

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

**IN RE:
LACEY E. DAHLIN
License No. 026.0042165**

Docket No. 2015-283

STIPULATION AND CONSENT ORDER

STIPULATION

NOW COME the State of Vermont, by and through State Prosecuting Attorney Rachel Allen, and Respondent, Lacey E. Dahlin, represented by Daniel Richardson, Esq., who stipulate and agree as follows:

Board Authority

1. The Vermont Board of Nursing (the "Board") has jurisdiction to investigate and adjudicate allegations of unprofessional conduct committed by licensed nursing assistants pursuant to 3 V.S.A. §§ 129, 129a; 26 V.S.A. Chapter 28; the Administrative Rules of the Board of Nursing ("ARBN"); and the Rules of the Office of Professional Regulation.

Statement of Facts

2. Lacey E. Dahlin ("Respondent") of Fair Haven, Vermont, is licensed by the State of Vermont as a Registered Nurse ("RN") under license number 026.0042165. This license was originally issued on or about May 22, 2008, and expires on or about March 31, 2017.
3. During the relevant time period, Respondent was employed as a RN with the Rutland Regional Medical Center ("RRMC"), located in Rutland, Vermont.
4. On or about February 26, 2015, Respondent, while on-duty, was called by K.F., an off-duty RN Clinical Manager and Respondent's Clinical Leader. K.F. asked Respondent to remove IV tubing from the Facility.
5. A prescription written by an authorized prescriber is required before IV tubing may be dispensed.
6. Respondent did not have authorization to remove IV tubing from the Facility.
7. Respondent concealed the IV tubing in a cookie tin and delivered it to K.F. in the RRMC front lobby.

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8. In a letter written to Investigator Dennis Menard, Investigator for the Vermont Secretary of State's Office of Professional Regulation, Respondent stated, "[K.B.] did not witness a falsified record, in which I removed the IV tubing from the floor stock. I did take the IV tubing in a cookie tin in which [K.B.] did see but did not witness what was in the tin nor did she see me remove the supply." Further, Respondent explained, "I did apologize to all the staff from my lapse in judgement and not questioning [K.F.] when she asked me to take a supply from the floor stock."

Violations

9. 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)(15) (Failure to exercise independent professional judgment in the performance of licensed activities when that judgment is necessary to avoid action repugnant to the publications of the profession); and
 - b. 3 V.S.A. § 129a(b)(2) (Failure to conform to the essential standards of acceptable and prevailing practice);

Understandings

- 10. Respondent admits that the facts above are true and that the conditions below are necessary to protect the public.
- 11. 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.
- 12. 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.
- 13. Respondent has read and reviewed this entire document and agrees that it contains the entire agreement between the parties.
- 14. Respondent is not under the influence of any drugs or alcohol at the time she signs this Stipulation and Consent Order.
- 15. 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.
- 16. 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.

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17. 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: 7/26/16

By: 
Rachel Allen
State Prosecuting Attorney

LACEY E. DAHLIN
RESPONDENT

Dated: 7/25/16

By: 
Lacey E. Dahlin

ATTORNEY FOR RESPONDENT

APPROVED AS TO FORM:

Dated: 7/25/16

By: 
Daniel Richardson, Esq.

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APPROVED AND SO ORDERED:

VERMONT BOARD OF NURSING

Dated: 8/8/16

By: Janine Carr
Chairperson

Date of Entry: 8/12/16

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