

**STATE OF VERMONT
BOARD OF NURSING**

In re: Mary Cook Lunge
License No. 025-4383

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Docket No. 2012-351(LPN)

Appearances:

Prosecuting the case: Gabriel Gilman
Respondent: Did not appear

Presiding Officer: Larry S. Novins

DEFAULT ORDER

The Board held a hearing on the above matter on May 12, 2014 at the Office of Professional Regulation Conference Room in Montpelier, Vermont. Ms. Lunge did not attend and was not represented by counsel.

Findings of Fact

1. Ms. Lunge was licensed as a practical nurse. Her license expired on January 31, 2014. The conduct alleged herein occurred while she was licensed. She remains subject to the regulatory authority of this Board. 3 V.S.A. §§ 129, 129a, 814(d), 26 V.S.A. § 1582(a), the Administrative Rules of the Board of Nursing, and the Rules of the Office of Professional Regulation.
2. On February 3, 2014 Ms. Lunge was sent a Notice of Charges in this matter by certified mail to her last known address. A copy of the Specification of Charges is attached to this Default Order.
3. OPR Rule 3.3 requires that an Answer be filed within 20 days of the date on which the notice of charges was mailed by the Director.
4. Licensees are required to notify the Board of any change of address within 30 days. 3 V.S.A. § 129a(a)(14).
5. Stamps on the envelope indicate the notice of charges was delivered and signed for on Ms. Lunge's behalf.
6. Ms. Lunge has not filed an answer to the charges.
7. On April 3, 2014 notice of the Default Hearing scheduled for this date was mailed to Ms. Lunge at that a new address provided to OPR by certified mail. The file shows that the notice of hearing was received and signed for on Ms. Lunge's behalf.
8. Ms. Lunge has still not answered the charges.
9. Upon hearing the Prosecution's presentation and taking notice of its own file, the Board finds Ms. Lunge to be in Default. The allegations contained in the Specification of Charges are therefore treated as the facts on which the Board's Order is based. OPR Rule 3.4, 3 V.S.A. § 809(d) and 3 V.S.A. § 814(c).

Conclusions of Law

Ms. Lunge has received notice of the charges in this matter as indicated by the Board's file and the Prosecution's presentation. Because Ms. Lunge has failed to answer the charges, the factual allegations in the Stipulation and Consent Order are treated as if proved. O.P.R. Rule 3.4. Accordingly, the Board finds, in this Default Hearing held pursuant to 3 V.S.A. §809(d), that Ms. Lunge has engaged in the unprofessional conduct alleged in the Specification of Charges.

Order

In accordance with the above Findings of Fact and Conclusions of Law, Ms. Lunge's privilege to reinstate her license is hereby **Suspended Indefinitely**, effective as of the date of the hearing. Should Ms. Lunge apply for reinstatement, the Board at that time will determine whether any conditions can permit her to resume practice while protecting public health and safety.

Appeal Rights

This is a final administrative determination by the Vermont Board of Nursing.

A party aggrieved by a final decision of a board may appeal this decision by filing a written Notice of Appeal with the Director of the Office of Professional Regulation, Vermont Secretary of State, 89 Main St., Fl. 3, Montpelier, VT 05620-3402 within 30 days of the entry of this Order.

If an appeal is filed, the Director of the Office of Professional Regulation shall assign the case to an appellate officer. The review shall be conducted on the basis of the record created before the board. In cases of alleged irregularities in procedure before the board, not shown in the record, proof on that issue may be taken by the appellate officer. 3 V.S.A. §§ 129(d) and 130a.

To request a stay of the Board's decision, please refer to the attached stay instructions.

Vermont Board of Nursing

By: Jeanine Carr
Jeanine Carr, RN, Chair

Date: May 12, 2014

OFFICE OF PROFESSIONAL REGULATION

DATE OF ENTRY: 5/13/14

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

IN RE:)
Mary Cook Lunge)
License No. 025.0004383)

Docket No. 2012-351

SPECIFICATION OF CHARGES

NOW COMES the State of Vermont, by and through State Prosecuting Attorney Gabriel M. Gilman, and makes the following charges against the Respondent, Mary Cook Lunge:

Board Authority

1. The Vermont State Board of Nursing ("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. § 1595; the Administrative Rules of the Board of Nursing ("ARBN"); and the Rules of the Office of Professional Regulation.

Statement of Facts

2. Mary Cook Lunge ("Respondent") of Hinsdale, New Hampshire is licensed by the State of Vermont as a practical nurse under license number 025.0004383.
3. At all times relevant, Respondent was employed as a practical nurse at Vermont Green Nursing Home (hereinafter "the Facility") in Vernon, Vermont.
4. In the course of her employment at the Facility, Respondent exhibited a pattern of serious medication administration and charting errors, not abated by multiple efforts at corrective action by supervisors, calling into question her fitness to practice. Specific errors include:
 - a) On or about April 12, 2010, Respondent documented administering nebulizer treatment to a patient when that treatment was not in fact provided.
 - b) On or about April 19, 2010, Respondent documented administering nebulizer treatment to a patient when that treatment was not in fact provided.
 - c) On or about February 1, 2011, Respondent failed to meet standards of nursing practice when she failed to check pharmacy-administered dosage against the underlying physician's order. Consequently, Respondent administered a 50mg dose of tramadol, errantly issued by the pharmacy, to a patient meant to receive 25mg of tramadol.

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- d) On or about May 29, 2012, Respondent failed to administer ferrous sulfate to a patient, identified by resident number 3108, who was to receive a 325mg dose. Respondent removed the medication dose from the medication cart and signed it out as given, but for reasons unknown, the medication was not administered.
- e) On or about May 29, 2012, again with respect to resident 3108, Respondent administered two, 5mg immediate-release oxycodone (oxycontin) tablets when the applicable order called for administration of one, 10mg extended-release ("CR") tablet.
- f) On or about May 29, 2012, again with respect to resident 3108, Respondent failed to complete presence and placement checks ordered for the patient's fentanyl patch.
- g) On or about May 29, 2012, again with respect to resident 3108, Respondent failed to change the dressing on a skin tear and apply bacitracin as ordered.
- h) On or about May 29, 2012, again with respect to resident 3108, Respondent failed to monitor edema as ordered.
- i) On or about May 29, 2012, again with respect to resident 3108, Respondent failed to monitor Ted stockings as ordered.
- j) On or about May 29, 2012, again with respect to resident 3108, Respondent failed to apply anti-fungal powder as ordered.
- k) On or about May 29, 2012, again with respect to resident 3108, Respondent failed to monitor the patient's enlarged right parotid gland as ordered.
- l) On or about May 29, 2012, again with respect to resident 3108, Respondent failed to elevate the patient's right arm or to monitor arm swelling as ordered.

Charges

- 5. 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. 3 V.S.A. § 129a(b)(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 client, patient, 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
 - b. 26 V.S.A. § 1582(a)(3) (Is unable to practice nursing competently by reason of any cause).

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Relief Requested

WHEREFORE, the license of Mary Cook Lunge should be revoked, suspended, reprimanded, conditioned, or otherwise disciplined.

DATED at Montpelier, Vermont this 3rd day of February, 2014.

STATE OF VERMONT
SECRETARY OF STATE

By: 

Gabriel M. Gilman
State Prosecuting Attorney

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