

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

**IN RE:**  
**SHEILA A. CONVERSE**  
**License No. 026.0024961**

)  
)  
)

**Docket No. 2012-403**

**STIPULATION AND CONSENT ORDER**

**STIPULATION**

NOW COME the State of Vermont, by and through State Prosecuting Attorney S. Lauren Hibbert, and the Respondent, Sheila A. Converse, RN, who stipulate and agree as follows:

**Board Authority**

1. The Vermont State Board of Nursing (the "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.

**Stipulated Facts**

2. Sheila A. Converse (the "Respondent") of West Rutland, Vermont is licensed by the State of Vermont as a Registered Nurse under license number 026.0024961. This license was originally issued on or about July 26, 1999 and expires on March 31, 2015.
3. At all times relevant, Respondent was employed as a Registered Nurse by Vermont Catholic Charities of South Burlington, Vermont at the Loretto and Saint Joseph Kervick Residential Care Home (the "Facility") in Rutland, Vermont.
4. While employed at the Facility, Respondent held the position of Director of Nursing, and was the only staff member responsible for staff training regarding medication. Facility policy required staff to be trained and tested prior to distributing medication without supervision.
5. L.P. was hired at the Facility on or about January 26, 2012 as a Med Tech. L.P. began administering medications, including PRN medications, narcotics, and insulin, without supervision in approximately March of 2012. On or about April 30, 2012, Respondent observed L.P. doing her medication rounds and completed the "Medication Administration and Charge Position Skills Checklist." On or about May 2, 2012, Respondent administered a written test to L.P. regarding medication administration. Previously L.P. had been administering medications without supervision at all times.

**STATE OF VERMONT**



**Prosecuting Attorney  
Office of  
Professional Regulation  
National Life Building  
Second Floor North  
Montpelier, VT  
05620-3602**

6. V.R. was hired at the Facility on or about July 20, 2011 as an LNA. V.R. began working as a Med Tech in January of 2012. Respondent did not complete the "Medication Administration and Charge Position Skills Checklist" for V.R. until April 27, 2012. Respondent did not have V.R. take the written test on medication administration until May 2, 2012. Between February and April of 2012, there were between forty and fifty times when V.R. was scheduled as "Charge Position" and administered medication without supervision.
7. On or about March 26, 2012, Respondent sent a list to J.S., an administrator with the Facility, of staff members who were trained on medication administration and the responsibilities of the "Charge Position." On this document, Respondent certified that all individuals had been trained by her and had completed a written test. L.P. and V.R. were included on this list.

### **Violations**

8. The act(s), omission(s), and/or circumstance(s) described above constitute grounds for discipline because the Respondent has committed unprofessional conduct in violation of:
  - a) 3 V.S.A. § 129a(a)(6) (Delegating professional responsibilities to a person whom the licensed professional knows, or has reason to know, is not qualified by training, experience, education, or licensing credentials to perform them, or knowingly providing professional supervision or serving as a preceptor to a person who has not been licensed or registered as required by the law of that person's profession);
  - b) 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
  - c) 26 V.S.A. § 1582(a)(3) (Is unable to practice nursing competently by reason of any cause) which includes performing unsafe or unacceptable patient care pursuant to ARBN Rule 11.2(b)(1) and failing to conform to the essential standards of acceptable and prevailing nursing practice pursuant to ARBN Rule 11.2(b)(2).

### **Understandings**

9. Respondent admits that 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.

STATE OF VERMONT



Prosecuting Attorney  
Office of  
Professional Regulation  
National Life Building  
Second Floor North  
Montpelier, VT  
05620-3602

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.
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

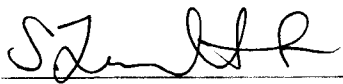
Based on the Stipulation above, it is **ORDERED AND ADJUDGED** as follows:

- A. The Board of Nursing hereby **WARNS** the Respondent's license.
- B. Notwithstanding any provision above, the Respondent must continue to meet all Nursing Board requirements for maintaining a license, license renewal and license reinstatement.
- 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).
- 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.

AGREED TO:

STATE OF VERMONT  
SECRETARY OF STATE

Dated: 5/9/13

By:   
S. Lauren Hibbert  
State Prosecuting Attorney

STATE OF VERMONT



Prosecuting Attorney  
Office of  
Professional Regulation  
National Life Building  
Second Floor North  
Montpelier, VT  
05620-3602

SHEILA A. CONVERSE  
RESPONDENT

Dated: 05/06/2013

By: *Sheila A. Converse*  
Sheila A. Converse

APPROVED AS TO FORM:

Dated: 5/06/13

ATTORNEY FOR RESPONDENT

By: *John J. Welch, Esq.*  
John J. Welch, Esq.

APPROVED AND SO ORDERED:

Dated: 5/13/2013

Date of Entry: 5/13/13

VERMONT BOARD OF NURSING

By: *J. D. [Signature]*  
Vice Chairperson

STATE OF VERMONT



Prosecuting Attorney  
Office of  
Professional Regulation  
National Life Building  
Second Floor North  
Montpelier, VT  
05620-3602