

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

IN RE:)
CHRISTOPHER LEE DOUGHERTY) **Docket No. APP-NU05-0706**
License No. 025-0009066)

STIPULATION AND CONSENT ORDER

NOW COMES the State of Vermont, through State Prosecuting Attorney, Edward G. Adrian, and the Respondent, Christopher Lee Dougherty L.P.N., 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 Nurses pursuant to 3 V.S.A. §§ 129, 129a; 26 V.S.A. Chapter 28 and; the rules of the Board and the Vermont Office of Professional Regulation.

Statement of Facts

2. Christopher Lee Dougherty (the Respondent) of Bomoseen, Vermont is licensed as a practical nurse holding license number 025-0009066, issued by the State of Vermont. This license was originally issued on or about October 4, 2006 and is set to expire on January 31, 2008.

3. On the Respondent's application for licensure dated July 11, 2006, the Respondent answered "No" to the question "Have you been convicted of a crime other than a minor traffic violation?"

4. Approximately one (1) week after the date the Respondent signed his application, the Respondent arrived at the Secretary of State's Office of Professional Regulation (OPR) to amend his application. The Respondent advised OPR that he had previously been convicted of the following crimes:

- a. Simple Assault (misdemeanor) – September 10, 1991;
- b. Disorderly Conduct (misdemeanor) – April 4, 1992;
- c. Unlawful Trespass (misdemeanor) – December 28, 1992;
- d. Attempted Petit Larceny (misdemeanor) – March 23, 1993.

5. In a letter to the Secretary of State's Office dated July 18, 2006, the Respondent provided an explanation for his actions. In his letter, the Respondent advised that he did not intentionally lie on his application, that he has learned from his past mistakes, and that he would like the opportunity to be a nurse in Vermont.

STATE OF VERMONT



Prosecuting Attorney
Office of
Professional Regulation
9 Baldwin Street
Montpelier, VT
05609-1107

Charges

6. The acts, omissions and/or circumstances described above constitute grounds for discipline because the Respondent has committed unprofessional conduct in violation of:

- i) 3 V.S.A. §129a(a)(3) (Failing to comply with the provisions of state statutes or rules governing the practice of the profession).

Understandings

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 his 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 he signs 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 his 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

A. The Board of Nursing hereby issues **WARNING** in respect to the Respondent's nursing 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.

STATE OF VERMONT

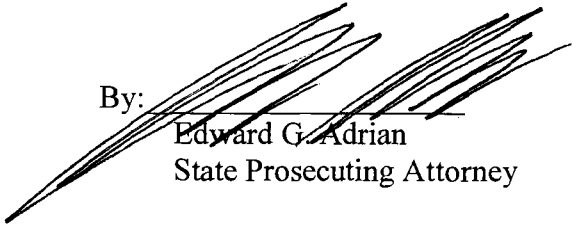


Prosecuting Attorney
Office of
Professional Regulation
9 Baldwin Street
Montpelier, VT
05609-1107

AGREED TO:

Dated: 3/12/07

STATE OF VERMONT
SECRETARY OF STATE

By: 

Edward G. Adrian
State Prosecuting Attorney

CHRISTOPHER LEE DOUGHERTY
RESPONDENT

Dated: 2-12-07

By: Chris Dougherty
Christopher Lee Dougherty

APPROVED AND SO ORDERED:

VERMONT BOARD OF NURSING

Dated: 3/12/07

By: Sandra Rice APRN
Chairperson

Date of Entry: 3/16/07

nu.dougherty.stip

STATE OF VERMONT



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

IN RE:

CHRISTOPHER LEE DOUGHERTY

License No. 025-0009066

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Docket No. APP-NU05-0706

SPECIFICATION OF CHARGES

NOW COMES the State of Vermont and makes the following Charges against the Respondent, Christopher Lee Dougherty, L.P.N.:

Board Authority

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Charges

6. The acts, omissions and/or circumstances described above constitute grounds for discipline because the Respondent has committed unprofessional conduct in violation of

- i) 26 V.S.A. § 1582(a)(1) (Has made or caused to be made a false, fraudulent or forged statement or representation in procuring or attempting to procure registration or renew a license to practice nursing);
- ii) 3 V.S.A. § 129a(a)(1) (Fraudulent or deceptive procurement or use of a license);
- iii) 26 V.S.A. § 1582(a)(3) (Is unable to practice nursing competently by reason of any cause) which includes, but is not limited to, failing to conform to the essential standards of acceptable and prevailing nursing practice pursuant to ARBN Chapter 4, Rule IV(II)(B)(2);
- iv) 3 V.S.A. § 129a(b)(2) (Failure to practice competently by reason of any cause on a single occasion or on multiple occasions may constitute unprofessional conduct. Failure to practice competently includes failure to conform to the essential standards of acceptable and prevailing practice);
- v) 3 V.S.A. § 129a(a)(3) (Failing to comply with the provisions of state statutes or rules governing the practice of the profession).

Relief Requested

WHEREFORE, the license of Christopher Lee Dougherty should be revoked, suspended, reprimanded, conditioned or otherwise disciplined.

DATED at Montpelier, Vermont this 22nd day of January, 2007.

STATE OF VERMONT
SECRETARY OF STATE

By: _____

Edward G. Adrian
State Prosecuting Attorney

STATE OF VERMONT



Prosecuting Attorney
Office of
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9 Baldwin Street
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nu.dougherty.soc