

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

IN RE:)
LISA GREENSPON) **Docket No. 2018-52**
License No. 026.0020412)

STIPULATION AND CONSENT ORDER

STIPULATION

NOW COMES the State of Vermont, by and through State Prosecuting Attorney Elizabeth A. St. James, and the respondent in this matter, Lisa Greenspon, 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. Chapter 28; the Administrative Rules of the Board of Nursing (the "ARBN"); and the Rules of the Office of Professional Regulation.

Statement of Facts

2. Lisa Greenspon ("Respondent") of Graniteville, Vermont is licensed by the State of Vermont as a Registered Nurse ("RN") under license number 026.0020412. This license was first issued on February 6, 1992, and expires on March 31, 2019.
3. Respondent was employed as a visiting Home Health Nurse with the Franklin County Home Health Agency ("the Facility") during all relevant time periods.
4. On the evening of September 16, 2017 and while on-call, Respondent received a call from the daughter of one of Respondent's patients ("Patient"), who asked if Respondent could come administer an enema to Patient.
5. Respondent went to Patient's house after receiving the daughter's call, administered the requested enema, and sat with Patient for a brief period of time.
6. Before leaving Patient's house on September 16, 2017, Respondent asked Patient for twenty dollars (\$20.00) so she could put gas in her car.
7. The Patient gave Respondent forty dollars (\$40.00), which Respondent accepted.

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8. Respondent did not inform the Facility that she asked for and accepted money from Patient until after the Patient's daughter reported the conduct to the Facility.
9. On September 17, 2017, Respondent communicated with the Patient's daughter through Facebook, asking that the exchange of money stay between them because Respondent did not want to get in trouble.
10. On October 4, 2017, Respondent admitted to asking for and accepting money from Patient, and the Facility terminated Respondent's employment.

Violation One: 3 V.S.A. §129a(a)(15) Failing to exercise independent professional judgment in the performance of licensed activities when that judgment is necessary to avoid action repugnant to the obligations of the profession.

11. The State re-alleges and incorporates Paragraphs 2 through 10 above.
12. As an RN, Respondent is required to exercise her own independent professional judgment in the performance of licensed activities when that judgment is necessary to avoid action repugnant to the obligations of the profession.
13. Paragraphs 2 through 10 demonstrate that Respondent failed to exercise independent professional judgment by asking for, and accepting, money from a patient during a home health nursing visit.
14. The act(s), omission(s), and/or circumstance(s) described above constitute grounds for discipline because Respondent committed unprofessional conduct by failing to exercise independent professional judgment necessary to avoid action repugnant to the obligations of being a licensed Registered Nurse, in violation of 3 V.S.A. §129a(a)(15).

Violation Two: 3 V.S.A § 129a(b)(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: (2) failure to conform to the essential standards of acceptable and prevailing practice.

15. The State re-alleges and incorporates Paragraphs 2 through 10.
16. As an RN, Respondent is required to perform to the essential standards of acceptable and prevailing practice that apply to every Registered Nurse in the state of Vermont.
17. The essential standards of acceptable and prevailing practice prohibit Registered Nurses from asking for, and accepting, money from a patient.
18. Paragraphs 2 through 10 demonstrate that Respondent failed to perform to the essential standards of acceptable and prevailing practice of her profession by asking for, and accepting, money from a patient during a home health nursing visit.

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19. The essential standards of acceptable and prevailing practice require Registered Nurses to practice within professional boundaries.
20. Paragraphs 2 through 10 demonstrate that Respondent failed to perform to the essential standards of acceptable and prevailing practice of her profession by violating professional boundaries through her improper communication with a patient's daughter through social media.
21. The act(s), omission(s), and/or circumstance(s) described above constitute grounds for discipline because Respondent committed unprofessional conduct by failing to conform to the essential standards of prevailing practice, in violation of 3 V.S.A. § 129a(b)(2).

Understandings

22. Respondent admits that the facts above are true and that the conditions below are necessary to protect the public.
23. 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.
24. 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.
25. Respondent has read and reviewed this entire document and agrees that it contains the entire agreement between the parties.
26. Respondent is not under the influence of any drugs or alcohol at the time she signs this Stipulation and Consent Order.
27. 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.
28. 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.
29. 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** Respondent's license.

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- B. Respondent's license is hereby **CONDITIONED** as follows:
- a. Respondent shall, within ninety (90) days of this Order, at her own expense, successfully complete the following pre-approved courses:
 - i. Righting a Wrong: Ethics & Professionalism in Nursing, and any accompanying workbook, through the National Council of State Boards of Nursing Learning Extension; and
 - ii. Professional Boundaries in Nursing, and any accompanying workbook, through the National Council of State Boards of Nursing Learning Extension.
 - b. Respondent must submit the completed workbook and/or written documentation of completion (certificate of completion, etc.) to the Enforcement Case Manager.
 - c. Failure to complete such courses and coursework within the prescribed timeframe shall constitute a violation of this Order.
 - d. Upon completion of the courses and accompanying coursework, Respondent shall submit a petition to the Docket Clerk to remove any and all conditions from Respondent's license and to return the license to unencumbered status. The petition shall include evidence of compliance. The State will agree to, or oppose, Respondent's petition. The Board will conduct a hearing if necessary. Respondent bears the burden of proof to demonstrate that Respondent has fully complied with the terms of this Order
- C. Notwithstanding any provision above, the Respondent must continue to meet all requirements for maintaining a license, license renewal, and license reinstatement.
- 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.

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AGREED TO:

Dated: 12/5/18

STATE OF VERMONT
SECRETARY OF STATE

By: Elizabeth C. H. Jones
Elizabeth A. St. James
State Prosecuting Attorney

LISA GREENSPON
RESPONDENT

Dated: 11/27/18

By: Lisa Greenspon
Lisa Greenspon

APPROVED AND SO ORDERED:

VERMONT BOARD OF NURSING

Dated: 12-10-2018

By: [Signature]
Chairperson

Date of Entry: 12-11-18

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