

**STATE OF VERMONT
BOARD OF NURSING**

In re: Lynda Hook
License No. 025-8868

}
} Docket No. 2014-11(LPN)
}

**Decision on
UNPROFESSIONAL CONDUCT CHARGE**

Participating Board Members:

Jeanine Carr, RN, Chair
Ellen Watson, APRN, Vice Chair
Alan Weiss, Public Member
William G. White, Jr., Public Member
Deborah Swartz, RN
Douglas Sutton, RN
Sheila Davis, LPN
Luana Tredwell, LPN
Jennifer Laurent, APRN
Kelly Sinclair, LNA

Appearances:

Prosecuting the case: Annika Green
for Respondent: Did not appear

Presiding Officer: Colin Benjamin

**FINDINGS OF FACT, CONCLUSIONS OF LAW,
AND ORDER**

The Vermont Board of Nursing held a hearing in the above matter on December 8, 2014 at the Office of Professional Regulation Conference Room at the City Center in Montpelier, Vermont.

The prosecution has the burden of proof in this matter. To prevail on any unprofessional conduct charge, it must prove the charge by a preponderance of the evidence.

Background

The Specification of Charges alleges that Ms. Hook, in violation of Vermont Statutes, fraudulently provided false information to the Board to renew her license.

Findings of Fact

Based on the evidence presented, the Board finds as follows:

1. Ms. Hook is a licensed practical nurse and is therefore subject to the regulatory authority of this Board. 3 V.S.A. §§ 129, 129a, 26 V.S.A. § 1582(a), the Administrative Rules of the Board of Nursing, and the Rules of the Office of Professional Regulation.
2. On January 6, 2014, Ms. Hook submitted her renewal application. In response to the question "Has Vermont or any other state, federal authority or other jurisdiction (US or elsewhere) restricted, suspended, revoked or taken any disciplinary action against a license or registration that you hold or held in any profession or occupation?" Ms. Hook answered "No." Her answer was submitted under the pains and penalties of perjury.
3. Her answer was untruthful. On November 27, 2012, the State of New Hampshire conditioned Ms. Hook's license. The disciplinary action followed a misdemeanor conviction involving a false prescription.
4. On August 15, 2013, the Vermont Board of Nursing took reciprocal disciplinary action against Respondent for the conduct at issue in New Hampshire.

Conclusions of Law

Based on the evidence presented and Facts found above we conclude as follows:

Re: Alleged Violation of 3 V.S.A. § 129a(a)(1) & 26 V.S.A. § 1595(3): The Prosecution has proved by a preponderance of the evidence that Ms. Hook engaged in fraudulent or deceptive procurement or use of a license. This is unprofessional conduct. 3 V.S.A. § 129a(a)(3).

Order

For the violations above, to protect the public, health, safety and welfare, the following sanction is necessary:

In addition to the conditions ordered by the Board in its decision issued August 15, 2013, Ms. Hook's license shall be **REPRIMANDED**, effective the date of this decision.

APPEAL RIGHTS

This is a final administrative determination by the Vermont Board of Nursing. A party aggrieved by a final decision of a board may appeal this decision by filing a written Notice of Appeal with the Director of the Office of Professional Regulation, Vermont Secretary of State, Office of Professional Regulation, 89 Main Street, Fl. 3, Montpelier, Vermont 05620-3402 within 30 days of the entry of this Order.

If an appeal is filed, the Director of the Office of Professional Regulation shall assign the case to an appellate officer. The review shall be conducted on the basis of the record created before the board. In cases of alleged irregularities in procedure before the board, not shown in the record, proof on that issue may be taken by the appellate officer. 3 V.S.A. §§ 129(d) and 130a.

To request a stay of the Board's decision, please refer to the attached stay instructions.

Vermont Board of Nursing

By: Jeanine Carr
Jeanine Carr, RN, Chair

Date: December 8, 2014

OFFICE OF PROFESSIONAL REGULATION

DATE OF ENTRY: 12/16/14