

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

IN RE:

MANSOOR JEEACHEE

License No. 026.0027115

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Docket No. 2008-396 (NU41-1008)

STIPULATION AND CONSENT ORDER

STIPULATION

NOW COME the State of Vermont, by and through State Prosecuting Attorney Edward G. Adrian, and the Respondent, Mansoor Jeeachee, 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.

Statement of Facts

2. Mansoor Jeeachee (the "Respondent") of South Burlington, Vermont is licensed by the State of Vermont as a Registered Nurse under license number 026.0027115. This license was originally issued on or about April 19, 2002 and is currently set to expire on or about March 31, 2011.
3. At all times relevant, Respondent was employed as a Registered Nurse in the Special Care Unit ("SCU") of Porter Hospital (the "Facility"), located in Middlebury, Vermont.
4. The Facility's SCU is only staffed by one nurse.
5. On or about October 24, 2008 in a Report of Unprofessional Conduct, Facility Nurse Manager R.P. reported that on or about September 25, 2008, Respondent left a patient in the Special Care Unit unattended, with the patient's bed in an elevated position. R.P. reported that the Nursing Supervisor found this patient pulling at his tubes and lines, almost falling out of bed in an attempt to exit the bed. R.P. stated that when Respondent returned, Respondent stated he had left the patient to retrieve the patient's unit of blood. R.P. reported that Respondent was thereafter suspended, and

as a result of an internal investigation, was terminated for leaving a critically ill patient unattended and in an unsafe environment.

6. On or about April 15 and 27, 2009 in interviews with State Investigator Karl Packer, Registered Nurse C.B. – who was Respondent's Charge Nurse on the day in question – stated that on that date, when Respondent informed her that he was going to get the patient's blood, C.B. offered to get the blood for Respondent, but Respondent declined that offer. Moreover, C.B. stated that before he left, Respondent did not ask C.B. to keep an eye on this patient, and furthermore, C.B. was not ACLS (Advanced Cardiac Life Support) certified to do so. A statement written by C.B. the day following the incident indicates that Respondent approached C.B. about needing to retrieve the blood, that C.B. offered to get the blood in place of Respondent, and that C.B. then said something to the effect that she knew that Respondent had a patient and that she was "willing to help." Respondent asserts that he understood C.B. to indicate that she would watch his patient.
7. On or about April 15, 2009 in an interview with Investigator Packer, Nurse Manager R.P. stated that because the SCU is only staffed by one nurse, a relief nurse is needed if the nurse on duty in the SCU was going to leave the SCU for any reason. R.P. stated that it is not the Facility's practice to leave the SCU unattended, and that a patient should never be left unattended with the patient's bed in the "high" position. None of the practices referenced are in writing.
8. On or about April 22, 2009 in a written statement to Investigator Packer on behalf of Respondent, Respondent's attorney admitted that Respondent declined C.B.'s offer to get the patient's blood for Respondent. Respondent's position is that he approached C.B. once he determined his patient to be stable. He declined C.B.'s offer to get blood because she was caring for multiple patients at the time, whereas he was caring for only one.
9. By leaving his critically ill patient unattended and in an unsafe environment, Respondent has violated 3 V.S.A. § 129a(b)(1) and (2); and 3 V.S.A. § 129a(a)(3).

Charges

10. 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. 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

- b. 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

11. Respondent understands that the 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.
12. 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.
13. Respondent has read and reviewed this entire document and agrees that it contains the entire agreement between the parties.
14. Respondent is not under the influence of any drugs or alcohol at the time he signs this Stipulation and Consent Order.
15. 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.
16. 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.
17. Respondent agrees that the Order set forth below may be entered by the Board.

ORDER

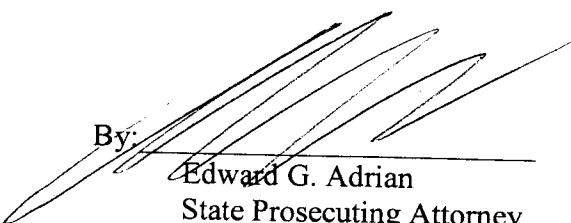
Based on the Stipulation above, it is **ORDERED AND ADJUDGED** as follows:

- A. The Board of Nursing hereby **WARNS** Respondent's license to practice registered nursing.
- B. 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).
- C. 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

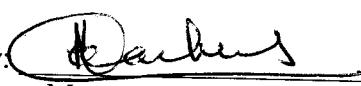
Dated: 11/24/09

By: 

Edward G. Adrian
State Prosecuting Attorney

MANSOOR JEEACHEE
RESPONDENT

Dated: 11/16/2009

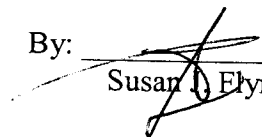
By: 

Mansoor Jeeachee

APPROVED AS TO FORM:

ATTORNEY FOR RESPONDENT

Dated: 11-17-09

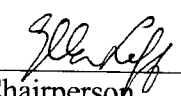
By: 

Susan D. Flynn, Esq.

APPROVED AND SO ORDERED:

VERMONT BOARD OF NURSING

Dated: 12.14.09

By: 

Chairperson

Date of Entry: 12/17/09
nu.jeeachee.stip