

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

IN RE:	)	
KAREN E. FERREIRA	)	Docket No. 2015-282
License No. 026.0045180	)	

STIPULATION AND CONSENT ORDER

STIPULATION

NOW COME the State of Vermont, by and through State Prosecuting Attorney Rachel Allen, and Respondent, Karen E. Ferreira, represented by Ed Adrian, 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. Karen E. Ferreira ("Respondent") of Florence, Vermont, is licensed by the State of Vermont as a Registered Nurse ("RN") under license number 026.0045180. This license was originally issued on or about February 18, 2009, and expires on or about March 31, 2017.
3. During the relevant time period, Respondent was employed as a RN Clinical Manager with the Rutland Regional Medical Center ("RRMC"), located in Rutland, Vermont.
4. On or about February 26, 2015, Respondent removed the two liters of normal saline and IV administration supplies ("supplies") from RRMC. These supplies could not be purchased without a prescription from an authorized prescriber. The value of the supplies was \$7.88.
5. Respondent did not have authorization to remove the supplies from the Facility.
6. In a letter dated January 4, 2016, written to Investigator Dennis Menard, Investigator for the Vermont Secretary of State's Office of Professional Regulation, Respondent stated that she obtained these supplies while off-duty by checking them out of the "Omniceil" supply system under "floor stock".

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7. Respondent obtained these supplies and removed them from the Facility. When Respondent arrived at her car, she realized she forgot the IV tubing.
8. On or about February 26, 2015, Respondent called L.D., an on-duty nurse, to remove IV tubing from the Facility and bring it to her.
9. Without authorization, L.D. concealed the IV tubing in a cookie tin and delivered it to the Respondent.
10. In a letter dated May 8, 2015, Respondent wrote an apology to the nursing staff of the RRMC Surgical Care Unit. In this letter, she stated the following:
Approximately six weeks ago, I charged some supplies from the Omnicell under "floor stock", with the intent to use these items at home. This was an incredibly poor decision, and one that nearly cost me my career. I am deeply sorry that I have displayed such poor behavior, and have shown a lack of ethics and a lack in leadership.

Violations

11. 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(b)(2) (Failure to conform to the essential standards of acceptable and prevailing practice);
 - b. 26 V.S.A §1582(a)(2) (Diverting or attempting to divert supplies for unauthorized use); and
 - c. 26 V.S.A §1582(a)(3) (Engaging in conduct of a character likely to deceive, defraud, or harm the public).

Understandings

12. Respondent admits that the facts above are true and that the conditions below are necessary to protect the public.
13. 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.
14. 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.

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15. Respondent has read and reviewed this entire document and agrees that it contains the entire agreement between the parties.
16. Respondent is not under the influence of any drugs or alcohol at the time she signs this Stipulation and Consent Order.
17. 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.
18. 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.
19. 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 **REPRIMANDS** 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: 6/23/16

By: 
Rachel Allen
State Prosecuting Attorney

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KAREN E. FERREIRA
RESPONDENT

Dated: 6/23/16

By: Karen E. Ferreira
Karen E. Ferreira

APPROVED AS TO FORM:

ATTORNEY FOR RESPONDENT

Dated: 6/23/16

By: Ed Adrian, Esq.
Ed Adrian, Esq.

APPROVED AND SO ORDERED:

VERMONT BOARD OF NURSING

Dated: 7/11/16

By: Jeanne Carr
Chairperson

Date of Entry: 7/11/16

RECEIVED
JUL 15 2016
VERMONT BOARD OF NURSING

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