

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

IN RE:

HEATHER MAPLES

License No. 025.0009584

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Docket No. 2011-240

STIPULATION AND CONSENT ORDER

STIPULATION

NOW COME the State of Vermont, by and through State Prosecuting Attorney S. Lauren Hibbert, and the Respondent, Heather Maples, LPN, 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, 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. § 1582; the Administrative Rules of the Board of Nursing (the "ARBN"); and the Rules of the Office of Professional Regulation.

Stipulated Facts

2. Heather Maples (the "The Respondent") of Putney, Vermont is licensed by the State of Vermont as a Licensed Practical Nurse under license number 025.0009584. This license was originally issued on or about February 1, 2010 and is currently set to expire on or about January 31, 2012.
3. At all times relevant, the Respondent was employed as a Licensed Practical Nurse at Southern State Correctional Facility (the "Facility"), located in Springfield, Vermont.
4. On or about April 21, 2011, the Office of Professional Regulation received a Mandatory Report of Unprofessional Conduct via facsimile from J.C., the Health Services Administrator at the Facility. The report alleged that Respondent had a romantic relationship with an inmate at the facility, J.D. There is no allegation that the relationship was sexual.
5. Respondent does not deny the relationship but contends that because the inmate was not a patient, the relationship was not inappropriate. The State contends that it is inappropriate

STATE OF VERMONT



Prosecuting Attorney
Office of
Professional Regulation
National Life Building
Second Floor North
Montpelier, VT
05620-3602

for a nurse, employed in a correctional setting, to have an intimate relationship with an inmate whether or not the inmate is a patient.

Violations

6. 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)(1) and (2) (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).

Understandings

7. This Stipulation is neither an admission of liability by the Respondent nor a concession by the State of Vermont that its charges are not well-founded. To avoid delay, uncertainty, inconvenience, and expense of protracted litigation of the charges above, the Parties reach a full and final Stipulation pursuant to these Understandings and the Order below. The Respondent does not dispute that the State could prove at least some of charges by a preponderance of the evidence if this matter went to a hearing and agrees that the conditions below are necessary and appropriate.
8. 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.
9. 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.
10. Respondent has read and reviewed this entire document and agrees that it contains the entire agreement between the parties.
11. Respondent is not under the influence of any drugs or alcohol at the time she signs this Stipulation and Consent Order.
12. 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.
13. 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.
14. Respondent agrees that the Order set forth below may be entered by the Board.

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ORDER

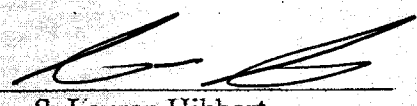
Based on the Stipulation above, it is **ORDERED AND ADJUDGED** as follows:

- A. The Board of Nursing hereby **WARNS** the Respondent's license to practice nursing. Additionally, within ninety (90) days of the date of entry Respondent must successfully complete (i.e., receive a passing grade, if applicable) a professional boundaries course with prior approval by the Board or its designee, and then submit written documentation of completion (certificate of completion, etc.) to verify the same to the satisfaction of the Board or its designee.
- B. Notwithstanding any provision above, the Respondent must continue to meet all Nursing Board requirements for maintaining a license, license renewal and license reinstatement.
- 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 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

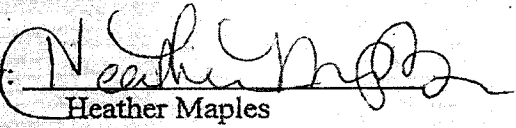
Dated: 2/27/2012

By: 

G. Gamar Esq. S. Lauren Hibbert
State Prosecuting Attorney

HEATHER MAPLES
RESPONDENT

Dated: 2.24.2012

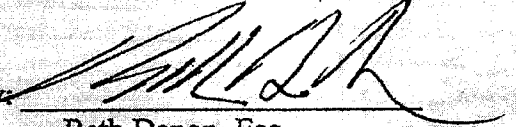
By: 

Heather Maples

APPROVED AS TO FORM:

ATTORNEY FOR RESPONDENT

Dated: Feb. 24, 2012

By: 

Beth Danon, Esq.

STATE OF VERMONT



Prosecuting Attorney
Office of
Professional Regulation
Vermont Life Building

APPROVED AND SO ORDERED:

VERMONT BOARD OF NURSING

Dated: 3/5/2012

By: [Signature]

Vin Chairperson

Date of Entry: 3-5-12

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