

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

IN RE:

LAURA-GRACE C. LENO

License No. 026-0021842

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Docket No: NU 06-0702

STIPULATION AND CONSENT ORDER

STIPULATION

NOW COMES the State of Vermont, through State Prosecuting Attorney, Edward G. Adrian, and Respondent Laura-Grace C. Leno, R.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)(5); 3 V.S.A. §814(d); 26 V.S.A. §1582(a); Administrative Rules of the Board of Nursing.
2. Failure to comply with the provisions of state statutes or rules governing the practice of the profession is unprofessional conduct upon which the Board can base disciplinary action. 3 V.S.A. §129a(a)(3).
3. The inability to practice nursing by reason of any cause is unprofessional conduct upon which the Board can base disciplinary action. 26 V.S.A. §1582(a)(3).
4. The inability to practice nursing competently includes the performance of unsafe or unacceptable patient care pursuant to the Administrative Rules of the Board of Nursing, Chapter 4, Rule IV(II)(B)(1), and failing to conform to the essential standards of acceptable and prevailing nursing practice pursuant to the Administrative Rules of the Board of Nursing, Chapter 4, Rule IV(II)(B)(2).

Facts

5. The Respondent is licensed in the State of Vermont as a Registered Nurse under License Number 026-0021842.
6. The Respondent's license was originally issued on October 19, 1994 and the Respondent's license is currently set to expire on March 31, 2005.
7. At all times relevant, the Respondent was employed as a charge nurse by Berlin Health & Rehabilitation ("the Facility") in Berlin, Vermont.

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Prosecuting Attorney
Office of
Professional Regulation
Montpelier, VT 05602

8. On or about August 24, 2001, the Respondent made the following medication errors.
- (a) A Facility medication cart under Respondent's control was found to be unlocked and missing a card containing 22 Clonazepam.
 - (b) Respondent left a card of MS Contin sitting on the nurses' station after it had been delivered by the pharmacy and signed for by the Respondent.
9. On or about July 9, 2002, during Respondent's shift, Respondent left E.M. in a slant back chair for 11 hours without repositioning or toileting E.M.

Charges

10. The above 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 the Administrative Rules of the Board of Nursing, Chapter 4, Rule IV(II)(B)(1), and failing to conform to the essential standards of acceptable and prevailing nursing practice pursuant to the Administrative Rules of the Board of Nursing, Chapter 4, Rule IV(II)(B)(2); and
- (ii) 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

11. The parties understand that the terms of this Stipulation and Consent Order are contingent upon review and acceptance by the Board and that if the Board rejects any portion the entire Stipulation and Consent Order shall be null and void.
12. The Respondent has read and reviewed this document fully and agrees that it contains the entire agreement between the parties.
13. This Stipulation and Consent Order is entered into voluntarily by the Respondent after the opportunity to consult with legal counsel. The Respondent has not been coerced by anyone into signing this Stipulation and Consent Order.
14. The Respondent is voluntarily waiving her right to a contested hearing before the Board of Nursing.
15. Respondent agrees that the State has sufficient evidence for the Board to find that Respondent has engaged in unprofessional conduct and that the Order set forth below may be entered by the Board.

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WHEREFORE, the parties agree that the following constitutes a reasonable resolution given the above violations:

CONSENT ORDER

A. Based upon the above stipulation, it is **ADJUDGED** as follows:

- (1) The Respondent has engaged in unprofessional conduct in that the Respondent has 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 the Administrative Rules of the Board of Nursing, Chapter 4, Rule IV(II)(B)(1), and failing to conform to the essential standards of acceptable and prevailing nursing practice pursuant to the Administrative Rules of the Board of Nursing, Chapter 4, Rule IV(II)(B)(2); and
 - (ii) 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. Based on the above stipulation and findings of this Board, it is **ORDERED** as follows:

The Respondent's license is hereby **REPRIMANDED**.

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:

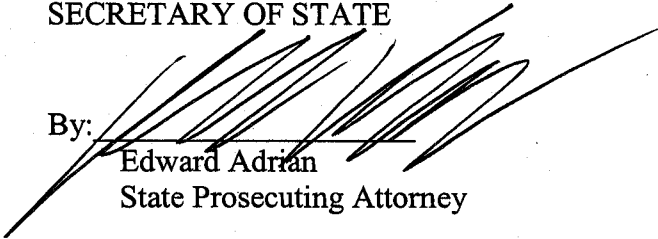
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STATE OF VERMONT



Prosecuting Attorney
Office of
Professional Regulation
Montpelier, VT 05602

Dated: 1/29/04

By: 
Edward Adrian
State Prosecuting Attorney

LAURA-GRACE C. LENO
RESPONDENT

Dated: 01/24/04

By: Laura Grace C. Leno
Laura-Grace C. Leno

APPROVED AND SO ORDERED:

VERMONT BOARD OF NURSING

Dated: 2-9-04

By: Sinda Rice APRN
Chairperson

Date of Entry: 2/12/04

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