

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

IN RE:	)	
SUZANNE CLOUTIER, L.P.N.	)	Docket No: NU52-0102
License No. 025-0002611	)	

STIPULATION AND CONSENT ORDER

The Respondent, Suzanne Cloutier, L.P.N., and the State of Vermont, by its Attorney General, William H. Sorrell, stipulate to the statements of Board Authority, Facts and Understandings set forth below and agree to the entry of the following Consent Order by the Vermont State Board of Nursing as a final order in this matter.

Board Authority

1. The Vermont State Board of Nursing ["the Board"] has authority to issue warnings or reprimands, suspend, revoke, limit, condition or prevent the renewal of current or lapsed licenses if, after disciplinary hearing, the Board finds that the Respondent has engaged in unprofessional conduct. 3 V.S.A. §129(a)(5); 3 V.S.A. §814(d); 26 V.S.A. §1582(a).
2. Being unable to practice nursing competently by reason of any cause is unprofessional conduct upon which the Board can base disciplinary action. 26 V.S.A. §1582(a)(3).
3. Inability to practice nursing competently includes performance of unsafe or unacceptable patient care and failure to conform to the essential standards of

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GENERAL
109 State Street
Montpelier, VT
05609

acceptable and prevailing nursing practice. Administrative Rules of the Board of Nursing ("ARBN") Chapter 4, Rule IV(B)(2).

Facts

4. The Respondent is a Licensed Practical Nurse under License Number 025-0002611.
5. Respondent was originally licensed on February 1, 2000 and Respondent's license is currently extended.
6. At all times relevant to these Charges, the Respondent was employed by the Morrisville Center in Morrisville, Vermont.
7. On or about December 28, 2001 Respondent provided a Licensed Nursing Assistant, J.M., with five (5) Zythromax tablets without a physician's order.
8. By way of history, J.M. had recently completed a regimen of the medication.

Charges

9. By committing the above act(s), circumstance(s) and/or omission(s), the Respondent has:

- a) shown she is unable to practice nursing competently by reason of any cause, in violation of 26 V.S.A. §1582(a)(3), specifically Respondent:
 - i) performed unsafe or unacceptable patient care; and

- ii) failed to conform to the essential standards of acceptable and prevailing nursing practice.

Understandings

- A. 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.
- B. The Respondent has read and reviewed this entire document and agrees that it contains the entire agreement between the parties.
- C. The Respondent is not under the influence of any drugs or alcohol at the time this document is being signed.
- 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 has shown she is unable to practice nursing competently by reason of any cause, in violation of 26 V.S.A. §1582(a)(3), in that she:

(a) performed unsafe or unacceptable patient care and failed to conform to the essential standards of acceptable and prevailing nursing practice.

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

The Respondent's license is hereby **REPRIMANDED**.

I. 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).

J. 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:

BY: SUZANNE CLOUTIER, L.P.N.
RESPONDENTDate: April 6 2002Suzanne Cloutier
Suzanne Cloutier, L.P.N.AND BY: STATE OF VERMONT
WILLIAM H. SORRELL
ATTORNEY GENERALDate: 4/8/02George C. Haegle IV
George C. Haegle IV
Assistant Attorney General

ACCEPTED AND SO ORDERED:

BOARD OF NURSING

Date: 5-13-02Lisa Farrell
ChairpersonDated entered: 5/13/02