

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

IN RE:

ANN LYNN GRANDCHAMP
License No. 026.0028586

)
)
) Docket No. 2008-258 (NU09-0708)

STIPULATION AND CONSENT ORDER

STIPULATION

NOW COME the State of Vermont, by and through State Prosecuting Attorney BetsyAnn Wrask, and the Respondent, Ann Lynn Grandchamp, RN, 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. Ann Lynn Grandchamp (the "Respondent") of Richford, Vermont is licensed by the State of Vermont as a Registered Nurse under license number 026.0028586. This license was originally issued on or about August 8, 2003 and is currently set to expire on or about March 31, 2011.
3. At all times relevant, Respondent was employed as a Registered Nurse at the ICU of Northwestern Medical Center (the "Facility"), located in St. Albans, Vermont.
4. On or about June 11, 2008 in a Mandatory Report of Unprofessional Conduct, ICU Manager B.G. reported that Respondent was found sleeping on duty when she was the sole nurse in the ICU for one (1) patient, and that Respondent had been counseled previously for sleeping on duty. Moreover, B.G. reported that a doctor had complained that Respondent was rude and unprofessional in her interactions with the doctor regarding patient care. B.G. stated that this was not the first complaint made by this doctor regarding Respondent.

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05609-1107

5. The Facility's Code of Conduct mandates that all individuals within the Facility be treated with courtesy and respect and that all employees act in a professional manner that contributes to the efficient functioning of the Facility's health care operations.
6. On or about June 1, 2008, Respondent fell asleep while being the only nurse on duty in the ICU to provide care for a patient.
7. The conduct described above in ¶6 is in violation of 3 V.S.A. § 129a(b)(1) and (2).
8. A review of Respondent's personnel file reveals in part the following:
 - a. On or about May 15, 2007, Respondent received and signed a Written Reminder for violating expected performance by: 1) not implementing lab orders on a diabetic order sheet, although signing off on them; and 2) not following Heparin protocol.
 - b. On or about February 29, 2008, Respondent received and signed a Written Reminder for violating expected performance by: 1) sleeping at the nurse's desk while working with an LNA; 2) leaving the unit attended by an LNA only without obtaining appropriate relief; and 3) not having monitor alarms on for a patient who required them.
 - c. On or about May 6, 2008, Respondent received a coaching session after a physician complained that Respondent was inappropriate and demanding in her approach to a patient's end of life care. It was noted that Respondent tried to manage and facilitate a patient's care on her own without seeking help from available resources, and thereafter became agitated and confrontational in her actions with the physician. Moreover, it was noted that this same physician had complained two months prior that Respondent was inappropriately aggressive in her interactions with him.
9. The conduct described above in ¶8 is in violation of 3 V.S.A. § 129a(b)(1) and (2).

Charges

10. 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)(1) and (2) (Failure to practice competently by reason of any cause on a single occasion or on multiple occasions may constitute unprofessional conduct, whether actual injury to a client, patient, or customer has occurred. Failure to practice competently includes: (1) performance of unsafe or unacceptable patient or client care; or (2) failure to conform to the essential standards of acceptable and prevailing practice); and

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

Understandings

11. This Stipulation is neither an admission of liability by the Respondent nor a concession by the State of Vermont that its charges are not well-founded. To avoid delay, uncertainty, inconvenience, and expense of protracted litigation of the charges above, the Parties reach a full and final Stipulation pursuant to these Understandings and the Order below.
12. 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.
13. 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.
14. Respondent has read and reviewed this entire document and agrees that it contains the entire agreement between the parties.
15. Respondent is not under the influence of any drugs or alcohol at the time she signs this Stipulation and Consent Order.
16. 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.
17. 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.
18. Respondent does not contest that the State could prove the facts as alleged above by a preponderance of the evidence if this matter went to a merits hearing and therefore 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** Respondent's license to practice registered nursing.
- 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).

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- 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:

STATE OF VERMONT
SECRETARY OF STATE

Dated: 3.11.10

By: [Signature]
Betsy Ann Wrask
State Prosecuting Attorney

ANN LYNN GRANDCHAMP
RESPONDENT

Dated: March 5, 2010

By: [Signature]
Ann Lynn Grandchamp

APPROVED AS TO FORM:

ATTORNEY FOR RESPONDENT

Dated: March 10, 2010

By: [Signature]
Gregory J. Glennon, Esq.

APPROVED AND SO ORDERED:

VERMONT BOARD OF NURSING

Dated: 4.12.10

By: [Signature]
Chairperson

Date of Entry: 4/14/10
nu.grandchamp.stip

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05609-1107