

STATE OF VERMONT
BOARD OF NURSING

In re: Evelyn E. Lamprey
License No. 026-43919

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Docket No. 2009-116

Participating Board Members:

Ellen W. Leff, RN, Chair
Jeanine Carr, RN, Vice Chair
Alan Weiss
Sandra Norton, LNA
Donarae Metcalf, LPN
Deann Welch, LPN
William G. White Jr.
Deborah Robinson, RN

Supplemental Decision

Appearances:

for Petitioner, State of Vermont: Edward G. Adrian
for Respondent: Pro Se

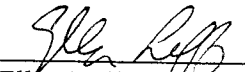
Presiding Officer: Larry S. Novins

The Vermont Board of Nursing held a hearing in the above matter on October 12, 2009, at the National Life Building in Montpelier, Vermont. On the record the parties Stipulated to Facts which included that there was no evidence that Ms. Lamprey had diverted drugs or abused drugs. The parties stipulated that Ms. Lamprey's conduct constituted failure to practice competently and inability to practice nursing, both unprofessional conduct, but not as originally charged by the State. The parties then requested that the Board impose appropriate sanction(s). The Board announced the sanction which was contained in the Order dated October 12, 2009. The parties agreed that the sanctions would be the final Order of this Board, not subject to appeal.

This supplemental Order is issued to provide context to the Order agreed upon by the parties at the time of the hearing.

Vermont Board of Nursing

By:


Ellen Leff, RN, Chair

Date October 16, 2009

OFFICE OF PROFESSIONAL REGULATION

DATE OF ENTRY: 10/20/09

**Vermont Board of Nursing
License Conditions**

In re: Evelyn Lamprey
026-43919

Docket No. 2009-116

Ms. Lamprey's License shall be conditioned as follows:

1. **Length of Time Conditions Imposed:** The conditions shall remain in place until Ms. Lamprey completes two (2) years of supervised nursing practice in which Ms. Lamprey works thirty-six hours every two (2) weeks as a licensed registered nurse. Ms. Lamprey shall receive credit for part-time work (i.e. work that is less than thirty six (36) hours every two (2) weeks) on a prorated basis. Ms. Lamprey may not work more than forty (40) hours per week.
2. **Substance Abuse Evaluation:** Within 30 days Ms. Lamprey shall have an independent substance abuse evaluation. If the evaluations reveals substance abuse, this matter shall be returned to the Board for review of these conditions and modification as necessary.
3. **Counseling:** If the independent evaluation recommends counseling, Ms. Lamprey shall engage in counseling with a treatment professional approved by the Board or its designee until that treating professional notifies the Board or its designee in writing that in his or her opinion such counseling is no longer necessary, and the Board or its designee agrees, in writing.
4. **Notification to Treating Professional:** Ms. Lamprey shall provide a copy of this Order and its conditions to Ms. Lamprey's substance abuse treating professional. Ms. Lamprey's treating professional must confirm for the Board, in writing and on professional letterhead, receipt of this Order and the treating professional's ability to comply with the treatment related conditions and all other terms of this Order.
5. **Reports from Treating Professional:** Ms. Lamprey shall authorize and cause the treating professional to submit to the Board monthly status reports. These reports shall be submitted on forms provided by the Board.
 - a. A preliminary report shall accompany the treatment plan.
 - b. The first monthly report is due one month after the treating professional and treatment plan are approved by the Board and every month thereafter.
6. **Disclosure:** Ms. Lamprey shall authorize the treating professional to provide all information requested orally or in writing by the Nursing Board or its designee, at any time during the period this Consent Order is in effect. Ms. Lamprey shall authorize Ms. Lamprey's treating professional to provide information requested by the Nursing Board while this Order is in effect.
7. **Notification to Employers/Nursing School** Ms. Lamprey shall provide a copy of this

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Order to all employers in any current or future setting in which Ms. Lamprey practices nursing and inform them of Ms. Lamprey's conditional license status.

- a. Within ten (10) days of the date of entry of this Order, or with ten (10) days of obtaining any subsequent nursing employment, Ms. Lamprey shall cause Ms. Lamprey's supervisor to write to the Board, on the employer's letterhead, acknowledging receipt of the Order and acknowledging the ability to comply with its conditions.
 - b. In the event Ms. Lamprey attends a nursing program, Ms. Lamprey shall cause the Program Director to write to the Board, on school letterhead, acknowledging receipt of the Order and ability of the program to comply with the conditions in the Order during clinical experience.
8. **Reports from Employers:** Within one (1) month of the date of entry of this Order or within one (1) month of the commencement of nursing employment and monthly thereafter, Ms. Lamprey shall cause every nursing employer for which Ms. Lamprey worked during that month to submit an evaluation of Ms. Lamprey's work performance and number of days worked. The employer report shall be submitted on a form provided by the Board.
 9. **Reports from Nursing Programs:** In the event Ms. Lamprey is attending a nursing program, Ms. Lamprey shall cause the Program Director to submit to the Board, on a monthly basis, a written evaluation of Ms. Lamprey's performance and days attended. The report shall be submitted on a form provided by the Board and accompanied by a cover letter on the school's letterhead.
 10. **Practice Under Supervision:** Ms. Lamprey shall practice only in a setting where Ms. Lamprey has direct supervision for the entire shift by a license registered nurse in good standing.
 11. **Interview with Board or Board Designee:** Ms. Lamprey shall cooperate in good faith and appear for interviews or phone calls from Board investigators or other designees.
 12. **Participation in Recovery Group:** Ms. Lamprey shall participate in a substance abuse recovery group as recommended by Ms. Lamprey's treating professional.
 13. **Random Drug and Alcohol Testing:** Ms. Lamprey shall submit to random drug and alcohol screenings at the request of the Board or its designee pursuant to Board procedures. Testing shall be random. Urine specimens collected for tests shall be collected in an observed setting. All screens shall be negative.
 14. **Types of Employment Prohibited:** Ms. Lamprey shall not work in a supervisory role. Ms. Lamprey 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 Order.

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15. **Notification of Place of Employment/Personal Address/Telephone Number:** Within five (5) days of the date of entry of this Order, Ms. Lamprey shall notify the Board, in writing, of Ms. Lamprey's (a) current place of employment, (b) personal address, (c) email address and (d) telephone number. Ms. Lamprey must notify the Board, in writing, within forty-eight (48) hours of any change in (a) employment or any change in (b-d) contact information.
16. **Notification to Other States:** If Ms. Lamprey holds a nursing license from any other jurisdiction(s), Ms. Lamprey must inform the other jurisdictions's of this Order and these conditions. This notice must be made within thirty (30) days of the date of entry of this Order.
17. **License Renewal:** Ms. Lamprey must timely apply for renewal and otherwise comply with the requirements for license renewal.
18. **Release of Information:** Ms. Lamprey must authorize various persons identified in this Order to report information or to discuss Ms. Lamprey with the Board or its designee. This includes treating professionals and employers. Ms. Lamprey must execute a release/consent form that allows disclosure to the Board or its designee.
19. **Medication Administration and Documentation:** Ms. Lamprey shall within 90 days take a medication administration and documentation course approved by the Board.
20. **Violation of this Order:** If, after giving Ms. Lamprey notice and an opportunity for a hearing, the Board determines that Ms. Lamprey has violated the terms of this Order, the Board may impose additional disciplinary actions. 3 V.S.A. § 129a(a)(4).
21. **Costs:** Any costs for compliance with the Order shall be borne by Ms. Lamprey.
22. **Completion of Conditional License Period:** After the conditional license period, Ms. Lamprey may petition the Board to remove the license conditions. Ms. Lamprey must present evidence from which the Board may conclude that Ms. Lamprey has complied with the terms of this Order. As a requirement for reinstatement, Ms. Lamprey shall demonstrate successful rehabilitation.

Dated at Montpelier, Vermont: October 12, 2009

Vermont Board of Nursing, by

Ellen Leff
Ellen Leff, RN, Chair

DATE OF ENTRY 10/20/09

EL - I agree with this order - Evelyn Lamprey
On behalf of the State of Vermont I
agree with this Order. Edward Adams