

OFFICE OF PROFESSIONAL REGULATION
VERMONT STATE BOARD OF NURSING

IN RE: Melinda Harvey)
Case File No. NU59-0102) DEFAULT ORDER
License No. 25-8149)

Introduction

The Board of Nursing held a default hearing in the above matter on November 4, 2002 at 81 River Street in Montpelier, Vermont. Board members Sandra Norton, Susan Farrell, Alan Weiss, De-Ann Welch, Linda Rice, Elayne Clift and Pat Rock participated in the decision. Senior Assistant Attorney General Robert Gagnon did not attend for the State. The Respondent did not attend and was not represented.

Findings of Fact

The Respondent was sent notice of the Charges against her by certified mail and first class mail on September 17, 2002 to her last known address.

2. That certified mail was returned to the Office of Professional Regulation (OPR) on September 20, 2002, marked "attempted, not known".
3. Notice of the default hearing was mailed to that same address by certified and regular mail on October 24, 2002.
4. The Respondent has not answered the charges against her.
5. After taking notice of its own file, the Board found the Respondent to be in default. The allegations contained in the State's Specification of Charges dated September 10, 2002 (copy attached) are therefore treated as the facts on which the Board's order is based.

Conclusions of Law

The Respondent has received adequate notice of the charges against her as indicated by the Board's file. Because the Respondent has failed to answer the charges against her, the State's factual allegations are treated as if proved. Accordingly, the Board finds, in the default hearing held pursuant to 3 V.S.A. §809(d), that the Respondent has engaged in the

unprofessional conduct alleged in the State's Specification of Charges.

Order

In accordance with the above findings of fact and conclusions of law, the license of the Respondent is hereby INDEFINITELY SUSPENDED, effective as of the date of the hearing.

Appeal Rights

This is a final administrative determination by the Vermont State Board of Nursing. You may appeal by sending a notice of appeal in writing to the Director of the Office of Professional Regulation within 30 days of the date of entry of this order. If you wish to request a stay of the Board's decision, please refer to the attached stay instructions.

By: Susan Farrell
Susan Farrell, R.N.
Chair

Date: Nov. 18, 2002

OFFICE OF PROFESSIONAL REGULATION

DATE OF ENTRY: 11/21/02

IN RE:)
Melinda Harvey) Docket No: NU59-0102
License No.25-08149)

1. The Board of Nursing has jurisdiction to investigate and adjudicate complaints of unprofessional conduct pursuant to 3 V.S.A. §129, and 26 V.S.A. §§1574, 1582.

3. At all time relevant herein Respondent was employed by Woodridge Nursing Home of Barre, Vermont.

4 On or about 1/15/02 Respondent was responsible for a medication pass to resident L. B. Respondent signed Ritalin out as having been given but a narcotic count indicated it had not been given.

5. On or about 1/08/02 Respondent was responsible for a medication pass to resident J.Y. On that occasion Respondent misread the Respiradon syringe dispenser and gave the wrong dose of Respiradon to the resident.

**Office of the
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GENERAL
109 State Street
Montpelier, VT
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prevailing nursing practice.

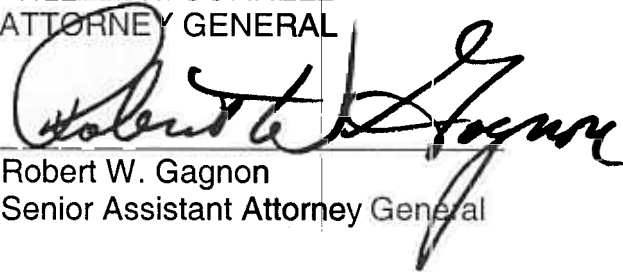
WHEREFORE, the license of Melinda Harvey should be suspended,
conditioned, reprimanded or otherwise disciplined.

Dated at Montpelier, Vermont this 10th day of Sept. 2002.

STATE OF VERMONT

WILLIAM H. SORRELL
ATTORNEY GENERAL

by:


Robert W. Gagnon
Senior Assistant Attorney General

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