

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

|                                |   |                            |
|--------------------------------|---|----------------------------|
| <b>IN RE:</b>                  | ) |                            |
| <b>CHELSEA GONYER</b>          | ) | <b>Docket No. 2015-433</b> |
| <b>License No. 026.0042130</b> | ) |                            |

**STIPULATED SURRENDER OF LICENSE**

NOW COME the State of Vermont, by State Prosecuting Attorney Rachel Allen, and the respondent in this matter, Chelsea Gonyer, 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 (the "ARBN"); and the Rules of the Office of Professional Regulation.

**Stipulated Facts**

2. Chelsea Gonyer ("Respondent") of East Haven, Vermont is licensed by the State of Vermont as a Registered Nurse under license number 026.0042130. This license was originally issued on or about May 20, 2008, and is currently set to expire on or about March 31, 2017.
3. On October 8, 2013, Respondent's Vermont Board of Nursing Alternative Program Contract went into effect and Respondent began the Vermont Board of Nursing Alternative Program (the "Program").
4. Respondent's contract contained the following:
  - a. Respondent must abstain completely from the consumption or possession of alcohol and drugs, with the exception of prescribed medications.
  - b. Respondent must submit to random drug and alcohol screenings at request of the Program.
  - c. A test that is positive drug and alcohol or presumed positive may be a violation of this contract. Non-compliance shall constitute a presumed positive test.

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5. In 2015, Respondent failed to submit requested urine samples for screening on April 10, May 26, June 8, June 22, August 7, August 17, September 15, September 21, October 2, November 3, and November 6.
6. On June 30, 2015, Respondent submitted a dilute sample when requested.
7. On August 5, 2015, Respondent's sample tested positive for buprenorphine. Buprenorphine was not a prescribed medication for Respondent at this time.
8. Respondent disputes testing positive for buprenorphine, but wishes voluntarily to surrender her nursing license.

### **Violations**

9. The State asserts the Respondent has violated the following statute:
  - a. 3 V.S.A. § 129a(a)(4) (Failing to comply with an order of the board or violating any term or condition of a license restricted by the board).

### **Understandings**

10. Respondent acknowledges that the facts above are true and that the conditions set out in the Consent Order below are appropriate and 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 Respondent's rights to a fair and impartial hearing if this agreement is not accepted by the Board and proceeds to a contested hearing.
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 Respondent 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.

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16. Respondent voluntarily waives Respondent's 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.

#### ACCEPTANCE OF SURRENDER

- A. The Board hereby accepts **ACCEPTS** Respondent's **VOLUNTARY SURRENDER** of her Registered Nurse license.
- B. Any future application for licensure shall be subject to the licensing requirements of that particular profession. If a future application for licensure in the State of Vermont is approved, that license shall be **CONDITIONED** pursuant to whatever terms are found to be reasonable at the time of Respondent's application of licensure.
- C. With a request for reinstatement to the Board of Nursing, Respondent must submit an independent evaluation and be subject to three (3) random drug screenings. Respondent shall designate a person or entity that has been pre-approved by the Board or its designee to administer random drug screens. All testing shall be done on a random, unannounced basis and analyzed by a lab qualified to analyze samples for forensic purposes and approved by the Board. All urine specimens collected for tests shall be collected in an observed setting. All screens shall be negative.  
  
Failure to appear for, refusal to provide, adulteration of, dilution of, or tampering with a sample for any urine screen shall cause that screen to be presumed positive.
- D. 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).
- E. 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: 2/23/16

By: Rachel Allen  
Rachel Allen  
State Prosecuting Attorney

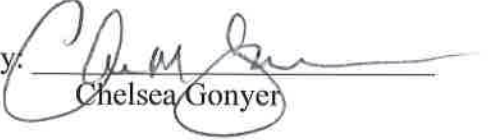
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CHELSEA GONYER  
RESPONDENT

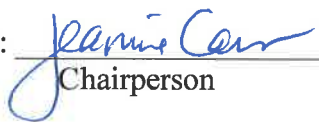
Dated: 2/18/16

By:   
Chelsea Gonyer

APPROVED AND SO ORDERED:

VERMONT BOARD OF NURSING

Dated: 3/14/16

By:   
Chairperson

Date of Entry: 3/14/16

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