

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

**In re: Vicki B. Mednick
License no. 026.0078686**

Docket no. 2016-343

DECISION AND ORDER

Appearances:

Prosecuting the case: Rachel Allen, Esq.

Respondent: Kaveh S. Shahi, Esq.

Board of Nursing:

Jeanine Carr, RN, Chair

Jill Duell, LPN

Virginia Hudson, RN

Jennifer Laurent, APRN

Kelly Sinclair, LNA

Douglas Sutton, RN

Deborah, Swartz, RN

Presiding Officer: Michael S. Kupersmith, Administrative Law Officer

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

This matter came before the Board of Nursing for hearing on Specification of Charges filed by the Office of Professional Regulation. The hearing was held on August 14, 2017 at the Office of Professional Regulation (OPR) Conference Room, 89 Main Street, 3rd floor, Montpelier, Vermont. Rachel Allen, Esq. represented the Office of Professional Regulation. Kaveh S. Shahi, Esq. appeared for Respondent Vicki B. Mednick who was present.

OPR alleged that Respondent was guilty of professional misconduct in two respects. Violation One alleged that Respondent failed to practice competently by reason of any cause because she failed to conform to the essential standards of acceptable and prevailing practice. Violation Two alleged that Respondent practiced the profession when medically or psychologically unfit to do so. The burden of proof is on OPR to demonstrate by a preponderance of the evidence that the Respondent committed professional misconduct.

At hearing, OPR presented testimony that Respondent at relevant times was employed as a Registered Nurse at Woodridge Rehabilitation and Nursing (Woodridge) in Berlin, Vermont. On April 30, 2016, Respondent was on duty and was in charge of a unit at Woodridge. A patient on the unit, referred to as Patient 1, who suffered from dementia, was acting out verbally and physically.

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.

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