

OFFICE OF PROFESSIONAL REGULATION
VERMONT STATE BOARD OF NURSING

IN RE: Earlene Conger)
 Case File No. NA43-0301)
 License No. 75-7461) DEFAULT ORDER

Introduction

The Board of Nursing held a default hearing in the above matter on August 13, 2001 at 81 River Street in Montpelier, Vermont. Board members Susan Farrell, Elayne Clift, Linda Rice, Diane Dowgiewicz, Susan Cota, Laurey Tyo and Pat Rock participated in the decision. Assistant Attorney General Robert Gagnon appeared for the State. The Respondent was not present.

The Board took official notice of its own files in making the default determination.

Findings of Fact

1. The Respondent was sent notice of the Charges against her by certified mail to her last known address on June 6, 2001. The certified mail receipt was returned bearing the Respondent's signature dated June 7, 2001.
2. Notice of the default hearing was sent to the Respondent at the same address on July 25, 2001 and signed for by the Respondent on July 26, 2001..
3. The Respondent has not answered the charges against her.
4. Upon hearing the State's presentation and taking notice of its own file, the Board found the Respondent to be in default. The allegations contained in the State's specification of charges dated May 31, 2001 (copy attached) are therefore treated as the facts on which the Board's order is based.

Conclusions of Law

The Respondent has received adequate notice of the charges against her as indicated by the Board's file and the State's presentation. Because the Respondent has failed to answer the charges, the State's factual allegations are treated as if proved. Accordingly, the Board finds, in a default hearing held pursuant to 3 V.S.A. §809(d), that the Respondent has engaged in the unprofessional conduct alleged in the State's specification of charges.

Order

In accordance with the above findings of fact and conclusions of law, the license of the Respondent is hereby INDEFINITELY SUSPENDED, effective as of the date of entry of this Order, below.

Appeal Rights

This is a final administrative determination by the Vermont State Board of Nursing. You may appeal by sending a notice of appeal in writing to the Director of the Office of Professional Regulation within 30 days of the date of entry of this order. If you wish to request a stay of the Board's decision, please refer to the attached stay instructions.

By:

Susan Farrell
Susan Farrell
Chair

Date: 8/19/01

OFFICE OF PROFESSIONAL REGULATION

DATE OF ENTRY: 9-04-01