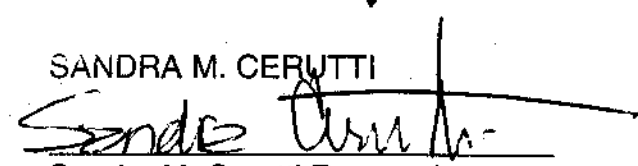
by:


Robert W. Gagnon
Senior Assistant Attorney General

Dated:

Sept. 17/02

SANDRA M. CERUTTI


Sandra M. Cerutti, Respondent

APPROVED AND SO ORDERED:

VERMONT BOARD OF NURSING

Dated: 10/14/02

by:


Chairperson

Date of entry: 10/17/02

In Re:)
Sandra M. Cerrutti) Docket No. NU27-0901
License No. 26-25400)

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.

3. At all times relevant to this Stipulation and Consent Order, Respondent was employed by Fletcher Allen Health Care of Burlington, Vermont.

4. On or about September 12, 2001 Respondent, a traveling nurse, was assigned to Baird 3 to work as an LNA.

5. On that date, a patient in 82-2 was in need of pain medication and called for assistance. Respondent had been told that this patient had had Benadryl at 0200 for itching and could not have any more until 0800.

6. Respondent was aware of patient request for pain medication and informed this patient she had received the medication earlier and Respondent was not able to give her any medication.

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109 State Street
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patient from 82-2 screaming. When she was done she went to this patient who was in tears. The patient who informed her that she was in pain and had been waiting for 45 minutes for pain medication. Additionally the patient informed Nurse Bessery that the other nurse, the Respondent, had told her she could not have any.

8. Respondent, despite her assignment as an LNA is a Registered Nurse. Her duty to a patient in obvious distress is to provide nursing assistance or seek that help for that patient if the assistance needed is beyond her ability to provide.

9. The patient was complaining of pain. Respondent knew or should have know by checking this patient's chart that the patient had been given Benadryl earlier and that Benadryl is for itching and not a general pain medication. Respondent acknowledges that she finally reviewed the chart and found that the patient had been prescribed the pain drug delaudid, which had not been given. Her delay in properly assessing this patient's needs and taking action resulted in a delaying care of up to 45 minutes,

10. Respondent's actions described in paragraphs 4 through 9 are 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 fail to conform to the essential standards of acceptable and prevailing nursing practice; and 26V.S.A. §1582(a)(7) engages in conduct of a character likely ... to harm the public.

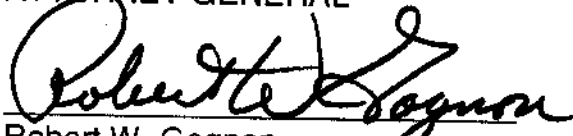
WHEREFORE the nursing license of Sandra M. Cerutti should be revoked,
suspended, reprimanded, conditioned, or otherwise disciplined.

STATE OF VERMONT

WILLIAM H. SORRELL
ATTORNEY GENERAL

Dated: 5-02-02

by:


Robert W. Gagnon
Senior Assistant Attorney General

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