

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

IN RE:
JULIE M. CULBERTSON
Application Tracking No. 026.0124797

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)
)

Docket No. 2016-553

STIPULATION AND CONSENT ORDER

STIPULATION

NOW COME the State of Vermont, by and through State Prosecuting Attorney S. Lauren Hibbert, and the Respondent, Julie M. Culbertson, who stipulate and agree as follows:

Board Authority

1. The Vermont Board of Nursing (the "Board") has authority to deny an applicant's license if it finds that the applicant has engaged in unprofessional conduct in any jurisdiction. 3 V.S.A. § 129(a); 26 V.S.A. § 1582; and the Rules of the Office of Professional Regulation.
2. Julie M. Culbertson (the "Respondent") of West Burke, Vermont applied for a Registered Nurse license. The application was assigned the following tracking number: 026.0124797.

Stipulated Facts

Violation One: 3 V.S.A. § 129a (a)(10) Conviction of a crime related to the practice of the profession or conviction of a felony, whether or not related to the practice of the profession.

3. Within Respondent's application she disclosed that she was convicted on September 2, 2008 in Hendersonville, North Carolina, Superior Court, for the felony crime of Indecent Liberties with a Student.
4. This conviction is a felony and therefore is per se unprofessional conduct.

Violation Two : 3 V.S.A. § 129a(a)(b)(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

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has occurred. Failure to practice competently includes . . . (2) failure to conform to the essential standards of acceptable and prevailing practice.

5. Essential standards of a Registered Nurse require that a nurse establish and maintain appropriate boundaries. Review of the underlying facts of that action show that Respondent failed to conform to the essential standards of acceptable and prevailing practice when you were convicted in North Carolina on one Felony Count of taking Indecent Liberties with a Student.

Understandings

6. Respondent admits that the facts above are true.
7. 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.
8. Respondent specifically waives any claims that any disclosures made to the full Board during its review of this agreement have prejudiced Respondent's rights to a fair and impartial hearing in future hearings if this agreement is not accepted by the Board.
9. Respondent has read and reviewed this entire document and agrees that it contains the entire agreement between the parties.
10. Respondent is not under the influence of any drugs or alcohol at the time of signature of this Stipulation and Consent Order.
11. 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.
12. Respondent voluntarily waives the right to a contested hearing before the Board of Nursing and waives any right to appeal from this Stipulation and Consent Order.
13. 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 hereby **WARNS** the Respondent's license when it is issued.
- B. Notwithstanding any provision above, the Respondent must continue to meet all Nursing Board requirements for maintaining a license, license renewal and license reinstatement.

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- 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: 12/8/16

By: S. Lauren Hibbert
S. Lauren Hibbert
State Prosecuting Attorney

JULIE M. CULBERTSON
RESPONDENT

Dated: 12/2/2016

By: Julie M. Culbertson
Julie M. Culbertson

APPROVED AND SO ORDERED:

VERMONT BOARD OF NURSING

Dated: 12/12/16

By: Flannia Carr
Chairperson

Date of Entry: 12-13-16

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