

**STATE OF VERMONT
BOARD OF NURSING**

IN RE:
Patricia Kilpatrick
License No: 25-1337

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Docket No. NU37-0300

STIPULATION AND CONSENT ORDER

STIPULATION

NOW COMES the State of Vermont, through its Attorney General, William H. Sorrell, and Respondent Patricia Kilpatrick, who stipulate and agree as follows:

1. The Vermont Board of Nursing 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. §§1574, and 1582, the Office of Professional Regulation's and the Board of Nursing's Rules.
2. Respondent Patricia Kilpatrick, of Newport, Vermont, is a licensed practical nurse holding license number 25-1337 issued by the State of Vermont.
3. At all times relevant, Respondent was employed at Newport Health Care Center, of Newport, Vermont.
4. Respondent admits that she worked from 7:00 a.m. to 3:00 p.m. on or about February 20, 2000.
5. Respondent admits that on this date, with regard to patient "H.V." (who had a history of pneumonia), she did not notify the doctor of the patient's spike in temperature the night before; did not mention H.V.'s coughing in her notes, and; did not perform (and/or chart) a respiratory assessment other than to note that the patient was on oxygen.

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6. Respondent admits the conclusions of unprofessional conduct as set forth below in the Board's Order.
7. 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.
8. Respondent has read and reviewed this entire document and agrees that it contains the entire agreement between the parties.
9. Respondent waives any notification period and requests that this be heard at the next available Board meeting. Respondent specifically waives any claims that any disclosures made to the full Board during its review of this agreement have prejudiced her rights to a fair and impartial hearing in future hearings if this agreement is not accepted by the Board.
10. Respondent is not under the influence of any drugs or alcohol at the time she signs this Stipulation and Consent Order.
11. 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.
12. Respondent voluntarily waives her right to charges and a contested hearing before the Board of Nursing.
13. Respondent agrees that the Board may set forth the order below.

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ORDER

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

A. By engaging in the conduct described in the paragraphs above, Respondent acted unprofessionally pursuant to and in violation of: Nursing Board Rules Chapter 4, Rule IV, B.2.a (performance of unsafe or unacceptable patient care); Chapter 4, Rule IV, B.2.b (failure to conform to the essential standards of acceptable and prevailing nursing practice); which constitutes unprofessional conduct within the meaning of, and also violates: 3 VSA § 129a(a)(3)(failing to comply with the provisions of federal or state statutes or rules governing the practice of the profession).

B. The Nursing Board **REPRIMANDS** the Respondent.

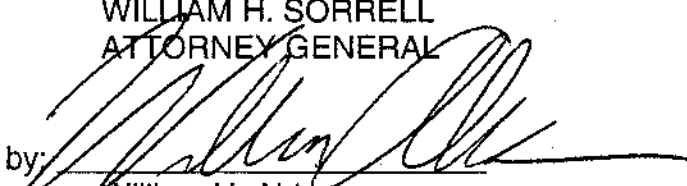
C. This Stipulation and Consent Order is a matter of public record and may be reported to other licensing authorities as provided in 3 V.S.A. §129(a).

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.

STATE OF VERMONT

WILLIAM H. SORRELL
ATTORNEY GENERAL

Dated: 2/1/01

by: 

William H. Ahlers
Assistant Attorney General

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RESPONDENT
PATRICIA KILPATRICK

Dated: JAN 31, 2001

by: Patricia Kilpatrick
Patricia Kilpatrick

APPROVED AND SO ORDERED:

VERMONT BOARD OF NURSING

Dated: 2/12/01

by: Susan Farrell
Chairperson

Date of entry: 2-14-01

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