

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

IN RE:
PATRICIA A. KNIGHT
License No. 025-0006793

))
Docket No. NU53-0307

SPECIFICATION OF CHARGES

NOW COMES the State of Vermont and makes the following Charges against the Respondent, Patricia A. Knight, LPN:

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. Patricia A. Knight (the "Respondent") of Jamaica, Vermont is licensed by the State of Vermont as a Licensed Practical Nurse under license number 025-0006793. This license was originally issued on or about July 15, 1992 and is currently set to expire on or about January 31, 2010.
3. At all times relevant, Respondent was employed as a Licensed Practical Nurse at The Gill Odd Fellows Home of Vermont, Inc. (the "Facility"), a nursing home located in Ludlow, Vermont.
4. By way of history, Respondent's license was previously conditioned by the Board for failing to administer several medications to patients and for administering a medication after the order had been discontinued. These conditions remained in place until September 23, 2003. Attachment A. On or about 18, 2005, Respondent's license was reprimanded for failing to chart a patient's medications as given on seven (7) separate occasions. Attachment B.
5. On or about May 12, 2008, Respondent's license was conditioned for a minimum of three years for signing off on Medication Administration Records that medications for ten (10) different patients had been given, when in fact they had not. Attachment C. Included in Respondent's Stipulation and Consent Order was the requirement for monthly employer reports, and the provision that "any employer report documenting

STATE OF VERMONT



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Office of
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9 Baldwin Street
Montpelier, VT
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unsatisfactory practice related to medication administration shall result in an immediate indefinite suspension of the Respondent's license." Attachment C.

6. On or about December 31, 2008, Director of Nursing Services M.R. reported to Board Administrator Elizabeth Hansen the following:
 - a. On or about December 8, 2008, Respondent failed to properly transcribe Resident B.J.'s physician's order for Miralax by failing to include Miralax on B.J.'s Medication Administration Record (the "MAR"). When M.R. found this mistake on or about December 27, 2008 and brought it to Respondent's attention the next day, Respondent subsequently added the Miralax prescription to B.J.'s MAR and signed off that Respondent had given the medication on all of Respondent's assigned shifts. M.R. stated that this was considered a falsification of documentation. Thereafter, on or about December 31, 2008, M.R. found that Respondent had subsequently circled Respondent's initials on B.J.'s MAR for all of Respondent's prior shifts (indicating that the medication had *not* been given), which had not been done as of December 28, 2008.
 - b. On or about December 22, 2008, Respondent signed off for Resident T.A.'s Oxytrol patch. On or about December 28, 2008, it was discovered that T.A. did not have the Oxytrol patch on. When another nurse [M.C.] went to reapply a new patch, M.C. discovered in the top drawer of the medication cart an Oxytrol patch with Respondent's initials and the date of December 22, 2008, which M.R. inferred to mean that Respondent never applied the patch on December 22, 2008.
7. Respondent admitted making the above two medication administration errors in paragraph 6 to Director of Nursing Services M.R.
8. On or about February 9, 2009, the Board summarily suspended Respondent's license.

Charges

9. 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. 26 V.S.A. § 1582(a)(4) (Has willfully or repeatedly violated any of the provisions of this chapter);
 - c. 26 V.S.A. § 1582(a)(7) (Engages in conduct of a character likely to deceive, defraud, or harm the public) which includes falsifying or altering clinical records

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or making inaccurate or misleading entries pursuant to ARBN Chapter 4, Rule IV(II)(D)(3);

- d. 3 V.S.A. § 129a(a)(4) (Failing to comply with an order of the board or violating any term or condition of a license restricted by the board);
- e. 3 V.S.A. § 129a(a)(7) (Willfully making or filing false reports or records in the practice of the profession; willfully impeding or obstructing the proper making or filing of reports or records or willfully failing to file the proper reports or records);
- f. 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 patient, client 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
- g. 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 Patricia A. Knight should be revoked, suspended, reprimanded, conditioned, or otherwise disciplined.

DATED at Montpelier, Vermont this 17th day of February, 2009.

STATE OF VERMONT
SECRETARY OF STATE

By: _____

Edward G. Adrian
State Prosecuting Attorney

nu.knight.soc

STATE OF VERMONT



Prosecuting Attorney
Office of
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9 Baldwin Street
Montpelier, VT
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STATE OF VERMONT
BOARD OF NURSING

IN RE:)
PATRICIA (PHELPS) KNIGHT)
)
License Number 25-6793)

Docket No.: NU36-0298

MODIFIED STIPULATION AND CONSENT ORDER

STIPULATION

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

1. The Board of Nursing has jurisdiction to investigate and adjudicate allegations of
unprofessional conduct committed by nurses pursuant to 3 V.S.A. §§129, 129a,
and 26 V.S.A. §§1574, 1582.
2. Respondent Patricia Phelps, of Brattleboro, Vermont, is a licensed practical nurse
holding license number 25-6793 issued by the State of Vermont.
3. At all times relevant to paragraphs 4.a-i below, Respondent was employed by
Eden Park Nursing Home in Brattleboro, Vermont.
4. Respondent admits that, from October of 1997 to January of 1998, she made
several medication errors including, but not limited to, the following:
 - a. On or about October 24, 1997, failed to apply Nitro patch (Nitrek
0.4mg) as ordered to patient H.B. for two days in a row.

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- b. On or about November 5, 1997, administered Keflex 500mg to patient N.G. when physician had discontinued Keflex and changed order to Cipro 500mg.
- c. On or about November 13, 1997, failed to administer new medications Cyloxin and Mucomyst eye drops to patient D.R. at 8:00 AM and 12:00 PM as ordered.
- d. On or about November 23, 1997, failed to remove Nitro patch (Nitrek 0.6mg) from patient E.J. as ordered.
- e. On or about November 26, 1997, forgot to give patient O.F. regular Insulin 40 units as ordered.
- f. On or about December 8, 1997, failed to give patient E.B. Lorazepam 0.5 mg as ordered.
- g. On or about December 12, 1997, gave patient D.N. two tablets of Tylenol #3 at 8:00PM when order called for one tablet.
- h. On or about January 15, 1998, failed to give patient J.K. Vit D 400 IU as ordered.
- i. On or about January 17, 1998, failed to give patient A.L. Rocephin 1 gm IM as ordered.

- 5. Respondent feels the above errors were partially attributable to poor working conditions at Eden Park Nursing Home including the medication charges being in disarray, patients not having identification bracelets, and understaffing.
- 6. Subsequently, Respondent has been employed at McGirr's Nursing Home of Bellows Falls, Vermont. Pursuant to a Stipulation and Consent Order entered on

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June 16, 1999, Respondent's employer submitted a report to the Board (in March, 2000) that outlined "med pass" performance issues.

7. Respondent admits that, as noted in the report, she: left a medication cart unlocked; omitted to give patient "G.E.W." the proper eye drops as ordered, and; incorrectly assumed another L.P.N. had given meds to patient "C.V.", when indeed she was responsible.
8. Respondent represents that she has undertaken treatment with a medical doctor, licensed in the State of Vermont, to address these issues, and has been placed on a prescription regimen.
9. Respondent admits the conclusions of unprofessional conduct as set forth below in the Board's Order
10. 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.
11. Respondent has read and reviewed this entire document and agrees that it contains the entire agreement between the parties.
12. Respondent waives any notification period and requests the Board to hear this matter at the next available 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.
13. Respondent is not under the influence of any drugs or alcohol at the time she signs this Stipulation and Consent Order.

14. 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.
15. Respondent voluntarily waives the right to charges and a contested hearing before the Board of Nursing.
16. Respondent agrees that the Board may set forth the order below.
17. Respondent hereby waives any notification period requirements and requests that this Modified Stipulation and Consent Order be scheduled for the next available hearing date.

MODIFIED ORDER

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

- A. By engaging in the conduct described in paragraphs 3 and 4 above, the Board concludes Respondent violated Nursing Board Rule IV.B.4.e (failure to safeguard a patient from incompetent health care) which constitutes unprofessional conduct pursuant to 26 V.S.A. §1582(a)(7)(conduct likely to harm the public).
- B. The Nursing Board **CONDITIONS** Respondent's license to practice nursing for a period of two (2) years commencing with the date this order is entered by the Board. The **CONDITIONS** on Respondent's license are as follows:

- (1) Length of Time Conditions Imposed.

The conditions shall remain in place until respondent has completed two (2) years of nursing practice in which she works at least forty (40) hours every

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two (2) weeks in nursing. Part time hours of less than forty (40) hours every two (2) weeks shall be credited on a prorated basis.

(1.a) Administration of Medications.

For the first six (6) months of work as per paragraph B(1), Respondent is permitted to administer medications only under direct supervision.

(2) Interview with the Board or its designee.

Respondent shall appear in person for interviews with the Board or its designee upon request.

(3) Re-issue of License.

Within five (5) days of the date of entry of this Consent Order, Respondent shall submit her license to the Board of Nursing for a re-issued license labeled "conditioned".

(4) Out-of-State Practice/Residence.

Before any out-of-state practice or residence can be credited toward fulfillment of these terms and conditions, Respondent shall first obtain approval from the Board prior to Respondent leaving the State of Vermont. If Respondent fails to receive such approval before leaving the State, none of the time spent out-of-state will be credited toward the fulfillment of the terms and conditions of this Consent Order.

(5) Notification of Place of Employment/ Personal Address/Telephone Number.

Within five (5) days of the date of entry of this Consent Order, Respondent shall notify the Board, in writing, of her current place of nursing employment, personal address, and telephone number. Respondent shall further

notify the Board, in writing, within forty-eight (48) hours of any change in nursing employment, personal address, or telephone number.

(6) Notification to Employers/Nursing School.

Respondent shall provide a copy of this Stipulation and Consent Order to all employers in any current or future setting in which she practices as a nurse and inform them of her conditional license status. Within ten (10) days of the date of entry of this Consent Order or of any subsequent employment, Respondent shall cause her immediate supervisor to write to the Board, on the employer's letterhead, acknowledging receipt of the Stipulation and Consent Order and the ability to comply with the conditions in the Consent Order. In the event Respondent is attending a nursing program, Respondent shall provide a copy of the Stipulation and Consent Order to the Program Director. Respondent shall cause the Program Director to write to the Board, on school letterhead, acknowledging receipt of the Stipulation and Consent Order and ability of the program to comply with the conditions in the Consent Order during clinical experience.

(7) Reports from Employers/Nursing School.

Within one (1) month of the date of entry of this Consent Order and every month thereafter, Respondent shall cause every employer she has worked for during the month to submit to the Board an evaluation of Respondent's performance and attendance during that month. This report shall be submitted in writing on forms issued by the Board and accompanied by a cover letter on the employer's letterhead. In the event the Respondent attends nursing school, Respondent shall cause the Program Director to submit to the Board, on a monthly

basis, a written evaluation of Respondent's performance and attendance. This report shall be submitted in writing on forms issued by the Board and accompanied by a cover letter on the school's letterhead.

Respondent shall authorize her employer and her nursing school Administrator to provide all information requested by the Nursing Board, or its designee, either orally or in writing, at any time during the period the Consent Order is in effect.

(8) Practice under Supervision.

Respondent shall practice only in a setting where she has on-site supervision for the entire shift by a registered nurse in good standing with the Vermont Board of Nursing.

(9) Types/Hours of Employment Prohibited.

Respondent shall not work for a nurse registry, travelling nurse agency, float-pool, home health care agency, or temporary employment agency. Respondent shall not, in nursing practice, work any double shifts (that is, if Respondent works an eight or more hour shift, she shall not work the following shift at all), nor shall she work any shift more than 10 hours, nor shall she work more than forty eight (48) hours in any seven day period.

(10) License Renewal.

In the event Respondent's license is scheduled to expire during the period this Consent Order is in effect, Respondent shall apply for renewal of the license, pay the applicable fee, and otherwise maintain qualifications to practice nursing in the State of Vermont.

(11) Violation of the Consent Order.

If Respondent violates the terms of this Consent Order in any respect, the Board, after giving Respondent notice and an opportunity to be heard, may revoke the terms of the conditional license and take further disciplinary action.

(12) Treatment.

Respondent shall continue appointments and treatment with a medical doctor, licensed in the State of Vermont, to address problems associated with these charges, and shall comply with the doctor's treatment instructions, including the prescription regimen, until the treating professional notifies the Board's designee in writing that such treatment is no longer necessary in her/his professional opinion and the Board (or its designee) agrees, in writing. Respondent shall cause her medical doctor to confirm in writing to the Board's designee, within two weeks of entry, his/her professional opinion confirming Respondent's ability to practice.

(13) Approval of Changes of Treating Professional.

Respondent shall obtain prior approval from the Board or its designee of all changes of treating professional. Failure to obtain prior approval of a change of treating professional may be grounds for a charge of violation of this Consent Order. However, Respondent may request a change from a medical doctor to an A.P.R.N. with prescriptive authority.

(14) Notification to Treating Professional.

Respondent shall provide a copy of this Stipulation and Consent Order to her treating professional and cause her treating professional to inform the

Board, in writing and on professional letterhead, of receipt of the Stipulation and Consent Order and the treating professional's ability to comply with the conditions related to treatment and with all other terms of this Consent Order.

(15) Reports from Treating Professional.

Respondent shall authorize and cause her treating professional to submit to the Board evidence of satisfactory progress with the treating professional's instructions, during the effective period of this Consent Order. These reports shall be submitted in writing on forms issued by the Board. The first report is due commencing the month after the date of entry of this Consent Order and subsequent reports are due every three months thereafter.

Respondent shall authorize her treating professional to provide all information requested by the Nursing Board, or its designee, either orally or in writing, at any time during the period this Consent Order is in effect.

(16) Reevaluation of Conditions.

Respondent may appear before the Board for reevaluation of the conditions of this Consent Order, after twelve months have passed, after the date of entry. Conditions may also be reevaluated by the Board upon petition by Respondent and upon sufficient showing by Respondent that certain conditions should be modified.

(17) Completion of Conditional License Period.

Upon completion of the conditional license period, Respondent may petition the Board to remove any and all conditions on her license and after formal review by the Board, Respondent's nursing license may be fully restored by

appropriate Board action. Respondent however, must demonstrate, to the satisfaction of the Nursing Board, that she poses no danger to the practice of nursing and that she can safely and competently perform the duties of a licensed nurse.

Such proof shall include appropriate support from her employer or nursing school administrator. Furthermore, Respondent shall demonstrate, to the Board's satisfaction, that she fully complied with all the terms of this Consent Order.

Notwithstanding the requirements of this sub-section, the Board may review the supporting documentation submitted by Respondent, or submitted on Respondent's behalf, during the conditional licensing period and automatically lift a condition or conditions, if appropriate, without further petition by Respondent at the end of the conditional licensing period.

D. Notwithstanding any provision above, Respondent must meet all Nursing Board requirements for license renewal and license reinstatement.

E. 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).

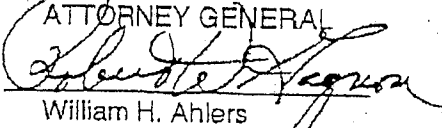
F. This Stipulation and Consent Order will remain part of Respondent's licensing file and may be used for purposes of determining sanctions in any future disciplinary matter.

STATE OF VERMONT

WILLIAM H. SORRELL
ATTORNEY GENERAL

Dated: 7-20-00

by:


William H. Ahlers
Assistant Attorney General

Office of the
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109 State Street
Montpelier, VT
05609

RESPONDENT

PATRICIA (PHELPS) KNIGHT

Dated: 7/14/00

by:

Patricia A. Knight
Patricia (Phelps) Knight

APPROVED AND SO ORDERED:

VERMONT BOARD OF NURSING

Dated: 8.14.00

by:

Joan Farrell
Chairperson

Date of entry: 8-17-00

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

IN RE:)

PATRICIA A. KNIGHT)

License No. 025-0006793)

Docket No: NU 90-0604

STIPULATION AND CONSENT ORDER

STIPULATION

NOW COMES the State of Vermont, through State Prosecuting Attorney, Edward C. Adrian, and the Respondent, Patricia A. Knight, L.P.N., who stipulate and agree as follows:

Board Authority

1. The Vermont State Board of Nursing ("the Board") has authority to approve consent orders, issue warnings or reprimands, suspend, revoke, limit, condition or prevent the renewal of current or lapsed licenses if, after disciplinary hearing, the Board finds that the Respondent has engaged in unprofessional conduct. 3 V.S.A. §129(a)(5); 3 V.S.A. §814(d); 26 V.S.A. §1582(a); Administrative Rules of the Board of Nursing ("ARBN"); and the Rules of the Office of Professional Regulation.

Facts

2. The Respondent is Licensed Practical Nurse in the State of Vermont under license number 025-0006793.

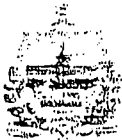
3. Respondent's license was originally issued on July 15, 1992 and Respondent's license is currently set to expire on January 31, 2006.

4. At all times relevant, the Respondent was employed as an L.P.N. by Vermont Veterans Home (the "Facility") located in Bennington, Vermont.

5. On seven separate occasions, occurring on the dates of May 4, 2004 through May 6, 2004 and May 8, 2004 through May 11, 2004, the Respondent failed to chart as given resident J.P.'s 6:00 a.m. prescribed order of Toprol 25 mg.

6. By way of information, the Respondent's license was previously conditioned by the Board for failing to administer several medications to patients and for administering a medication after the order had been discontinued. The conditions were removed from the Respondent's license on September 23, 2003.

STATE OF VERMONT



Prosecuting Attorney
Office of
Professional Regulation
Montpelier, VT 05602

Attachment B

7. Although the Respondent does not admit to the truth of the facts above, the Respondent does not contest that the State would be able to present evidence to prove these facts by a preponderance of the evidence at a hearing.

Charges

8. The acts, omissions and/or circumstances described above constitute grounds for discipline because Respondent violated:

- i. 26 V.S.A. §1582(a)(3) (is unable to practice nursing competently by reason of any cause) which includes the performance of unsafe or unacceptable patient care pursuant to ARBN, Chapter 4, Rule IV(II)(B)(1), and failing to conform to the essential standards of acceptable and prevailing nursing practice pursuant to ARBN, Chapter 4, Rule IV(II)(B)(2); and
- ii. 26 V.S.A. §1582(a)(7) (engaging in conduct of a character likely to harm the public); and
- iii. 3 V.S.A. §129a(a)(3) (failing to comply with the provisions of state statutes or rules governing the practice of the profession).

Understandings

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

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 a contested hearing before the Board of Nursing.

13. Respondent agrees that the Order set forth below may be entered by the Board.

STATE OF VERMONT



Prosecuting Attorney
Office of
Professional Regulation
Montpelier, VT 05602

ORDER

Based upon the stipulation above, it is ORDERED AND ADJUDGED as follows:

A. Respondent's actions as alleged above demonstrate grounds for discipline because Respondent violated:

i. 26 V.S.A. §1582(a)(3) (is unable to practice nursing competently by reason of any cause) which includes the performance of unsafe or unacceptable patient care pursuant to ARBN, Chapter 4, Rule IV(II)(B)(1), and failing to conform to the essential standards of acceptable and prevailing nursing practice pursuant to ARBN, Chapter 4, Rule IV(II)(B)(2); and

ii. 26 V.S.A. §1582(a)(7) (engaging in conduct of a character likely to harm the public); and

iii. 3 V.S.A. §129a(a)(3) (failing to comply with the provisions of state statutes or rules governing the practice of the profession).

B. The Board of Nursing hereby issues a REPRIMAND against the Respondent's license to practice nursing.

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 the 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: 3/7/05

By: Edward G. Adrian
for Edward G. Adrian
State Prosecuting Attorney

PATRICIA A. KNIGHT
RESPONDENT

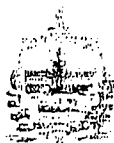
Dated: 3/4/05

By: Patricia A. Knight
Patricia A. Knight

Approved as to form: J. Harris
Counsel for Respondent

APPROVED AND SO ORDERED: VERMONT BOARD OF NURSING

STATE OF VERMONT



Prosecuting Attorney
Office of
Professional Regulation
Montpelier, VT 05602

Dated: March 14, 2005

By: Sharon Farrell
Chairperson

Date of Entry: 3/18/05

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

IN RE:
PATRICIA A. KNIGHT
License No. 025-0006793

)
) Docket No. NUS3-0307
)

STIPULATION AND CONSENT ORDER

STIPULATION

NOW COMES the State of Vermont, through State Prosecuting Attorney, Edward G. Adrian, and the Respondent, Patricia Knight, L.P.N., 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, 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 ("ARBN"); and the Rules of the Office of Professional Regulation.

Statement of Alleged Facts

2. The Respondent, Patricia A. Knight, is licensed in the State of Vermont as a licensed practical nurse holding license number 025-0006793. This license was originally issued on or about July 15, 1992 and is currently set to expire on January 31, 2008.
3. At all times relevant, the Respondent was employed as a licensed practical nurse at Springfield Health and Rehabilitation (the "Facility") located in Springfield, Vermont.
4. By way of information the Respondent's license was previously conditioned by the Board for failing to administer several medications to patients and for administering a medication after the order had been discontinued. These conditions remained in place until September 23, 2003. Attachment A. The Respondent's license was reprimanded on March 18, 2005 for failing to chart a patient's medication as given on seven separate occasions. Attachment B.
5. On or about January 18, 2007 the Respondent called S.S., an RN at the Facility, to advise S.S. that the Respondent had signed off a number of medications as given, on the medication administration records for noon and 1:00 PM and that the medications were not actually given. The Respondent signed off for the following patients:
 - a. Patient A.G. - 1:30 PM Seroquel.
 - b. Patient D.B. - 1:30 PM Precose 25 and 50 mg.

STATE OF VERMONT



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Attachment C

- c. Patient E.J. - 1:30 PM Lao-Dose cap tab.
- d. Patient M.B. - 1:00 PM Seroquel and 2:00 PM Acetaminophen.
- e. Patient B.L. - Noon "Elouse supplement".
- f. Patient D.R. - Noon Alprazolam, Albuterol, Dicyclamine and 1:00 PM Tylenol.
- g. Patient M.V. - 1:30 PM Frappe and Saline Nose Spray
- h. Patient E.K. - 2:00 PM House Supplement
- i. Patient D.K. - Noon Zyprexa, 1:00 PM Protein Powder, and 1:30 PM Lorazepam and supplement. The Respondent actually circled these entries indicating that the patient had refused the medications. Upon investigation it was determined that the Respondent did not even take the Lorazepam out of the Facility's "narcotic box".
- j. Patient M.R. - 1:30 PM supplement.

6. On or about January 26, 2007 the Respondent met with D.V. and the Respondent was confronted with the medication administration records indicated above. Based on this meeting the Respondent resigned from her position at the Facility.

7. On or about March 22, 2007 the Respondent told Investigator Steve Kennedy that the reason she had pre-signed the records was because she got the dates mixed up and thought she had forgotten to fill in the records the previous day.

Charges

8. The alleged acts, omissions and/or circumstances described above constitute grounds for discipline because the Respondent has committed unprofessional conduct in violation of:

- (i) 26 V.S.A. § 1582(a)(3) (is unable to practice nursing competently by reason of any cause) which includes, but is not limited to, failing to conform to the essential standards of acceptable and prevailing nursing practice pursuant to AREN Chapter 4, Rule IV (II)(E)(2);
- (ii) 3 V.S.A. § 129a(b)(2) (failure to practice competently by reason of any cause on a single occasion or on multiple occasions may constitute unprofessional conduct. Failure to practice competently includes failure to conform to the essential standards of acceptable and prevailing practice); and
- (iii) 3 V.S.A. § 129a(a)(3) (failing to comply with the provisions of state statutes or rules governing the practice of the profession).

Understandings

9. 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.

10. 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.

STATE OF VERMONT



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802-241-1107

11. 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.

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

13. Respondent is not under the influence of any drugs or alcohol at the time she signs this Stipulation and Consent Order.

14. 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.

15. Respondent voluntarily waives her right to a contested hearing before the Board of Nursing and waives any right to appeal from this Stipulation and Consent Order.

16. Respondent does not contest that the State could prove the facts as alleged above by a preponderance of the evidence if this matter went to a merits hearing and therefore 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 **CONDITIONS** the Respondent's license to practice as a licensed practical nurse for a minimum period of **THREE (3) YEARS** commencing with the date of entry of this Stipulation and Consent Order. The conditions are as follows:

1) Re-issue of License

Upon the imposition of these conditions, Respondent shall be issued a license labeled "conditioned".

(2) Length of Time Conditions Imposed

The conditions shall remain in place until Respondent has completed all conditions ordered. Respondent shall be subject to the conditions until Respondent completes three (3) years of supervised nursing practice in which she works at least forty (40) hours every two (2) weeks as a nurse. Part time hours of less than forty (40) hours every two (2) weeks shall be credited on a prorated basis. The Respondent shall be prohibited from working more than forty (40) hours per week during the conditioned period.

(3) Medication Administration

The Respondent shall not administer medication until she successfully completes (i.e.: receive a passing grade, if applicable) a course focusing on medication administration with prior approval by the Board or its designee, and then submits written documentation

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(certificate of completion, etc.) to verify same to the satisfaction of the Board or its designee. This course must be completed within ninety (90) days of the date of entry of this Stipulation and Consent Order.

(4) Notification to Employers/Nursing School.

Respondent shall provide a copy of this Stipulation and Consent Order to all employers in any current or future setting during the conditioned period in which Respondent practices as a nurse and inform them of Respondent's conditional license status.

Within ten (10) days of the date of entry of this Consent Order or of any subsequent nursing employment, Respondent shall cause Respondent's immediate supervisor to write to the Board, on the employer's letterhead, acknowledging receipt of the Stipulation and Consent Order and the ability to comply with the conditions in the Consent Order.

In the event Respondent is attending a nursing program which has a clinical portion which involves actual patient care, she shall provide a copy of the Stipulation and Consent Order to the Program Director. Respondent shall cause the Program Director to write to the Board, on school letterhead, acknowledging receipt of the Stipulation and Consent Order and ability of the program to comply with its conditions during clinical experience.

(5) Reports from Employers.

Within one (1) month of the date of entry of this Order and monthly thereafter, Respondent shall cause every nursing employer Respondent has worked for during the relevant time period to submit to the Board an evaluation of Respondent's performance and attendance during that time period. This report shall be submitted in writing on forms issued by the Board. If the Respondent's employer reports are satisfactory for the first twelve (12) months of conditioned time period, the Respondent shall cause employer reports to be submitted on a quarterly basis, in the manner described above, for the remainder of the conditioned time period.

Any employer report documenting unsatisfactory practice related to medication administration shall result in an immediate indefinite suspension of the Respondent's license.

In the event the Respondent is attending a nursing program, Respondent shall cause the Program Director to submit to the Board, on a monthly basis, a written evaluation of her performance and attendance. This report shall be submitted in writing on forms issued by the Board and accompanied by a cover letter on the school's letterhead.

(6) Practice Under Supervision.

For the first twelve (12) months of the conditioned time period, the Respondent shall practice only in a setting where Respondent has direct supervision for the entire shift by a registered nurse or licensed practical nurse who is licensed and in good standing with the Board. If the Respondent's employer reports are satisfactory upon completion of the first twelve (12) months, the Respondent may practice for the remainder of the conditioned time period in a setting where the Respondent has on-site supervision for the entire shift by a registered nurse or a licensed practical nurse who is licensed and in good standing with the Board. If the Respondent is supervised by a licensed practical nurse, all employer reports as required by paragraph A(6) above shall be written and sent by the supervising registered nurse at the facility.

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(7) Types of Employment Prohibited.

Respondent shall not work as a supervising nurse. Respondent shall not work for a nurse registry, traveling nurse agency, float-pool, home health care agency, temporary nursing employment agency, or as a personal care provider during the effective period of this Consent Order.

(8) Out of State Practice/Residence.

Before any out-of-state practice or residence can be credited toward fulfillment of these terms and conditions, Respondent shall first obtain approval from the Board prior to Respondent leaving the State of Vermont. If Respondent fails to receive such approval before leaving the State, none of the time spent out-of-state will be credited toward the fulfillment of the terms and conditions of this Consent Order. The Board will approve out-of-state practice so long as the Respondent can still comply with the provisions of this Consent Order.

(9) Notification of Place of Employment/ Personal Address/Telephone Number.

Within five (5) days of the date of entry of this Order, Respondent shall notify the Board, in writing, of her current place of employment, personal address, and telephone number. Respondent shall further notify the Board, in writing, within forty-eight (48) hours of any change in employment, personal address, or telephone number.

(10) License Renewal.

If the Respondent's license expires while this Order is still in effect, this Order does not automatically extend the license. In that situation, in order to continue to practice nursing, the Respondent must timely apply for renewal, pay the applicable fee and demonstrate that she has otherwise complied with the requirements for license renewal.

(11) Costs.

The Respondent shall bear all costs of complying with this Consent Order.

(12) Violation of this Order.

If the Respondent violates the terms of this Order in any respect, the Board, after giving the Respondent notice and an opportunity to be heard, may rescind or modify this Order and impose additional appropriate disciplinary actions. If a complaint of unprofessional conduct is made against the Respondent during the term of this Order, this Order shall be automatically extended until the unprofessional conduct matter is concluded.

(13) Completion of Conditional License Period.

After the conditional license period, the Respondent may petition the Board to remove any and all conditions on her license. The Respondent must present proof that she has fully complied with the terms of this Order.

B. Notwithstanding any provision above, the Respondent must continue to meet all Nursing Board requirements for maintaining a license, license renewal and license reinstatement.

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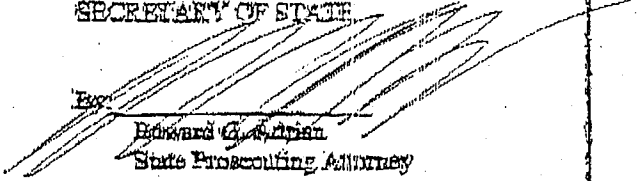
C. This Stipulation and Consent Order is a matter of public record and may be reported to other licensing authorities as provided in 3 V.S.A. §129(a).

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: 5/6/08

By: 

Edward G. Quinn
State Prosecuting Attorney

PATRICIA A. KNIGHT
RESPONDENT

Dated: 5/6/08

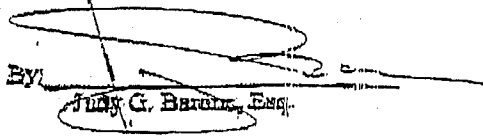
By: Patricia A. Knight

Patricia A. Knight

APPROVED AS TO FORM:

ATTORNEY FOR RESPONDENT

Dated: 5/6/08

By: 

Judy G. Berube, Esq.

APPROVED AND SO ORDERED:

VERMONT BOARD OF NURSING

Dated: 5-12-08

By: Ellen W. Laff

Chairperson

Date of Entry: 5/12/08 (per Nancy Nolin)

at length

STATE OF VERMONT



Prothonotary
Office of
Notarized Registration
of Health Care Records
Montpelier, VT
802-255-7307

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

IN RE:
PATRICIA A. KNIGHT
License No. 025-0006793

Docket No. NUS2-0307

STIPULATION AND CONSENT ORDER

STIPULATION

NOW COMES the State of Vermont, through State Prosecuting Attorney, Edward G. Adrian, and the Respondent, Patricia Knight, L.P.N., 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, 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 ("AREN"); and the Rules of the Office of Professional Regulation.

Statement of Alleged Facts

2. The Respondent, Patricia A. Knight, is licensed in the State of Vermont as a licensed practical nurse holding license number 025-0006793. This license was originally issued on or about July 15, 1992 and is currently set to expire on January 31, 2008.

3. At all times relevant, the Respondent was employed as a licensed practical nurse at Springfield Health and Rehabilitation (the "Facility") located in Springfield, Vermont.

4. By way of information the Respondent's license was previously conditioned by the Board for failing to administer several medications to patients and for administering a medication after the order had been discontinued. These conditions remained in place until September 23, 2003. Attachment A. The Respondent's license was reprimanded on March 18, 2005 for failing to chart a patient's medication as given on seven separate occasions. Attachment B.

5. On or about January 18, 2007 the Respondent called S.S., an RN at the Facility, to advise S.S. that the Respondent had signed off a number of medications as given, on the medication administration records for noon and 1:00 PM and that the medications were not actually given. The Respondent signed off for the following patients:

- a. Patient A.G. - 1:30 PM Seroquel.
- b. Patient D.B. - 1:30 PM Procose 25 and 50 mg.

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- c. Patient E.J. - 1:30 PM Lao-Dose cap tab.
- d. Patient M.B. - 1:00 PM Seroquel and 2:00 PM Acetaminophen.
- e. Patient B.L. - Noon "House supplement".
- f. Patient D.R. - Noon Alprazolam, Albuterol, Dicyclomine and 1:00 PM Tylenol.
- g. Patient M.V. - 1:30 PM Frappe and Saline Nose Spray
- h. Patient E.K. - 2:00 PM House Supplement
- i. Patient D.K. - Noon Zyprexa, 1:00 PM Protein Powder, and 1:30 PM Lorazepam and supplement. The Respondent actually circled these entries indicating that the patient had refused the medications. Upon investigation it was determined that the Respondent did not even take the Lorazepam out of the Facility's "narcotic box".
- j. Patient M.R. - 1:30 PM supplement.

6. On or about January 26, 2007 the Respondent met with D.V. and the Respondent was confronted with the medication administration records indicated above. Based on this meeting the Respondent resigned from her position at the Facility.

7. On or about March 22, 2007 the Respondent told Investigator Steve Kennedy that the reason she had pre-signed the records was because she got the dates mixed up and thought she had forgotten to fill in the records the previous day.

Charges

8. The alleged acts, omissions and/or circumstances described above constitute grounds for discipline because the Respondent has committed unprofessional conduct in violation of:

- (i) 26 V.S.A. § 1582(a)(3) (is unable to practice nursing competently by reason of any cause) which includes, but is not limited to, failing to conform to the essential standards of acceptable and prevailing nursing practice pursuant to AREN Chapter 4, Rule IV(II)(E)(2);
- (ii) 3 V.S.A. § 129a(b)(2) (failure to practice competently by reason of any cause on a single occasion or on multiple occasions may constitute unprofessional conduct. Failure to practice competently includes failure to conform to the essential standards of acceptable and prevailing practice); and
- (iii) 3 V.S.A. § 129a(a)(3) (failing to comply with the provisions of state statutes or rules governing the practice of the profession).

Understandings

9. 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.

10. 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.

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11. 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.

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

13. Respondent is not under the influence of any drugs or alcohol at the time she signs this Stipulation and Consent Order.

14. 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.

15. Respondent voluntarily waives her right to a contested hearing before the Board of Nursing and waives any right to appeal from this Stipulation and Consent Order.

16. Respondent does not contest that the State could prove the facts as alleged above by a preponderance of the evidence if this matter went to a merits hearing and therefore 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 **CONDITIONS** the Respondent's license to practice as a licensed practical nurse for a minimum period of **THREE (3) YEARS** commencing with the date of entry of this Stipulation and Consent Order. The conditions are as follows:

1) Re-issue of License.

Upon the imposition of these conditions, Respondent shall be issued a license labeled "conditioned".

2) Length of Time Conditions Imposed.

The conditions shall remain in place until Respondent has completed all conditions ordered. Respondent shall be subject to the conditions until Respondent completes three (3) years of supervised nursing practice in which she works at least forty (40) hours every two (2) weeks as a nurse. Part time hours of less than forty (40) hours every two (2) weeks shall be credited on a prorated basis. The Respondent shall be prohibited from working more than forty (40) hours per week during the conditioned period.

3) Medication Administration.

The Respondent shall not administer medication until she successfully completes (i.e.: receive a passing grade, if applicable) a course focusing on medication administration with prior approval by the Board or its designee, and then submits written documentation

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05602-1187

(certificate of completion, etc.) to verify same to the satisfaction of the Board or its designee. This course must be completed within ninety (90) days of the date of entry of this Stipulation and Consent Order.

(4) Notification to Employers/Nursing School.

Respondent shall provide a copy of this Stipulation and Consent Order to all employers in any current or future setting during the conditioned period in which Respondent practices as a nurse and inform them of Respondent's conditional license status.

Within ten (10) days of the date of entry of this Consent Order or of any subsequent nursing employment, Respondent shall cause Respondent's immediate supervisor to write to the Board, on the employer's letterhead, acknowledging receipt of the Stipulation and Consent Order and the ability to comply with the conditions in the Consent Order.

In the event Respondent is attending a nursing program which has a clinical portion which involves actual patient care, she shall provide a copy of the Stipulation and Consent Order to the Program Director. Respondent shall cause the Program Director to write to the Board, on school letterhead, acknowledging receipt of the Stipulation and Consent Order and ability of the program to comply with its conditions during clinical experience.

(5) Reports from Employers.

Within one (1) month of the date of entry of this Order and monthly thereafter, Respondent shall cause every nursing employer Respondent has worked for during the relevant time period to submit to the Board an evaluation of Respondent's performance and attendance during that time period. This report shall be submitted in writing on forms issued by the Board. If the Respondent's employer reports are satisfactory for the first twelve (12) months of conditioned time period, the Respondent shall cause employer reports to be submitted on a quarterly basis, in the manner described above, for the remainder of the conditioned time period.

Any employer report documenting unsatisfactory practice related to medication administration shall result in an immediate indefinite suspension of the Respondent's license.

In the event the Respondent is attending a nursing program, Respondent shall cause the Program Director to submit to the Board, on a monthly basis, a written evaluation of her performance and attendance. This report shall be submitted in writing on forms issued by the Board and accompanied by a cover letter on the school's letterhead.

(6) Practice Under Supervision.

For the first twelve (12) months of the conditioned time period, the Respondent shall practice only in a setting where Respondent has direct supervision for the entire shift by a registered nurse or licensed practical nurse who is licensed and in good standing with the Board. If the Respondent's employer reports are satisfactory upon completion of the first twelve (12) months, the Respondent may practice for the remainder of the conditioned time period in a setting where the Respondent has on-site supervision for the entire shift by a registered nurse or a licensed practical nurse who is licensed and in good standing with the Board. If the Respondent is supervised by a licensed practical nurse, all employer reports as required by paragraph A(6) above shall be written and sent by the supervising registered nurse at the facility.

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Montpelier, VT
05602-4187

(7) Types of Employment Prohibited.

Respondent shall not work as a supervising nurse. Respondent shall not work for a nurse registry, traveling nurse agency, float-pool, home health care agency, temporary nursing employment agency, or as a personal care provider during the effective period of this Consent Order.

(8) Out of State Practice/Residence.

Before any out-of-state practice or residence can be credited toward fulfillment of these terms and conditions, Respondent shall first obtain approval from the Board prior to Respondent leaving the State of Vermont. If Respondent fails to receive such approval before leaving the State, none of the time spent out-of-state will be credited toward the fulfillment of the terms and conditions of this Consent Order. The Board will approve out-of-state practice so long as the Respondent can still comply with the provisions of this Consent Order.

(9) Notification of Place of Employment/ Personal Address/Telephone Number.

Within five (5) days of the date of entry of this Order, Respondent shall notify the Board, in writing, of her current place of employment, personal address, and telephone number. Respondent shall further notify the Board, in writing, within forty-eight (48) hours of any change in employment, personal address, or telephone number.

(10) License Renewal.

If the Respondent's license expires while this Order is still in effect, this Order does not automatically extend the license. In that situation, in order to continue to practice nursing, the Respondent must timely apply for renewal, pay the applicable fee and demonstrate that she has otherwise complied with the requirements for license renewal.

(11) Costs.

The Respondent shall bear all costs of complying with this Consent Order.

(12) Violation of this Order.

If the Respondent violates the terms of this Order in any respect, the Board, after giving the Respondent notice and an opportunity to be heard, may rescind or modify this Order and impose additional appropriate disciplinary actions. If a complaint of unprofessional conduct is made against the Respondent during the term of this Order, this Order shall be automatically extended until the unprofessional conduct matter is concluded.

(13) Completion of Conditional License Period.

After the conditional license period, the Respondent may petition the Board to remove any and all conditions on her license. The Respondent must present proof that she has fully complied with the terms of this Order.

B. Notwithstanding any provision above, the Respondent must continue to meet all Nursing Board requirements for maintaining a license, license renewal and license reinstatement.

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C. This Stipulation and Consent Order is a matter of public record and may be reported to other licensing authorities as provided in F.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: 5/6/08

By: [Signature]
Edward G. Adrian
State Prosecuting Attorney

PATRICIA A. KNIGHT
RESPONDENT

Dated: 5/6/08

By: [Signature]
Patricia A. Knight

APPROVED AS TO FORM:

ATTORNEY FOR RESPONDENT

Dated: 5/6/08

By: [Signature]
Judy G. Barone, Esq.

APPROVED AND SO ORDERED:

VERMONT BOARD OF NURSING

Dated: 5-12-08

By: [Signature]
Chairperson

Date of Entry: 5/12/08

noting

STATE OF VERMONT



Prosecuting Attorney
Cesar A.
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Montpelier, VT
05602-1007

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STATE OF VERMONT
BOARD OF NURSING

IN RE:
PATRICIA (PHELPS) KNIGHT

Docket No.: NU36-0298

License Number 25-6793

MODIFIED STIPULATION AND CONSENT ORDER

STIPULATION

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

1. The Board of Nursing has jurisdiction to investigate and adjudicate allegations of unprofessional conduct committed by nurses pursuant to 3 V.S.A. §§129, 129a, and 26 V.S.A. §§1574, 1582.
2. Respondent Patricia Phelps, of Brattleboro, Vermont, is a licensed practical nurse holding license number 25-6793 issued by the State of Vermont.
3. At all times relevant to paragraphs 4.a-i below, Respondent was employed by Eden Park Nursing Home in Brattleboro, Vermont.
4. Respondent admits that, from October of 1997 to January of 1998, she made several medication errors including, but not limited to, the following:
 - a. On or about October 24, 1997, failed to apply Nitro patch (Nitrek 0.4mg) as ordered to patient H.B. for two days in a row.

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05609

Attachment A

- b. On or about November 5, 1997, administered Keflex 500mg to patient N.G. when physician had discontinued Keflex and changed order to Cipro 500mg.
- c. On or about November 13, 1997, failed to administer new medications Cyloxin and Mucomyst eye drops to patient D.R. at 8:00 AM and 12:00 PM as ordered.
- d. On or about November 23, 1997, failed to remove Nitro patch (Nitrek 0.6mg) from patient E.J. as ordered.
- e. On or about November 26, 1997, forgot to give patient O.F. regular Insulin 40 units as ordered.
- f. On or about December 8, 1997, failed to give patient E.B. Lorazepam 0.5 mg as ordered.
- g. On or about December 12, 1997, gave patient D.N. two tablets of Tylenol #3 at 8:00PM when order called for one tablet.
- h. On or about January 15, 1998, failed to give patient J.K. Vit D 400 IU as ordered.
- i. On or about January 17, 1998, failed to give patient A.L. Rocephin 1 gm IM as ordered.

- 5. Respondent feels the above errors were partially attributable to poor working conditions at Eden Park Nursing Home including the medication charges being in disarray, patients not having identification bracelets, and understaffing.
- 6. Subsequently, Respondent has been employed at McGirr's Nursing Home of Bellows Falls, Vermont. Pursuant to a Stipulation and Consent Order entered on

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June 16, 1999, Respondent's employer submitted a report to the Board (in March, 2000) that outlined "med pass" performance issues.

7. Respondent admits that, as noted in the report, she: left a medication cart unlocked; omitted to give patient "G.E.W." the proper eye drops as ordered, and; incorrectly assumed another L.P.N. had given meds to patient "C.V.", when indeed she was responsible.
8. Respondent represents that she has undertaken treatment with a medical doctor, licensed in the State of Vermont, to address these issues, and has been placed on a prescription regimen.
9. Respondent admits the conclusions of unprofessional conduct as set forth below in the Board's Order
10. 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.
11. Respondent has read and reviewed this entire document and agrees that it contains the entire agreement between the parties.
12. Respondent waives any notification period and requests the Board to hear this matter at the next available 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.
13. Respondent is not under the influence of any drugs or alcohol at the time she signs this Stipulation and Consent Order.

14. 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.
15. Respondent voluntarily waives the right to charges and a contested hearing before the Board of Nursing.
16. Respondent agrees that the Board may set forth the order below.
17. Respondent hereby waives any notification period requirements and requests that this Modified Stipulation and Consent Order be scheduled for the next available hearing date.

MODIFIED ORDER

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

- A. By engaging in the conduct described in paragraphs 3 and 4 above, the Board concludes Respondent violated Nursing Board Rule IV.B.4.e (failure to safeguard a patient from incompetent health care) which constitutes unprofessional conduct pursuant to 26 V.S.A. §1582(a)(7)(conduct likely to harm the public).
- B. The Nursing Board **CONDITIONS** Respondent's license to practice nursing for a period of two (2) years commencing with the date this order is entered by the Board. The **CONDITIONS** on Respondent's license are as follows:

- (1) Length of Time Conditions Imposed.

The conditions shall remain in place until respondent has completed two (2) years of nursing practice in which she works at least forty (40) hours every

two (2) weeks in nursing. Part time hours of less than forty (40) hours every two (2) weeks shall be credited on a prorated basis.

(1.a) Administration of Medications.

For the first six (6) months of work as per paragraph B(1), Respondent is permitted to administer medications only under direct supervision.

(2) Interview with the Board or its designee.

Respondent shall appear in person for interviews with the Board or its designee upon request.

(3) Re-issue of License.

Within five (5) days of the date of entry of this Consent Order, Respondent shall submit her license to the Board of Nursing for a re-issued license labeled "conditioned".

(4) Out-of-State Practice/Residence.

Before any out-of-state practice or residence can be credited toward fulfillment of these terms and conditions, Respondent shall first obtain approval from the Board prior to Respondent leaving the State of Vermont. If Respondent fails to receive such approval before leaving the State, none of the time spent out-of-state will be credited toward the fulfillment of the terms and conditions of this Consent Order.

(5) Notification of Place of Employment/ Personal Address/Telephone Number.

Within five (5) days of the date of entry of this Consent Order, Respondent shall notify the Board, in writing, of her current place of nursing employment, personal address, and telephone number. Respondent shall further

notify the Board, in writing, within forty-eight (48) hours of any change in nursing employment, personal address, or telephone number.

(6) Notification to Employers/Nursing School.

Respondent shall provide a copy of this Stipulation and Consent Order to all employers in any current or future setting in which she practices as a nurse and inform them of her conditional license status. Within ten (10) days of the date of entry of this Consent Order or of any subsequent employment, Respondent shall cause her immediate supervisor to write to the Board, on the employer's letterhead, acknowledging receipt of the Stipulation and Consent Order and the ability to comply with the conditions in the Consent Order. In the event Respondent is attending a nursing program, Respondent shall provide a copy of the Stipulation and Consent Order to the Program Director. Respondent shall cause the Program Director to write to the Board, on school letterhead, acknowledging receipt of the Stipulation and Consent Order and ability of the program to comply with the conditions in the Consent Order during clinical experience.

(7) Reports from Employers/Nursing School.

Within one (1) month of the date of entry of this Consent Order and every month thereafter, Respondent shall cause every employer she has worked for during the month to submit to the Board an evaluation of Respondent's performance and attendance during that month. This report shall be submitted in writing on forms issued by the Board and accompanied by a cover letter on the employer's letterhead. In the event the Respondent attends nursing school, Respondent shall cause the Program Director to submit to the Board, on a monthly

basis, a written evaluation of Respondent's performance and attendance. This report shall be submitted in writing on forms issued by the Board and accompanied by a cover letter on the school's letterhead.

Respondent shall authorize her employer and her nursing school Administrator to provide all information requested by the Nursing Board, or its designee, either orally or in writing, at any time during the period the Consent Order is in effect.

(8) Practice under Supervision.

Respondent shall practice only in a setting where she has on-site supervision for the entire shift by a registered nurse in good standing with the Vermont Board of Nursing.

(9) Types/Hours of Employment Prohibited.

Respondent shall not work for a nurse registry, travelling nurse agency, float-pool, home health care agency, or temporary employment agency. Respondent shall not, in nursing practice, work any double shifts (that is, if Respondent works an eight or more hour shift, she shall not work the following shift at all), nor shall she work any shift more than 10 hours, nor shall she work more than forty eight (48) hours in any seven day period.

(10) License Renewal.

In the event Respondent's license is scheduled to expire during the period this Consent Order is in effect, Respondent shall apply for renewal of the license, pay the applicable fee, and otherwise maintain qualifications to practice nursing in the State of Vermont.

(11) Violation of the Consent Order.

If Respondent violates the terms of this Consent Order in any respect, the Board, after giving Respondent notice and an opportunity to be heard, may revoke the terms of the conditional license and take further disciplinary action.

(12) Treatment.

Respondent shall continue appointments and treatment with a medical doctor, licensed in the State of Vermont, to address problems associated with these charges, and shall comply with the doctor's treatment instructions, including the prescription regimen, until the treating professional notifies the Board's designee in writing that such treatment is no longer necessary in her/his professional opinion and the Board (or its designee) agrees, in writing. Respondent shall cause her medical doctor to confirm in writing to the Board's designee, within two weeks of entry, his/her professional opinion confirming Respondent's ability to practice.

(13) Approval of Changes of Treating Professional.

Respondent shall obtain prior approval from the Board or its designee of all changes of treating professional. Failure to obtain prior approval of a change of treating professional may be grounds for a charge of violation of this Consent Order. However, Respondent may request a change from a medical doctor to an A.P.R.N. with prescriptive authority.

(14) Notification to Treating Professional.

Respondent shall provide a copy of this Stipulation and Consent Order to her treating professional and cause her treating professional to inform the

Board, in writing and on professional letterhead, of receipt of the Stipulation and Consent Order and the treating professional's ability to comply with the conditions related to treatment and with all other terms of this Consent Order.

(15) Reports from Treating Professional.

Respondent shall authorize and cause her treating professional to submit to the Board evidence of satisfactory progress with the treating professional's instructions, during the effective period of this Consent Order. These reports shall be submitted in writing on forms issued by the Board. The first report is due commencing the month after the date of entry of this Consent Order and subsequent reports are due every three months thereafter.

Respondent shall authorize her treating professional to provide all information requested by the Nursing Board, or its designee, either orally or in writing, at any time during the period this Consent Order is in effect.

(16) Reevaluation of Conditions.

Respondent may appear before the Board for reevaluation of the conditions of this Consent Order, after twelve months have passed, after the date of entry. Conditions may also be reevaluated by the Board upon petition by Respondent and upon sufficient showing by Respondent that certain conditions should be modified.

(17) Completion of Conditional License Period.

Upon completion of the conditional license period, Respondent may petition the Board to remove any and all conditions on her license and after formal review by the Board, Respondent's nursing license may be fully restored by

appropriate Board action. Respondent however, must demonstrate, to the satisfaction of the Nursing Board, that she poses no danger to the practice of nursing and that she can safely and competently perform the duties of a licensed nurse. Such proof shall include appropriate support from her employer or nursing school administrator. Furthermore, Respondent shall demonstrate, to the Board's satisfaction, that she fully complied with all the terms of this Consent Order.

Notwithstanding the requirements of this sub-section, the Board may review the supporting documentation submitted by Respondent, or submitted on Respondent's behalf, during the conditional licensing period and automatically lift a condition or conditions, if appropriate, without further petition by Respondent at the end of the conditional licensing period.

D. Notwithstanding any provision above, Respondent must meet all Nursing Board requirements for license renewal and license reinstatement.

E. 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).

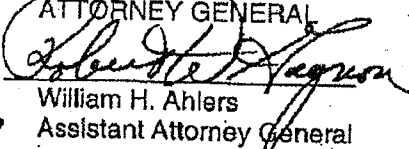
F. This Stipulation and Consent Order will remain part of Respondent's licensing file and may be used for purposes of determining sanctions in any future disciplinary matter.

STATE OF VERMONT

WILLIAM H. SORRELL
ATTORNEY GENERAL

Dated: 7-20-00

by:


William H. Ahlers
Assistant Attorney General

Office of the
ATTORNEY
GENERAL
109 State Street
Montpelier, VT
05609

Dated: 7/14/00

RESPONDENT
PATRICIA (PHELPS) KNIGHT
by: Patricia A. Knight
Patricia (Phelps) Knight

APPROVED AND SO ORDERED:

VERMONT BOARD OF NURSING

Dated: 8.14.00

by: Joan Farrell
Chairperson

Date of entry: 8-17-00

Office of the
ATTORNEY
GENERAL
109 State Street
Montpelier, VT
05609

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

IN RE:)

PATRICIA A. KNIGHT)

License No. 025-0006793)

Docket No: NU 90-0604

STIPULATION AND CONSENT ORDER

STIPULATION

NOW COMES the State of Vermont, through State Prosecuting Attorney, Edward G. Adrian, and the Respondent, Patricia A. Knight, L.P.N., who stipulate and agree as follows:

Board Authority

1. The Vermont State Board of Nursing ("the Board") has authority to approve consent orders, issue warnings or reprimands, suspend, revoke, limit, condition or prevent the renewal of current or lapsed licenses if, after disciplinary hearing, the Board finds that the Respondent has engaged in unprofessional conduct: 3 V.S.A. §129(a)(5); 3 V.S.A. §814(d); 26 V.S.A. §1582(a); Administrative Rules of the Board of Nursing ("ARBN"); and the Rules of the Office of Professional Regulation.

Facts

2. The Respondent is Licensed Practical Nurse in the State of Vermont under license number 025-0006793.

3. Respondent's license was originally issued on July 15, 1992 and Respondent's license is currently set to expire on January 31, 2006.

4. At all times relevant, the Respondent was employed as an L.P.N. by Vermont Veterans Home (the "Facility") located in Bennington, Vermont.

5. On seven separate occasions, occurring on the dates of May 4, 2004 through May 6, 2004 and May 8, 2004 through May 11, 2004, the Respondent failed to chart as given resident J.P.'s 6:00 a.m. prescribed order of Toprol 25 mg.

6. By way of information, the Respondent's license was previously conditioned by the Board for failing to administer several medications to patients and for administering a medication after the order had been discontinued. The conditions were removed from the Respondent's license on September 23, 2003.

STATE OF VERMONT



Prosecuting Attorney
Office of
Professional Regulation
Montpelier, VT 05602

Attachment B

7. Although the Respondent does not admit to the truth of the facts above, the Respondent does not contest that the State would be able to present evidence to prove these facts by a preponderance of the evidence at a hearing.

Charges

8. The acts, omissions and/or circumstances described above constitute grounds for discipline because Respondent violated:

- i. 26 V.S.A. §1582(a)(3) (is unable to practice nursing competently by reason of any cause) which includes the performance of unsafe or unacceptable patient care pursuant to ARBN, Chapter 4, Rule IV(II)(B)(1), and failing to conform to the essential standards of acceptable and prevailing nursing practice pursuant to ARBN, Chapter 4, Rule IV(II)(B)(2); and
- ii. 26 V.S.A. §1582(a)(7) (engaging in conduct of a character likely to harm the public); and
- iii. 3 V.S.A. §129a(a)(3) (failing to comply with the provisions of state statutes or rules governing the practice of the profession).

Understandings

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

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 a contested hearing before the Board of Nursing.

13. 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 as alleged above demonstrate grounds for discipline because Respondent violated:

STATE OF VERMONT



Prosecuting Attorney
Office of
Professional Regulation
Montpelier, VT 05602

i. 26 V.S.A. §1582(a)(3) (is unable to practice nursing competently by reason of any cause) which includes the performance of unsafe or unacceptable patient care pursuant to ARBN, Chapter 4, Rule IV(II)(B)(1), and failing to conform to the essential standards of acceptable and prevailing nursing practice pursuant to ARBN, Chapter 4, Rule IV(II)(B)(2); and

ii. 26 V.S.A. §1582(a)(7) (engaging in conduct of a character likely to harm the public); and

iii. 3 V.S.A. §129a(a)(3) (failing to comply with the provisions of state statutes or rules governing the practice of the profession).

B. The Board of Nursing hereby issues a REPRIMAND against the Respondent's license to practice nursing.

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 the 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: 3/7/05

By: Edward G. Adrian
for Edward G. Adrian
State Prosecuting Attorney

PATRICIA A. KNIGHT
RESPONDENT

Dated: 3/4/05

By: Patricia A. Knight
Patricia A. Knight

Approved as to form: J. W. Harris

Counsel for Respondent

APPROVED AND SO ORDERED: VERMONT BOARD OF NURSING

STATE OF VERMONT



Prosecuting Attorney
Office of
Professional Regulation
Montpelier, VT 05602

pu.knight.stip

Dated: March 14, 2005

By: Lise Farrell
Chairperson

Date of Entry: 3/14/05

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

IN RE:)
PATRICIA A. KNIGHT) Docket No. NU53-0307
License No. 025-0006793)

SPECIFICATION OF CHARGES

NOW COMES the State of Vermont and makes the following Charges against the Respondent, Patricia A. Knight, L.P.N.:

Board Authority

1. The Vermont State Board of Nursing ("the Board") has authority to issue warnings or reprimands, suspend, revoke, limit, 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 ("ARBN"); and the Rules of the Office of Professional Regulation.

Statement of Facts

2. The Respondent, Patricia A. Knight, is licensed in the State of Vermont as a licensed practical nurse holding license number 025-0006793. This license was originally issued on or about July 15, 1992 and is currently set to expire on January 31, 2008.

3. At all times relevant, the Respondent was employed as a licensed practical nurse at Springfield Health and Rehabilitation (the "Facility") located in Springfield, Vermont.

4. By way of information the Respondent's license was previously conditioned by the Board for failing to administer several medications to patients and for administering a medication after the order had been discontinued. These conditions remained in place until September 23, 2003. Attachment A. The Respondent's license was reprimanded on March 18, 2005 for failing to chart a patient's medication as given on seven separate occasions. Attachment B.

5. On or about January 18, 2007 the Respondent called S.S., an RN at the Facility, to advise S.S. that the Respondent had signed off a number of medications as given, on the medication administration records for noon and 1:00 PM and that the medications were not actually given. The Respondent signed off for the following patients:

- a. Patient A.G. - 1:30 PM Seroquel.
- b. Patient D.B. - 1:30 PM Precose 25 and 50 mg.
- c. Patient E.J. - 1:30 PM Lac-Dose cap tab.
- d. Patient M.B. - 1:00 PM Seroquel and 2:00 PM Acetaminophen.
- e. Patient B.L. - Noon "House supplement".

STATE OF VERMONT



Prosecuting Attorney
Office of
Professional Regulation
9 Baldwin Street
Montpelier, VT
05609-1107

- f. Patient D.R. - Noon Alprazolam, Albuterol, Dicyclomine and 1:00 PM Tylenol.
- g. Patient M.V. - 1:30 PM Frappe and Saline Nose Spray
- h. Patient E.K. - 2:00 PM House Supplement
- i. Patient D.K. - Noon Zyprexa, 1:00 PM Protein Powder, and 1:30 PM Lorazepam and supplement. The Respondent actually circled these entries indicating that the patient had refused the medications. Upon investigation it was determined that the Respondent did not even take the Lorazepam out of the Facility's "narcotic box".
- j. Patient M.R. - 1:30 PM supplement.

6. On or about January 26, 2007 the Respondent met with D.V. and the Respondent was confronted with the medication administration records indicated above. Based on this meeting the Respondent resigned from her position at the Facility.

7. On or about March 22, 2007 the Respondent told Investigator Steve Kennedy that the reason she had pre-signed the records was because she got the dates mixed up and thought she had forgotten to fill in the records the previous day.

Charges

8. The acts, omissions and/or circumstances described above constitute grounds for discipline because the Respondent has committed unprofessional conduct in violation of:

- (i) 26 V.S.A. § 1582(a)(3) (is unable to practice nursing competently by reason of any cause) which includes, but is not limited to, failing to conform to the essential standards of acceptable and prevailing nursing practice pursuant to ARBN Chapter 4, Rule IV(II)(B)(2);
- (ii) 3 V.S.A. § 129a(b)(2) (failure to practice competently by reason of any cause on a single occasion or on multiple occasions may constitute unprofessional conduct. Failure to practice competently includes failure to conform to the essential standards of acceptable and prevailing practice); and
- (iii) 3 V.S.A. § 129a(a)(3) (failing to comply with the provisions of state statutes or rules governing the practice of the profession).

Relief Requested

WHEREFORE, the license of Patricia A. Knight should be revoked, suspended, reprimanded, conditioned or otherwise disciplined.

DATED at Montpelier, Vermont this 30th day of August 2007.

STATE OF VERMONT
SECRETARY OF STATE

By: _____

Edward G. Adrian
State Prosecuting Attorney

nu.Knight.soc

STATE OF VERMONT



Prosecuting Attorney
Office of
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