

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

IN RE:)
SHARA H. HOUGHTALING) **Docket No: NU 22-0904**
License No. 026-0023404)

STIPULATION AND CONSENT ORDER

NOW COMES the State of Vermont by and through its State Prosecuting Attorney, Edward G. Adrian, and Respondent Shara H. Houghtaling who stipulate and agree as follows.:

Board Authority

- 1) The Vermont Board of Nursing (the "Board") has jurisdiction to investigate and adjudicate allegations of unprofessional conduct committed by nurses pursuant to 3 V.S.A. §§ 129, 129a; 26 V.S.A. Chapter 28 and; the Administrative Rules of the Board of Nursing; and the rules of the Vermont Office of Professional Regulation.
- 2) Having made or caused to be made a false, fraudulent or forged statement or representation in procuring or attempting to procure registration or renew a license to practice nursing is unprofessional conduct upon which the Board can base disciplinary action. 26 V.S.A. 1582(a)(1).
- 3) Failing to comply with provisions of federal or state statutes or rules governing the practice of the profession is unprofessional conduct upon which the Commission may base disciplinary action. 3 V.S.A. §129a(a)(3).

Facts

- 4) The Respondent, Shara H. Houghtaling, is licensed in the State of Vermont as a Registered Nurse under License #026-0023404, which is currently set to expire on March 31, 2005.
- 5) On April 26, 2001 and again on March 20, 2003, the Respondent completed and submitted to the Board license renewal applications in order to renew her nursing license.
- 6) On both applications, under the section "Regarding Taxes," the Respondent checked the statement, "I hereby certify, under the pains and penalties or perjury, that I am in good standing with respect to or in full compliance with a plan to pay any and all taxes due to the State of Vermont as of the date of this application."

STATE OF VERMONT



Prosecuting Attorney
Office of
Professional Regulation
Montpelier, VT 05602

7) In an affidavit dated November 15, 2004 from Brenda Vovakes, Director of Compliance for the Vermont State Tax Department, Ms. Vovakes advises that the Respondent was not in good standing with the Tax Department on either April 26, 2001 or on March 20, 2003. Ms. Vovakes advised that as of the date of her affidavit, the Respondent was in compliance with a payment plan approved by the Commissioner.

8) Upon information and belief, the Respondent is currently in good standing with the Vermont State Tax Department.

Charges

9) By committing the above act(s), circumstance(s) and/or omission(s), the Respondent has committed unprofessional conduct in violation of:

- i. 26 V.S.A. 1582(a)(1); and
- ii. 3 V.S.A. §129a(a)(3).

Understandings

10) Respondent understands that the Board of Nursing 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.

11) Respondent has read and reviewed this entire document and agrees that it contains the entire agreement between the parties.

12) 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.

13) Respondent voluntarily waives his right to a contested hearing before the Board of Nursing.

14) 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. Respondent's actions described above demonstrate grounds for discipline because Respondent violated:

- i. 26 V.S.A. 1582(a)(1); and
- iii. 3 V.S.A. §129a(a)(3).

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B. The Board of Nursing hereby **REPRIMANDS** the Respondent's nursing license.

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).

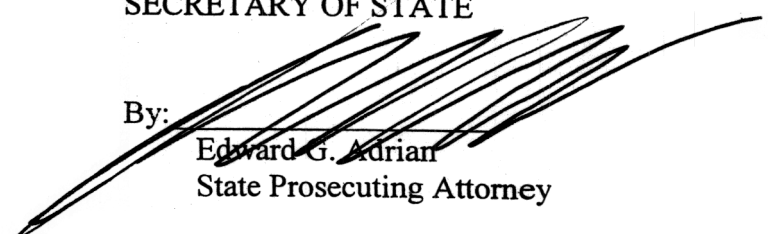
D. This Stipulation and Consent Order will remain part of Respondent's licensing file and may be used for purposes of determining sanctions in any future disciplinary matter.

AGREED TO:

STATE OF VERMONT
SECRETARY OF STATE

Dated: 8/11/05

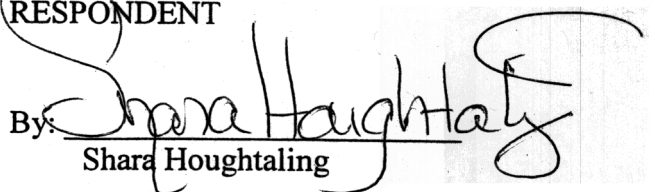
By:


Edward G. Adrian
State Prosecuting Attorney

SHARA HOUGHTALING
RESPONDENT

Dated: August 4, 2005

By:

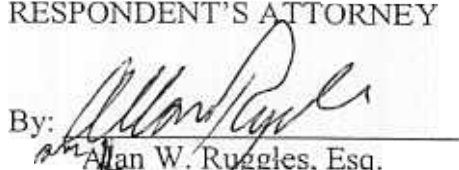

Shara Houghtaling

APPROVED AS TO FORM:

RESPONDENT'S ATTORNEY

Dated: August 10, 2005

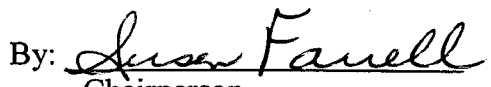
By:


Allan W. Ruggles, Esq.

APPROVED AND SO ORDERED: VERMONT BOARD OF NURSING

Dated: 9/12/05

By:


Chairperson

Date of Entry: 9/14/05

STATE OF VERMONT



Prosecuting Attorney
Office of
Professional Regulation
Montpelier, VT 05602

nu.houghtaling.stip

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SECRETARY OF STATE
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BOARD OF NURSING**

IN RE:)
SHARA H. HOUGHTALING) Docket No: NU 22-0904
License No. 026-0023404)

SPECIFICATION OF CHARGES

NOW COMES the State of Vermont and makes the following Charges against the Respondent, Shara H. Houghtaling, R.N.:

Board Authority

- 1) The Vermont Board of Nursing (the "Board") has jurisdiction to investigate and adjudicate allegations of unprofessional conduct committed by nurses pursuant to 3 V.S.A. §§ 129, 129a; 26 V.S.A. Chapter 28 and; the Administrative Rules of the Board of Nursing; and the rules of the Vermont Office of Professional Regulation.
- 2) Having made or caused to be made a false, fraudulent or forged statement or representation in procuring or attempting to procure registration or renew a license to practice nursing is unprofessional conduct upon which the Board can base disciplinary action. 26 V.S.A. 1582(a)(1).
- 3) Failing to comply with provisions of federal or state statutes or rules governing the practice of the profession is unprofessional conduct upon which the Commission may base disciplinary action. 3 V.S.A. §129a(a)(3).

Facts

- 4) The Respondent, Shara H. Houghtaling, is licensed in the State of Vermont as a Registered Nurse under License #026-0023404, which is currently set to expire on March 31, 2005.
- 5) On April 26, 2001 and again on March 20, 2003, the Respondent completed and submitted to the Board license renewal applications in order to renew her nursing license.
- 6) On both applications, under the section "Regarding Taxes," the Respondent checked the statement, "I hereby certify, under the pains and penalties or perjury, that I am in good standing with respect to or in full compliance with a plan to pay any and all taxes due to the State of Vermont as of the date of this application."
- 7) In an affidavit dated November 15, 2004 from Brenda Vovakes, Director of Compliance for the Vermont State Tax Department, Ms. Vovakes advises that the

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Respondent was not in good standing with the Tax Department on either April 26, 2001 or on March 20, 2003. Ms. Vovakes advised that as of the date of her affidavit, the Respondent was in compliance with a payment plan approved by the Commissioner.

8) Upon information and belief, the Respondent is currently in good standing with the Vermont State Tax Department.

Charges

9) By committing the above act(s), circumstance(s) and/or omission(s), the Respondent has committed unprofessional conduct in violation of:

- i. 26 V.S.A. 1582(a)(1); and
- ii. 3 V.S.A. §129a(a)(3).

Discipline Requested

WHEREFORE, the Respondent's license should be revoked, suspended, reprimanded, or otherwise disciplined.

Dated at Montpelier, Vermont this 24th day of March 2005.

STATE OF VERMONT
SECRETARY OF STATE

By: _____

Edward G. Adrian
State Prosecuting Attorney

nu.houghtaling.soc

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