

**STATE OF VERMONT  
BOARD OF NURSING**

In re: Shannon Goddeau  
License No. 026-27410

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Docket No. 2010-484(RN)  
follow up No. (M2011-50)

**DECISION ON  
PRELIMINARY DENIAL OF  
REQUEST FOR REINSTATEMENT**

**Participating Board Members:**

Jeanine Carr, RN, Chair  
Alan Weiss, Public Member  
Donna Rae Metcalf, LPN  
Sandra Norton, LNA  
William G. White, Jr., Public Member  
John Todd, APRN  
Douglas Sutton, RN  
Ellen Watson, APRN  
Sheila Davis, LPN

**Appearances:**

for Petitioner, State of Vermont: Gabriel Gilman  
for Respondent: Pro se

Presiding Officer: Larry S. Novins

**Findings of Fact, Conclusions of Law,  
and Order**

The Board of Nursing held a hearing in the above matter on September 10, 2012 at the Capital Plaza Hotel Conference Room in Montpelier, Vermont pursuant to 3.V.S.A. § 129(e). Ms. Goddeau appeared before the Board after its preliminary denial of her request for reinstatement of her license to practice as a registered nurse.

As the individual seeking reinstatement, Ms. Goddeau bears the burden to persuade the Board that the preliminary denial should be reversed and that her license should be reinstated. 3 V.S.A. § 129(e).

**Findings of Fact**

1. Ms. Goddeau is an applicant for reinstatement of her license as a registered nurse. The Board of Nursing has jurisdiction to determine her application. 3 V.S.A. §§ 129, 129a, 26 V.S.A. §§ 1574, 1575, the Administrative Rules of the Board of Nursing, and the

to three times per year. Ms. Goddeau testified at the hearing that she has two or three drinks once per month. Ms. Goddeau's testimony and Ms. Gerdeman's report make more significant Ms. Goddeau's May 2012 positive alcohol test result.

11. Ms. Gerdeman's evaluation includes mention of Ms. Goddeau's ADD but does not address whether she can resume nursing practice safely.
12. Both Ms. Gerdeman and Ms. Marlow are both associated with Clinton County Mental Health and Addiction Services, the clinic which Ms. Marlow reported could not assess whether Ms. Goddeau presents a risk to patient safety.

### **Conclusions of Law**

Ms. Goddeau has not met the requirements for reinstatement. Her submissions do not fully meet the requirements of the Stipulation and Consent Order.

### **Order**

The preliminary denial of Ms. Goddeau's request for reinstatement is **affirmed**.

Ms. Goddeau should obtain another pre-approved independent evaluation as previously set forth by Paragraph A of the Stipulation and Consent Order. Since Ms. Goddeau's previous evaluators indicate that an opinion on whether or not she presents a risk to the safety, health or welfare of her potential patients is beyond the scope of the Clinic's practice, Ms. Goddeau is strongly advised to find a different evaluator. If needed, Board staff will provide Ms. Goddeau with names of evaluators who have provided the Board full evaluations in the past. Ms. Goddeau shall make appropriate releases so that all treatment records will be available to her new evaluator.

Ms. Goddeau shall submit the results of three random urinalyses, as specified in the Stipulation and Consent Order. To be acceptable, the tests must be negative for alcohol as well as the other substances tested for. Ms. Goddeau shall cause her medical providers to write on the provider's letterheads a listing of all drugs/controlled substances/scheduled drugs prescribed to her.

### **APPEAL RIGHTS**

This is a final administrative determination by the Vermont Board of Nursing.

A party aggrieved by a final decision of a board may appeal this decision by filing a written Notice of Appeal with the Director of the Office of Professional Regulation, Vermont Secretary of State, National Life Bldg., North, FL2 Montpelier, VT 05620-3402 within 30 days of the entry of this Order.

If an appeal is filed, the Director of the Office of Professional Regulation shall assign the case to an appellate officer. The review shall be conducted on the basis of the record created before the board. In cases of alleged irregularities in procedure before the board, not shown in the

record, proof on that issue may be taken by the appellate officer. 3 V.S.A. §§ 129(d) and 130a.

Board of Nursing

By: Jeanine Carr  
Jeanine Carr, RN, Chair

September 11, 2012

OFFICE OF PROFESSIONAL REGULATION

DATE OF ENTRY: 9-19-12