

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

IN RE:

**ELIZABETH HEDLEY
License No. 026-0022182**

)
)

Docket No: NU51-0305

STIPULATION AND CONSENT ORDER

STIPULATION

NOW COMES the State of Vermont, through State Prosecuting Attorney, Edward G. Adrian, and the Respondent, Elizabeth Hedley, R.N., 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, 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)(5); 3 V.S.A. §814(d); 26 V.S.A. §1582(a); the Administrative Rules of the Board of Nursing; and the Rules of the Office of Professional Regulation.

Statement of Facts

2. The Respondent, Elizabeth Hedley, is licensed in the State of Vermont as a registered nurse under license number 026-0022182. This license was originally issued on June 20, 1995 and is currently set to expire on March 31, 2007.
3. At all times relevant, the Respondent was employed as a Nurse Manager at Addison House located in Middlebury, Vermont.
4. In her capacity as Nurse Manager, Respondent is responsible for training the staff on medication administration. On or about November 24, 2004, Respondent was responsible for the medication administration orientation of new staff member S.M.
5. On or about November 28, 2004, Respondent delegated the responsibility of supervising caregiver S.M. during her first medication pour to L.N.A. J.B.
6. On or about the evening of November 28, 2004, after S.M. completed the medication pour, a medication count was conducted by S.M. and J.B. and it was discovered that nine Vicodin tablets were missing.

Charges

STATE OF VERMONT



Prosecuting Attorney
Office of
Professional Regulation
9 Baldwin Street
Montpelier, VT
05609-1107

7. The acts, omissions and/or circumstances described above constitute grounds for discipline because the Respondent has committed unprofessional conduct in violation of:

- (i) 26 V.S.A. § 1582(a)(3) (is unable to practice nursing competently by reason of any cause) which includes performing unsafe or unacceptable patient care and failing to conform to the essential standards of acceptable and prevailing nursing practice pursuant to ARBN Chapter 4, Rule IV(II)(B)(1) and (2);
- (ii) 26 V.S.A. § 1582(a)(7) (engages in conduct of a character likely to deceive, defraud or harm the public) which includes, but is not limited to, assigning functions of nursing practice beyond the scope of competence of the individual to whom they are assigned pursuant to ARBN Chapter 4, Rule IV(II)(D)(8);
- (iii) 3 V.S.A. § 129a(a)(6) (delegating professional responsibilities to a person whom the licensed professional knows, or has reason to know, is not qualified by training, experience, education or licensing credentials to perform them); and
- (iv) 3 V.S.A. § 129a(a)(3) (failing to comply with the provisions of state statutes or rules governing the practice of the profession).

Understandings

- 8. 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.
- 9. Respondent has read and reviewed this entire document and agrees that it contains the entire agreement between the parties.
- 10. Respondent voluntarily enters this agreement after the opportunity to consult with legal counsel and is not being coerced by anyone into signing this Stipulation and Consent Order.
- 11. Respondent voluntarily waives her right to a contested hearing before the Board of Nursing.
- 12. Respondent agrees that the Order set forth below may be entered by the Board.

ORDER

Based upon the stipulation above, it is **ORDERED AND ADJUDGED** as follows:

- A. The Board of Nursing hereby **CONDITIONS** the Respondent's license to practice as a nurse until such time that the Respondent, at her own expense, successfully completes a course, approved in advance by the Board or its designee focusing on **DELEGATION**. The Respondent must then submit written documentation (certificate of completion, etc.)

STATE OF VERMONT



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to verify the successful completion of the course to the Board or its designee.
Respondent shall complete this course within six (6) months of the date of entry of this Order.

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 the Respondent's license file and may be used for purposes of determining sanctions in any future disciplinary matter.

AGREED TO:

STATE OF VERMONT
SECRETARY OF STATE

Dated: 12/19/05

By: [Signature]
Edward G. Adrian
State Prosecuting Attorney

ELIZABETH HEDLEY
RESPONDENT

Dated: 12/13/05

By: [Signature]
Elizabeth Hedley

Approved as to Form:

ATTORNEY FOR RESPONDENT

Dated: 12-13-05

By: [Signature]
William B Miller, Jr., Esq.

APPROVED AND SO ORDERED:

VERMONT BOARD OF NURSING

Dated: 1/9/06

By: [Signature]
Chairperson Protem

Date of Entry: 1/12/06

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IN RE:

**ELIZABETH HEDLEY
License No. 026-0022182**

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Docket No: NU51-0305

SPECIFICATION OF CHARGES

NOW COMES the State of Vermont and makes the following Charges against the Respondent, Elizabeth Hedley, R.N.:

Board Authority

1. The Vermont State Board of Nursing ("the Board") has authority to issue warnings or reprimands, suspend, revoke, limit, 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 ("ARBN"); and the Rules of the Office of Professional Regulation.

Statement of Facts

2. The Respondent, Elizabeth Hedley, is licensed in the State of Vermont as a registered nurse under license number 026-0022182. This license was originally issued on June 20, 1995 and is currently set to expire on March 31, 2007.

3. At all times relevant, the Respondent was employed as a Nurse Manager at Addison House located in Middlebury, Vermont.

4. In her capacity as Nurse Manager, Respondent is responsible for training the staff on medication administration. On or about November 24, 2004, Respondent was responsible for the medication administration orientation of new staff member S.M.

5. On or about November 28, 2004, Respondent delegated the responsibility of supervising caregiver S.M. during her first medication pour to L.N.A. J.B.

6. On or about the evening of November 28, 2004, after S.M. completed the medication pour, a medication count was conducted by S.M. and J.B. and it was discovered that nine Vicodin tablets were missing.

Charges

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7. The acts, omissions and/or circumstances described above constitute grounds for discipline because the Respondent has committed unprofessional conduct in violation of:

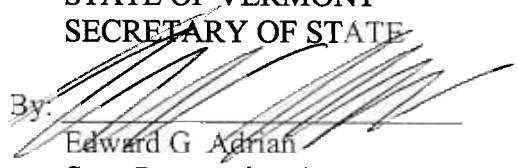
- (i) 26 V.S.A. § 1582(a)(3) (is unable to practice nursing competently by reason of any cause) which includes performing unsafe or unacceptable patient care and failing to conform to the essential standards of acceptable and prevailing nursing practice pursuant to ARBN Chapter 4, Rule IV(II)(B)(1) and (2);
- (ii) 26 V.S.A. § 1582(a)(7) (engages in conduct of a character likely to deceive, defraud or harm the public) which includes, but is not limited to, assigning functions of nursing practice beyond the scope of competence of the individual to whom they are assigned pursuant to ARBN Chapter 4, Rule IV(II)(D)(8);
- (iii) 3 V.S.A. § 129a(a)(6) (delegating professional responsibilities to a person whom the licensed professional knows, or has reason to know, is not qualified by training, experience, education or licensing credentials to perform them); and
- (iv) 3 V.S.A. § 129a(a)(3) (failing to comply with the provisions of state statutes or rules governing the practice of the profession).

Relief Requested

WHEREFORE, the license of Elizabeth Hedley should be revoked, suspended, reprimanded, conditioned or otherwise disciplined.

Dated at Montpelier, Vermont this 26th day of October 2005.

STATE OF VERMONT
SECRETARY OF STATE

By: 

Edward G. Adrian

State Prosecuting Attorney

STATE OF VERMONT



nu.hedley.soc

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