

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

IN RE:)
AMY LONGTIN) Docket No. 2018-66
License No. 025.0009565)

STIPULATION AND CONSENT ORDER

STIPULATION

NOW COME the State of Vermont, by and through Prosecuting Attorney Jennifer B. Colin, and the Respondent, Amy Longtin, who hereby 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, or condition current licenses; or prevent the renewal of lapsed licenses if, after a 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. Chapter 28; the Administrative Rules of the Board of Nursing (the "ARBN"); and the Rules of the Office of Professional Regulation ("OPR").

Stipulation of Facts

2. Amy Longtin ("Respondent") of Castleton, Vermont is licensed by the State of Vermont as a Licensed Practical Nurse ("LPN") under license number 025.0009565. This license was first issued on July 7, 2008, and expires on January 31, 2020.
3. On or about January 29, 2018, Respondent submitted a renewal application to renew her LPN license.
4. In the mandatory questions section of the renewal application, Respondent falsely answered "NO" to the question of, "Since your license was last renewed: Has Vermont or any other state, federal authority, or any jurisdiction taken any DISCIPLINARY ACTION against (e.g. warned, reprimanded, fined, restricted, conditioned, suspended, or revoked) a license, certificate, or registration that you hold or have held in any profession or occupation?"
5. On April 15, 2016, the Board entered a Default Order ("2016 Order") against Respondent for her failure to respond to Specification of Charges filed by the State of Vermont on January 5, 2016.

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6. The 2016 Order reprimanded Respondent's LPN license and required Respondent to, within ninety (90) days from the date of the Order, enroll and complete two courses pre-approved by the Vermont Nursing Board; one course on record keeping and documentation, and one course on professional accountability.
7. On December 16, 2016, Respondent emailed OPR Case Manager and stated, "Hi Ellen, I need a little bit more time to complete these [courses], I am very sorry but with holidays and finishing the semester it has been impossible."
8. ORR Case Manager promptly responded to Respondent's email and stated, "Amy - Thank you for your message. Please let me know a date when you expect to have both courses completed."
9. Respondent never responded to OPR Case Manager's December 16, 2016 response email.
10. To date, Respondent has failed to comply with the 2016 Order by not completing the two courses.

Violation One: 26 V.S.A. § 1582(a)(1) Making or causing to be made a false, fraudulent, or forged statement or representation in procuring or attempting to procure registration or renew a license.

11. Paragraphs 2 through 10 above are incorporated herein.
12. As an LPN, Respondent is prohibited from making a false statement or representation in procuring or attempting to procure registration or renewal of a license.
13. Paragraphs 2 through 5 demonstrate that Respondent made a false statement to the Vermont Board of Nursing when procuring the renewal of her LPN license.
14. The act(s), omission(s), and/or circumstance(s) described above constitute grounds for discipline because Respondent committed unprofessional conduct by making a false statement on her license renewal application, in violation of 26 V.S.A. §1582(a)(1).

Violation Two: 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.

15. Paragraphs 2 through 10 above are incorporated herein.
16. As an LPN, Respondent is required to comply with an order of the Board.
17. Paragraphs 5 through 10 demonstrate that Respondent failed to comply with a Default Order entered by the Board on April 15, 2016 by not completing required courses.

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18. The act(s), omission(s), and/or circumstance(s) described above constitute grounds for discipline because Respondent committed unprofessional conduct by failing to comply with an order of the Board, in violation of 3 V.S.A. §129a(a)(4).

Understandings

19. Respondent admits that the facts above are true and that the conditions below are necessary to protect the public.
20. 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.
21. 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.
22. Respondent has read and reviewed this entire document and agrees that it contains the entire agreement between the parties.
23. Respondent is not under the influence of any drugs or alcohol at the time she signs this Stipulation and Consent Order.
24. 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.
25. 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.
26. Respondent 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 **REPRIMANDS** Respondent's license.
- B. Respondent's license is **CONDITIONED** as follows:

Respondent shall, within sixty days of this Order, at her own expense, complete two courses pre-approved by the Nursing Case Manager, one course on record keeping and documentation and the second course on professional accountability. Respondent shall submit the completed workbook and certificate of completion to the Office of Professional Regulation.

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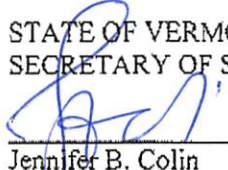
Failure to complete such a course within the prescribed timeframe shall constitute a violation of this Order.

- C. Upon completion of the required conditions, Respondents may petition to remove the conditions on her license and restore the license to unencumbered status. Respondent shall bear the burden of proof to establish that she has fully complied with the terms of this Order and that the conditions are no longer necessary to protect the public.
- D. Notwithstanding any provision above, the Respondent must continue to meet all Nursing Board requirements for maintaining a license, 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.

AGREED TO:

STATE OF VERMONT
SECRETARY OF STATE

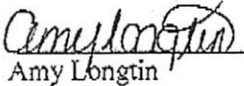
Dated: 10/11/2018

By: 

Jennifer B. Colin
Prosecuting Attorney

RESPONDENT

Dated: 10/11/2018

By: 

Amy Longtin

APPROVED AND SO ORDERED:

VERMONT BOARD OF NURSING

Dated: 11.5.2018

By: 

Chairperson

Date of Entry: 11.14.18

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