

**STATE OF VERMONT
BOARD OF NURSING**

In re: Sandra Jean King
License No. 026-17714

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Docket No. NU21-0908

Appearances:

Petitioner, State of Vermont: Betsy Ann Wrask
Respondent: Did not appear

Presiding Officer: Larry S. Novins

DEFAULT ORDER

The Board held a hearing on the above matter on June 8, 2009 at the National Life Building in Montpelier, Vermont. Ms. King did not attend and was not represented by counsel.

Findings of Fact

1. Ms. King is licensed as a registered nurse and is therefore subject to the regulatory authority of this Board. 3 V.S.A. §§ 129, 129a, 26 V.S.A. § 1582(a), and the Administrative Rules of the Office of Professional Regulation.
2. On March 31, 2009 Ms. King was sent notice of Charges in this matter by certified mail to her last known address. A copy of the Specification of Charges is attached to this Default Order.
3. OPR Rule 3.3 requires that an Answer be filed within 20 days of the date on which the notice of charges was mailed by the Director.
4. Licensees are required to notify the Board of any change of address within 30 days. 3 V.S.A. § 129a(a)(14).
5. Stamps on the envelope indicate the notice of charges was returned for "insufficient address."
6. Ms. King has not filed an answer to the charges.
7. On May 21, 2009 Notice of the default hearing scheduled for June 8, 2009 was mailed to Ms. King at that same address by certified mail. The file shows the notice was returned for insufficient address and "address unknown."
8. Ms. King has still not answered the charges.
9. Upon hearing the State's presentation and taking notice of its own file, the Board finds Ms. King to be in Default. The allegations contained in the State's Specification of Charges are therefore treated as the facts on which the Board's Order is based. OPR Rule 3.4, 3 V.S.A. § 809(d) and 3 V.S.A. § 814(c).

Conclusions of Law

Ms. King has received adequate or constructive notice of the charges in this matter as indicated by the Board's file and the State's presentation. Because Ms. King has failed to answer the charges, the State's factual allegations are treated as if proved. O.P.R. Rule 3.4. Accordingly, the Board finds, in this Default Hearing held pursuant to 3 V.S.A. §809(d), that Ms. King has engaged in the unprofessional conduct alleged in the State's Specification of Charges.

Order

In accordance with the above Findings of Fact and Conclusions of Law, Ms. King's license is hereby **Suspended Indefinitely** effective as of the date of the hearing.

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, National Life Bldg., North, FL2, Montpelier, VT 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: Ellen Leff
Ellen Leff, R.N., Chair

Date: June 8, 2009

OFFICE OF PROFESSIONAL REGULATION

DATE OF ENTRY: 6/10/09

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

IN RE:

SANDRA JEAN KING

License No. 026.0017714

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Docket No. NU21-0908/2008-337

SPECIFICATION OF CHARGES

NOW COMES the State of Vermont and makes the following Charges against the Respondent, Sandra Jean King, RN:

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. Sandra Jean King (the "Respondent") of Barre, Vermont is licensed by the State of Vermont as a Registered Nurse under license number 026.0017714 . This license was originally issued on or about July 14, 1987 and lapsed on or about April 30, 1989.
3. Respondent is also licensed as a Registered Nurse in the States of Arizona, Arkansas, and Illinois.
4. On or about February 13, 2002, Respondent's Arkansas license was reprimanded for failure to account for controlled substances.
5. On or about May 16, 2007, Respondent's Arizona license was revoked due in part to an incident on or about August 24, 2006 where Respondent failed to assess a patient who was very unstable during Respondent's shift. Respondent failed to notify the house supervisor or the patient's physician of the patient's low blood pressure; later that morning, the patient was found unconscious and subsequently died.
6. On or about March 17, 2008, Respondent was denied license renewal in the State of Illinois due to the discipline on Respondent's Arizona license described above.

STATE OF VERMONT



Prosecuting Attorney
Office of
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9 Baldwin Street
Montpelier, VT
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Charges

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 performance of unsafe or unacceptable patient care pursuant to ARBN Chapter 4, Rule IV(II)(B)(1); and failure to conform to the essential standards of acceptable and prevailing nursing practice pursuant to ARBN Chapter 4, Rule IV(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).

Relief Requested

WHEREFORE, the license of Sandra Jean King should be revoked, suspended, reprimanded, conditioned, or otherwise disciplined.

DATED at Montpelier, Vermont this 23rd day of March, 2009.

STATE OF VERMONT
SECRETARY OF STATE

By: _____

Edward G. Adrian
State Prosecuting Attorney

nu.king.soc

STATE OF VERMONT



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