

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

IN RE:)
SUE E. HARLAND)
License No. 026.0084920)

Docket No. 2013-71

STIPULATION AND CONSENT ORDER

NOW COMES the State of Vermont, by State Prosecuting Attorney Gabriel M. Gilman, and the respondent, Sue E. Harland, RN, who stipulate and agree as follows:

Board Authority

1. The Vermont State Board of Nursing ("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. Sue E. Harland ("Respondent") of Plattsburgh, New York is licensed by the State of Vermont as a Registered Nurse under license number 026.0084920. This license was originally issued on or about February 28, 2012 and expires on or about March 31, 2015.
3. At all times relevant, the Respondent was employed as a Registered Nurse at Starr Farm Nursing Center (the "Facility") in Burlington, Vermont.
4. On or about January 31, 2013, Respondent administered Haldol to patient A.D. at 1810 hours. Later that evening, Respondent noticed that Haldol had been discontinued during the day shift.
5. When the medication error was discovered, C.P., RN advised Respondent she needed to contact the on-call doctor to get an order. Respondent told C.P. that she couldn't call after the fact. C.P. reminded Respondent that policy called for a supervisor to be notified of the error.
6. Respondent did not contact the on-call doctor or supervisor to report the medication error. Respondent also did not complete a medication variance report. Respondent did tell J.C., LPN about the error when Respondent was giving report at shift change.

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7. The investigative team in this matter recommended that an appropriate resolution would include remedial coursework concerning medication error prevention and professional accountability.
8. While this matter was pending, and in order to facilitate a resolution without a period of conditional licensure, Respondent successfully completed, through the NCSBN Learning Extension:
 - (1) *Medication Errors – Detection & Prevention*, 6.9 contact hours, and
 - (2) *Professional Accountability and Legal Liability*, 5.4 contact hours.

Violation

9. The act(s), omission(s), and/or circumstance(s) described above, at ¶¶ 4-6, constitute grounds for discipline because the Respondent has committed unprofessional conduct in violation of 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).

Understandings

10. Respondent acknowledges that the facts above are true and accurate.
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.

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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** the Respondent's license.
- B. Notwithstanding any provision above, the Respondent must continue to meet all Nursing Board requirements for maintaining a license, license renewal and license reinstatement.
- C. 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).
- D. 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:

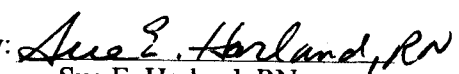
STATE OF VERMONT
SECRETARY OF STATE

Dated: 9/12/13

By: 
Gabriel Gilman
State Prosecuting Attorney

SUE E. HARLAND, RN
RESPONDENT

Dated: 7 September 2013

By: 
Sue E. Harland, RN

STATE OF VERMONT

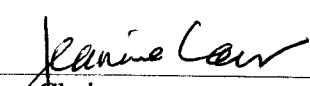


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APPROVED AND SO ORDERED:

VERMONT BOARD OF NURSING

Dated: 10/14/13

By: 
Chairperson

Date of Entry: 10/15/13