

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

IN RE:	)	
LAVANDA N. LEWIS	)	Docket No. 2021-3
Application Tracking No. LI-383788	)	

STIPULATION AND CONSENT ORDER

STIPULATION

NOW COMES the State of Vermont, by and through State Prosecuting Attorney Benjamin E. Novogroski, and the Applicant, Lavanda N. Lewis, who stipulate and agree as follows:

Board Authority

1. The Vermont Board of Nursing (the "Board") has authority to deny an applicant's license if it finds that the applicant has engaged in unprofessional conduct in any jurisdiction. 3 V.S.A. § 129(a); 26 V.S.A. § 1582; the Administrative Rules of the Vermont Board of Nursing (the "ABRN"); and the Rules of the Office of Professional Regulation (the "OPR Rules").

Stipulated Facts

2. Lavanda N. Lewis (the "Applicant") of Calera, Alabama submitted an application for licensure as a Registered Nurse on November 8, 2020 (the "Application"). The Application was considered complete on or about December 16, 2020.
3. Applicant holds an Alabama Licensed Practical Nurse ("LPN") license, No. 2-051095, which was issued on August 10, 2001.
4. On September 19, 2002, the Alabama Board of Nursing approved and accepted a Consent Order disciplining the Applicant for leaving her LPN assignment without permission and without providing reasonable notice to supervisory personnel to ensure a continuation of nursing care.
5. Within the Application, Applicant answered "NO" to the question:

"Has Vermont or any other state, federal authority, or other jurisdiction (US or elsewhere) taken any disciplinary action (restricted, suspended, revocation, or conditioned) against a license, certificate, or registration that you hold or held in any profession or occupation?"

6. Applicant's answer the question outlined in Paragraph 5 was false.

Violation One: 3 V.S.A. § 129a(a)(1) – Fraudulent or Deceptive Procurement or Use of a License.

7. Paragraphs 2 through 6 above are incorporated herein.
8. Under Vermont law, applicants for licensure as a registered nurse must be truthful in the application process and are prohibited from engaging in fraudulent or deceptive procurement or use of a license.
9. Paragraphs 2 through 6 above demonstrate that by failing to disclose a prior discipline by a state licensing board, as required during the application process, Applicant engaged in fraudulent or deceptive procurement or use of a license.
10. The act(s), omission(s), and/or circumstance(s) described above constitute grounds for discipline because the Applicant has committed unprofessional conduct in violation of 3 V.S.A. §129a(a)(1).

Understandings

11. Applicant admits the facts as outlined above are true and the Board may find that the Applicant engaged in unprofessional conduct and that the order below is necessary to protect the public.
12. Applicant understands that the Board must review and accept the terms of the Stipulation and Consent Order. If the Board rejects any portion, the entire Stipulation and Consent Order shall be null and void.
13. Applicant specifically waives any claims that any disclosures made to the Board during the review of this agreement have prejudiced Applicant's rights to a fair and impartial hearing in future hearings if this agreement is not accepted.
14. Applicant has read and reviewed this entire document and agrees that it contains the entire agreement between the parties.
15. Applicant is not under the influence of any drugs or alcohol at the time of signature of this Stipulation and Consent Order.
16. Applicant 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.
17. Applicant voluntarily waives the right to a contested hearing and waives any right to appeal from this Stipulation and Consent Order.
18. Applicant agrees that the Order set forth below may be entered.

ORDER

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

- A. Applicant is granted licensure as a Registered Nurse.
- B. Applicant's Registered Nurse license is hereby **WARNED** when it is issued.
- C. Notwithstanding any provision above, Applicant must continue to meet all requirements for maintaining a license, license renewal, and license reinstatement.
- D. 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).
- E. This Stipulation and Consent Order will remain part of Applicant'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: 2/17/2021

By: /s/ Benjamin E. Novogroski
Benjamin E. Novogroski
Prosecuting Attorney

LAVANDA N. LEWIS
APPLICANT

Dated: 2/13/2021

By: Lavanda N. Lewis
Lavanda N. Lewis

APPROVED AND SO ORDERED:

Dated: _____

By: _____
Board Chair

Date of Entry: 3/11/2021