

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

IN RE:	)	
SALLY ANN COLLINS	)	Docket No. 2011-672
License No. 025.0006345	)	

STIPULATION AND CONSENT ORDER

Now come the State of Vermont, by State Prosecuting Attorney Gabriel M. Gilman, and Respondent, Sally Ann Collins, LPN, and stipulate and agree as follows:

Board Authority

1. The Vermont State Board of Nursing ("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.

Statement of Facts

2. Sally Collins ("Respondent") of Jamaica, Vermont is licensed by the State of Vermont as a Licensed Practical Nurse under license number 025.0006345. This license was originally issued on or about November 29, 1988 and is currently set to expire on or about January 13, 2014.
3. At all times relevant, the Respondent was employed as a Licensed Practical Nurse at Brattleboro General Surgery ("the practice").
4. On September 20, 2011, Respondent telephoned a pharmacy to authorize a prescription for Tylenol3 on behalf of a physician at the practice, T.L. The physician had not authorized the prescription. The recipient of the prescription was a colleague of Respondent who was experiencing dental pain.
5. On or about October 18, 2011, in an interview with State Investigator Karl Packer, Respondent acknowledged calling in the prescription without authorization. Respondent intended to help her colleague and planned to tell T.L. the next day. Respondent acknowledged that it was a serious lapse in judgment to call in a prescription in anticipation of authorization she had not yet obtained.

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6. Respondent's colleagues at the practice, including T.L., have written the Board to convey their support for Respondent and their sense that the described event was a very unusual lapse in judgment from a respected colleague, unlikely ever to be repeated.

VIOLATIONS

7. The acts, omissions and/or circumstances described above, constitute unprofessional conduct in violation of:
 - a. 3 V.S.A. § 129a(b)(1) and (2) (Failure to practice competently by reason of any cause on a single occasion or on multiple occasions may constitute unprofessional conduct, whether actual injury to a client, patient, or customer has occurred. Failure to practice competently includes: (1) performance of unsafe or unacceptable patient or client care; or (2) failure to conform to the essential standards of acceptable and prevailing practice); and
 - b. 3 V.S.A. § 129a(a)(3) (Failure to comply with provisions of federal or state statutes or rules governing the practice of the profession).

UNDERSTANDINGS

8. The acts, omissions and/or circumstances described above, constitute unprofessional conduct in violation of:
9. Respondent admits the facts above are true and that the conditions below are necessary to protect the public.
10. 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.
11. 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.
12. Respondent has read and reviewed this entire document and agrees that it contains the entire agreement between the parties.
13. Respondent is not under the influence of any drugs or alcohol at the time she signs this Stipulation and Consent Order.
14. 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.

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15. 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.
16. Respondent agrees that the Order set forth below may be entered by the Board.

ORDER

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

- A. The Board of Nursing hereby **WARNS** Respondent's license.
- 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:

Dated: 7/30/12

STATE OF VERMONT
SECRETARY OF STATE

By: [Signature]

Gabriel M. Gilman
State Prosecuting Attorney

RAYLENE PINNEY
RESPONDENT

Dated: 7-30-12

By: [Signature]

Sally Ann Collins, LPN

APPROVED AND SO ORDERED:

Dated: 8/13/12

VERMONT BOARD OF NURSING

By: [Signature]

Chairperson

Date of Entry: 8/14/12

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