

OFFICE OF PROFESSIONAL REGULATION
VERMONT STATE BOARD OF NURSING

IN RE:	Doreen Conrad	)	
	Case File No. NU67-0695	)	PETITION TO MODIFY/
	License No. 25-6909	)	REMOVE CONDITIONS

Introduction

The Board of Nursing held a hearing in the above matter on May 9, 2005 at 81 River Street in Montpelier, Vermont. Board members Alan Weiss, Ellen Leff, De-Ann Welch, Sandra Norton, Susan Farrell, Ken Bush, Linda Rice, Donarae Metcalf, Elayne Clift and Laurey Tyo participated in the decision. State Prosecuting Attorney Edward Adrian appeared for the State. Doreen Conrad ("The Respondent") was present. Christopher Winters was the presiding officer.

The Board takes official notice of its own licensing file for previous decisions on Ms. Conrad's license. Much of the Board's previous decision on Ms. Conrad's petition to remove her conditions heard on December and issued on January 5, 2005 is repeated below for ease of reading.

Findings of Fact

1. The Respondent's license was revoked by Board order in 1997, based on allegations that the Respondent made multiple practice errors. The Respondent did not attend that hearing as she had moved to Virginia.
2. The Respondent later regained her Vermont nursing license under a Stipulation and Consent Order agreed to by the State and the Respondent and approved by the Board on November 13, 2000 ("the Order").
3. The Order, among other conditions, required the Respondent take and complete a course in medication administration, practice under supervision (on site for the entire shift by a nurse in good standing), submit monthly employer reports, and includes a prohibition on working as a charge nurse. The conditions were to remain in place for a period of twelve months of at least part-time nursing practice (40 hours every two weeks).
4. At a hearing held on December 13, 2004, the Board decided to give the Respondent credit for some of her practice as a nurse in other states and for having taken a refresher course in 2004. As a result, the Board reduced the period of her conditions

from 12 months to 6 months. That decision was issued by the Board on January 5, 2005.

5. The Respondent now seeks credit for the hours spent in taking the refresher course and in the medication administration course required by the Board's Order, as well as self reports and nursing school reports as satisfying the terms of the Board's Order.

Conclusions of Law and Order

The Board's previous decision to reduce the length of time of the Respondent's conditions was made after taking into account that the Respondent had completed the courses. To now allow the Respondent to earn time credit on those courses would be inappropriate because those courses were already used to reduce the length of conditions by six months.

Further, the intent of the Stipulation and Consent Order conditions is to have the Respondent *work* under supervision for six months to determine she is safe to practice. This six month period was not determined and final until January 5, 2005. Therefore, the earliest the Respondent is eligible for full reinstatement is July 5, 2005, provided she has worked at least forty hours every two weeks of conditioned practice.

The Board AFFIRMS its preliminary denial of the Respondent's petition.

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, R.N.
Chair

Date: May 21, 2005

OFFICE OF PROFESSIONAL REGULATION
DATE OF ENTRY: 6/3/05

OFFICE OF PROFESSIONAL REGULATION
VERMONT STATE BOARD OF NURSING

IN RE:	Doreen Conrad	)	
	Case File No. NU67-0695	)	PETITION TO MODIFY/
	License No. 25-6909	)	REMOVE CONDITIONS

Introduction

The Board of Nursing held a hearing in the above matter on December 13, 2004 at 81 River Street in Montpelier, Vermont. Board members De-Ann Welch, Sandra Norton, Alan Weiss, Susan Farrell, Linda Rice, Donarae Metcalf, Elayne Clift and Laurey Tyo participated in the decision. State Prosecuting Attorney Edward Adrian appeared for the State. Doreen Conrad ("The Respondent") was present. Christopher Winters was the presiding officer.

Findings of Fact

1. The Respondent's license was revoked by Board order in 1997, based on allegations that the Respondent made multiple practice errors. The Respondent did not attend that hearing as she had moved to Virginia.
2. The Respondent later regained her Vermont nursing license under a Stipulation and Consent Order agreed to by the State and the Respondent and approved by the Board on November 13, 2000 ("the Order").
3. The Order, among other conditions, requires the Respondent take and complete a course in medication administration, practice under supervision (on site for the entire shift by a nurse in good standing), submit monthly employer reports, and includes a prohibition on working as a charge nurse.
4. These conditions are to remain in place for a period of twelve months of at least part-time nursing practice (40 hours every two weeks).
5. The Respondent petitioned the Board to remove her conditions because she has been unable to find employment as a nurse.
6. Additionally, the Respondent wants the Board to consider the significant amount of time that has passed, a large number of letters of recommendation from current and past employers, and that she has held valid licenses and practiced nursing in Virginia and New Hampshire since 1995.
7. The Board preliminarily denied this request through its executive director, and

the Respondent requested a hearing.

8. The Respondent has worked in nursing in other states since agreeing to the terms of the Order, but has not worked in a setting that would satisfy the conditions of the Order, nor has she applied for credit towards the terms of the order for her work in other states. The Respondent has not submitted any employer reports.
9. The Respondent has completed the course required by the Order.
10. The Respondent has taken a refresher course on her own initiative.

Conclusions of Law and Order

The Respondent has not met any of the supervision or employment conditions of the Order she agreed to in 2000. She has, however, completed the required course, taken a refresher course and worked for some time in other states.

The conditions were put in place to ensure that she was safe to practice by monitoring that practice for several months through supervision and employer reports, prior to allowing her to work unencumbered. While the Board is sympathetic to her employment concerns, public protection takes precedence.

The Board AFFIRMS its preliminary denial of modifications, in part, but agrees, based on the evidence presented by the Respondent, to modify the time requirement of the conditions from TWELVE MONTHS to SIX MONTHS.

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, R.N.
Chair

Date: 12/24/04

OFFICE OF PROFESSIONAL REGULATION
DATE OF ENTRY: 1/5/05

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STATE OF VERMONT
VERMONT BOARD OF NURSING

In Re:
Doreen G. Conrad
License No. 25-6909

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Docket No. NU67-0695



STIPULATION AND CONSENT ORDER

STIPULATION

NOW COME the State of Vermont, through Attorney General William H. Sorrell, and Respondent Doreen G. Conrad 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 license practical nurse licensed by the State of Vermont holding license number 25-6909. Respondent was also licensed in Virginia but that license is under suspension premised upon Vermont's action in 1997.

3. In October of 1997 Respondent's license was revoked.

4. Respondent has completed an independent course of study in safe administration of medications.

5. Respondent has requested reinstatement of her license in Vermont.

6. 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.

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

Respondent voluntarily enters this agreement for the opportunity to consult with legal counsel without being coerced by anyone into signing the Stipulation and Consent Order.

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. Doreen G. Corbett's license is reinstated, but it is **CONDITIONED** on a minimum period of one year commencing with the date of entry of this Stipulation and Consent Order, subject to the following terms and restrictions:

Special Condition

Respondent shall take and pass all medication administration approved by the Board or its designee and shall cause proof of successful completion to be reported to the Board or its designee. The event Respondent shall have already taken such course once the events he/she related, she shall report that fact to the Board or its designee. Respondent shall also provide information upon which the Board or its designee determines if it is an approved course. Proof of successful completion will also need to be provided before this condition is deemed met.

(2) Length of Time Conditions Imposed.

These conditions shall remain in place until respondent has completed one year of supervised nursing practice, which she works at least forty (40) hours every

two (2) weeks in nursing. Part time hours of less than forty (40) hours every two (2) weeks shall be credited on a prorated basis.

(3) Notification of Place of Employment/Personal

Address/Telephone Number.

Within five (5) days of the date of entry of this Stipulation and Consent Order, Respondent shall notify the Board, in writing, of her current place of nursing employment, personal address, and telephone number. Respondent shall further notify the Board, in writing, within forty-eight (48) hours of any change in nursing employment, personal address, or telephone number.

(4) Notification to Employers/Nursing School.

Respondent shall provide a copy of this Stipulation and Consent Order to all employers in any current or future setting in which she practices as a nurse and inform them of her conditional license status. Within ten (10) days of the date of entry of this Stipulation and Consent Order or of any subsequent employment, Respondent shall cause her immediate supervisor to write to the Board, on the employer's letterhead, acknowledging receipt of the Stipulation and Consent Order and the ability to comply with its conditions. In the event Respondent is attending a nursing program, she shall provide a copy of the Stipulation and Consent Order to the Program Director. Respondent shall cause the Program Director to write to the Board, on school letterhead, acknowledging receipt of the Stipulation and Consent Order and ability of the program to comply with its conditions during clinical experience.

(5) Reports from Employers/Nursing School

Within one (1) month of the date of entry of this Stipulation and Consent Order and every month thereafter for the year the conditions are in place, Respondent shall cause every employer she has worked for during the month to submit to the Board an evaluation of Respondent's performance and attendance during that month. This report shall be submitted in writing on forms issued by the Board and accompanied by a cover letter on the employer's letterhead. In the event the Respondent attends nursing school, she shall cause the Program Director to submit to the Board, on a monthly basis, a written evaluation of her performance and

attendance. This report shall be submitted in writing on forms issued by the Board and accompanied by a cover letter on the school's letterhead. In the event Respondent is not employed in nursing or attending school during any month or portion thereof, she shall submit to the Board, in writing, a self-report describing other employment or activities.

(6) Practice Under Supervision.

Respondent shall practice only in a setting where she has on-site supervision on the unit for the entire shift by a registered nurse in good standing with the Board of Nursing in the jurisdiction where she is practicing.

(7) Prohibited Duties.

Respondent shall not work as a Charge Nurse.

(8) Types of Employment Prohibited.

Respondent shall not work for a nurse registry, travelling nurse agency, float-pool, home health care agency, temporary employment agency or as a personal care provider during the effective period of this Stipulation and Consent Order.

(9) Prohibited Hours of Work.

Respondent shall work only the day or evening shift during the effective period of this Stipulation and Consent Order. Respondent shall not work the night shift during the effective period of this Stipulation and Consent Order.

(10) Violation of the Stipulation and Consent Order.

If Respondent violates the terms of this Stipulation and Consent Order in any respect, the Board, after giving her notice and an opportunity to be heard, may revoke the terms of the conditional license and take further disciplinary action. If a

complaint or charges are filed against Respondent during the term of this Stipulation and Consent Order, the conditional license period shall be extended until the matter is final.

(11) Reevaluation of Conditions.

In the event Respondent does not work in nursing within two (2) years of the date of entry of this Stipulation and Consent Order, she may appear before the Board for reevaluation of the conditions of this Stipulation and Consent Order.

(12) Out of State Practice/Residence.

Before any out-of-state practice or residence can be credited toward fulfillment of these terms and conditions, the Board or its designee must first approve it. If Respondent fails to receive such approval, none of the time spent out-of-state will be credited toward the fulfillment of the terms and conditions of this Stipulation and Consent Order.

(13) Completion of Conditional License Period.

Upon completion of the conditional license period, Respondent may petition the Board to remove any and all conditions on her license and after formal review by the Board, her nursing license may be fully restored by appropriate Board action. Respondent shall demonstrate, to the Board's satisfaction, that she fully complied with all the terms of this Stipulation and Consent Order.

Notwithstanding any provision above, Respondent must meet all Nursing Board requirements for license renewal and license reinstatement.

B. By signing this Stipulation and Consent Order, Respondent authorizes her employer and nursing school administrator to provide all information requested

by the Nursing Board, or its designee, in writing, at any time during the period this Stipulation and Consent Order is in effect.

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).

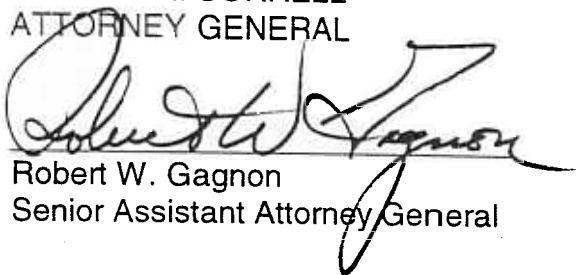
D. This Stipulation and Consent Order will remain part of Respondent's licensing file and may be used for purposes of determining sanctions in any future disciplinary matter.

STATE OF VERMONT

WILLIAM H. SORRELL
ATTORNEY GENERAL

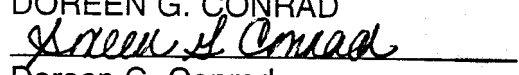
Dated: 9/28/00

by:


Robert W. Gagnon
Senior Assistant Attorney General

Dated: 9-24-2000

DOREEN G. CONRAD

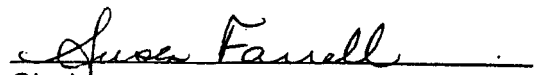

Doreen G. Conrad
Respondent

APPROVED AND SO ORDERED:

VERMONT BOARD OF NURSING

Dated: 11.13.00

by:


Chairperson

Date of entry: 11-14-00

STATE OF VERMONT
BOARD OF NURSING

IN RE:

Doreen G. Conrad
Cambridge, VT

Case File No. NU67-0695

License No. 25-6909

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

Introduction

The Board of Nursing (Board) held a hearing in this case on Monday, September 8, 1997, at 133 State Street, Montpelier. Members Brenda Smith, Catherine McGee, Ray Phillips, Kim Keaton, Margaret Luce, Margery Kerr, Diane Dowgiewicz, and Ingrid Brodin participated. Robert W. Gagnon, Senior Assistant Attorney General, appeared for the Attorney General (State). Doreen Conrad did not attend, nor was she represented by counsel at the hearing.

By letter dated July 15, 1997, Mark A. Kaplan, Esq., counsel for Conrad, informed the Board that Conrad had decided not to attend the September 8 hearing and had instructed him not to attend on her behalf. Kaplan also informed the Board that Conrad had instructed him to return her nursing license to the Board. Conrad's license was enclosed in Kaplan's letter.

Findings of Fact

1. Doreen G. Conrad is a licensed practical nurse holding license number 25-6909 issued by the Board.

2. In 1995, Conrad was employed at the Manor Nursing Home in Morrisville, Vermont.

3. On May 16, 1995, Mary Lomey, Licensing Chief, Vermont Department of Aging and Disabilities, and Susan Corey, Nurse Surveyor, observed Conrad's care of patients during a survey of the Manor Nursing Home.

4. Lomey observed deficiencies in Conrad's work, including sterile practice errors. Lomey also observed Conrad administering medication at the wrong time and at the wrong place on the patient's body. Conrad administered medication in a patient's leg and documented that she had administered the medication in the patient's arm.

5. Corey also observed deficiencies in Conrad's work, including recapping lancets after drawing blood and placing

lancets in her pocket. In addition, Corey observed that Conrad failed to document the blood sugar test results of a diabetic patient.

6. Lancets are biohazards because they contain blood. Lancets should not be recapped and put in a pocket. A nurse who practices in this way is putting herself and others at risk.

7. It is very important to accurately document blood sugar test results for a diabetic. A diabetic patient could have a hypoglycemic reaction if insulin is administered at the wrong time because of inaccurate documentation.

Conclusions of Law

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Order

1. Based upon the Board's findings and conclusions, Conrad's license as a practical nurse is hereby REVOKED.

2. This 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).

3. This order takes effect as of the date of entry set forth below.

Appeal Rights

A party aggrieved by this decision may appeal by sending a notice in writing to the Director of the Office of Professional Regulation within 30 days of the date of entry of this order.

Dated: 9/25/97

BOARD OF NURSING

By: Brenda B. Smith RNC
Brenda B. Smith, R.N.
Chair

Date of entry: 10-1-97