

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

IN RE:	)	
JANE W. GODDARD	)	Docket No. 2009-14 (NU81-0109)
License No. 101.0010177	)	

STIPULATION AND CONSENT ORDER

STIPULATION

NOW COME the State of Vermont, by and through State Prosecuting Attorney Edward G. Adrian, and the Respondent, Jane W. Goddard, APRN, 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.

Statement of Facts

2. Jane W. Goddard (the "Respondent") of Burlington, Vermont is licensed by the State of Vermont as a Registered Nurse with Advanced Practice Registered Nurse Endorsement under license number 101.0010177. This license was originally issued on or about August 7, 1973 and is currently set to expire on or about March 31, 2011.
3. At all times relevant, Respondent was employed as a Women's Health Nurse Practitioner at Planned Parenthood of Northern New England (the "Facility"), located in Burlington, Vermont.
4. Pursuant to ARBN Chapter 4, Subchapter 8, Rule III(C)(1), an APRN performs medical acts independently within a collaborative practice with a licensed physician under practice guidelines which are mutually agreed upon between the APRN and collaborating physician and which are jointly acceptable to the medical and nursing professions.
5. Pursuant to Respondent's practice guidelines with her Collaborating Physician, C.G., Respondent was to practice under the guidelines of the Facility's protocol.

6. On or about February 3, 2009 in a written statement, Respondent stated that in or around the summer of 2008, Respondent was presented with Patient X, who had been referred to the Facility by another provider after Patient X had complained of bleeding and pain in her early pregnancy, which are considered to be indications of an ectopic pregnancy. Respondent admitted that she performed all of the Facility's written protocol regarding the process to rule out an ectopic pregnancy, except that Respondent failed to perform the final step of the required protocol.
7. The final step of the Facility's protocol regarding the process to rule out an ectopic pregnancy is to notify the on-call physician that the process for ruling out an ectopic pregnancy had been initiated. Respondent admitted that she inadvertently failed to notify the on-call physician, which is done by completing a form that is normally faxed to the physician.
8. A review of Respondent's personnel file reveals no disciplinary documentation and no harm to Patient X is alleged.
9. Based on the above, the State contends that Respondent failed to conform to the essential standards of acceptable and prevailing nursing practice. Respondent acknowledges a single violation of protocol but disputes the State's contention. Nevertheless, to avoid delay, uncertainty, inconvenience, and cost, the parties agree to the terms of this Stipulation. This Stipulation is not to be construed as an admission of liability or unprofessional conduct.

Charges

10. The Respondent is charged with violating:
 - a. 3 V.S.A. § 129a(b) (2) failure to conform to the essential standards of acceptable and prevailing practice).

Understandings

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.
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** Respondent's license to practice advanced practice registered nursing. A warning is the very lowest level of discipline recognized by the Office of Professional Regulation.
- B. 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).
- C. 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.

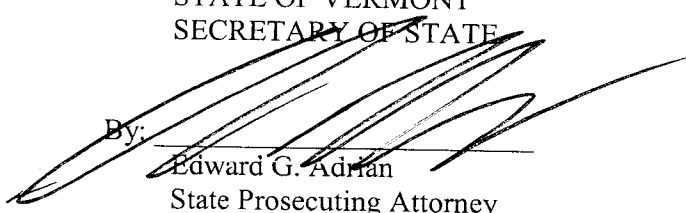
AGREED TO:

Dated:

8/18/09

STATE OF VERMONT
SECRETARY OF STATE

By:

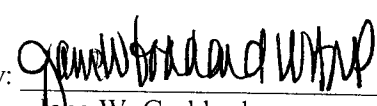

Edward G. Adrian
State Prosecuting Attorney

JANE W. GODDARD
RESPONDENT

Dated:

08/04/09

By:


Jane W. Goddard

APPROVED AS TO FORM:

ATTORNEY FOR RESPONDENT

Dated: 8/7/09

By: Bernard D. Lambek, Esq.
Bernard D. Lambek, Esq.

APPROVED AND SO ORDERED:

VERMONT BOARD OF NURSING

Dated: 9.14.09

By: Shirley Whiff
Chairperson

Date of Entry: 9/17/09
nu.goddard.stip

