

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

**IN RE:**  
**ALEKS HUNTER**  
**License No. 026.0053031**

)  
) **Docket No. 2010-247 (NU)**  
)

**STIPULATION AND CONSENT ORDER**

NOW COMES the State of Vermont, by and through State Prosecuting Attorney S. Lauren Hibbert, and the Respondent, Aleks Hunter, RN, 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, 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.

**Stipulated Facts**

2. Aleks Hunter (the "Respondent") of Chester, Vermont is licensed by the State of Vermont as a Registered Nurse under license number 026.0053031. This license was originally issued on or about July 14, 2009 and expires on or about March 31, 2011.
3. At all times relevant, Respondent was employed as a Registered Nurse at Cedar Hill Nursing Home (the "Facility"), located in Windsor, Vermont.
4. On or about April 28, 2010, the Office of Professional Regulation received a Statement of Complaint consisting of allegations of misconduct.
5. The Office of Professional Regulation conducted an investigation into these allegations.
6. Respondent has consistently denied all allegations of unprofessional conduct.

**Violations**

**STATE OF VERMONT**



**Prosecuting Attorney  
Office of  
Professional Regulation  
National Life Building  
Second Floor North  
Montpelier, VT  
05620-3602**

7. The act(s), omission(s), and/or circumstance(s) described above constitute grounds for discipline because the Respondent has committed unprofessional conduct in violation of:
- a. 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 pursuant to ARBN Chapter 4, Subchapter 4, Rule II(B)(1); and failing to conform to the essential standards of acceptable and prevailing nursing practice pursuant to ARBN Chapter 4, Subchapter 4, Rule II(B)(2);
  - b. 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); and
  - c. 3 V.S.A. § 129a(a)(3) (Failing to comply with provisions of federal or state statutes or rules governing the practice of the profession).

#### Understandings

- 8. This Stipulation is neither an admission of liability by the Respondent nor a concession by the State of Vermont that its charges are not well-founded. To avoid delay, uncertainty, inconvenience, and expense of protracted litigation of the charges above, the Parties reach a full and final Stipulation pursuant to these Understandings and the Order below.
- 9. 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.
- 10. Respondent specifically waives any claims that any disclosures made to the full Board during its review of this agreement have prejudiced his rights to a fair and impartial hearing in future hearings if this agreement is not accepted by the Board.
- 11. Respondent has read and reviewed this entire document and agrees that it contains the entire agreement between the parties.
- 12. Respondent is not under the influence of any drugs or alcohol at the time he signs this Stipulation and Consent Order.
- 13. 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.

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14. Respondent voluntarily waives his right to a contested hearing before the Board of Nursing and waives any right to appeal from this Stipulation and Consent Order.
15. Respondent agrees that the Order set forth below may be entered by the Board.
16. The State does not waive its right to prosecute charges based on the underlying allegations as stated in the Specification of Charges dated May 5, 2011. If Respondent seeks reinstatement, the State is not precluded from raising the substance of the allegations during the consideration of reinstatement or a hearing before the Board.

#### ORDER

Based on the Stipulation above, it is **ORDERED AND ADJUDGED** as follows:

- A. The Board of Nursing hereby changes Respondent's license status to **INACTIVE-CONDITIONED**, commencing with the date of entry below. If, in the future, Respondent requests reinstatement of his nursing license, his license will be **CONDITIONED** by the Board pursuant to whatever terms the Board finds reasonable at the time of Respondent's request for reinstatement.
- B. Notwithstanding any provision above, if Respondent seeks reinstatement, 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: 2/24/12

By: S. Lauren Hibbert  
S. Lauren Hibbert  
State Prosecuting Attorney

STATE OF VERMONT



Prosecuting Attorney  
Office of  
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ALEKS HUNTER  
RESPONDENT

Dated: 2/22/12

By: Aleks Hunter

Aleks Hunter

APPROVED AS TO FORM:

ATTORNEY FOR RESPONDENT

Dated: \_\_\_\_\_

By: [Signature]  
Kaveh S. Shahi, Esq.

APPROVED AND SO ORDERED:

VERMONT BOARD OF NURSING

Dated: 3/5/2012

By: [Signature] APRN-PNP  
Vt. Chairperson

Date of Entry: 3-5-12

no hunter3.sp

STATE OF VERMONT



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