

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

IN RE:	)	
KAREN MEYERS	)	Docket No. 2011-189
License No. 026.0013699	)	

STIPULATION AND CONSENT ORDER

STIPULATION

NOW COME the State of Vermont, by and through State Prosecuting Attorney Gabriel M. Gilman, and the respondent, Karen Meyers, RN, and stipulate and agree as follows:

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 a 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.
2. In a case involving noncompliance with a statute or rule relating to administrative duties not related to patient, client, or customer care, a board or hearing officer may determine that ordering a monetary civil penalty does not constitute a finding of unprofessional conduct. 3 V.S.A. § 129(a)(3).

Statement of Facts

3. Karen Meyers ("Respondent") of Grafton, New Hampshire is licensed by the State of Vermont as a Registered Nurse under license number 026.0013699. This license first issued on or about July 30, 1980; it expires on or about March 31, 2013.
4. On or about March 30, 2009, Respondent's license lapsed for failure to renew.
5. Respondent mistakenly and in good faith believed that she held a valid license during the period her license lapsed. Respondent continued to engage in part-time, volunteer nursing practice in Vermont, unaware that her license was not valid.
6. The parties agree that Respondent bore singular responsibility for maintaining and verifying active licensure. The parties also agree, however, that investigation into

STATE OF VERMONT



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this matter revealed mitigating facts and circumstances tending to justify the resolution of this matter with only an acknowledgment that unlicensed practice occurred and a nominal penalty. In particular:

- a. Respondent is a retired nurse and resident of New Hampshire. At all times relevant hereto, Respondent maintained a Vermont license for the sole purpose of providing *pro bono* medical care to needy clients at a free clinic near the Vermont-New Hampshire border.
- b. Respondent's nursing practice in Vermont has accrued to the significant benefit of Vermonters, and Respondent has received no remuneration for her charity services.
- c. At the time Respondent's license lapsed, Respondent was traveling in Florida and attempted to complete an online renewal. An audit of Board computer records shows partial information updates in late February, 2009, consistent with a failed attempt to complete online renewal.
- d. In April, 2009, Respondent learned by phone that licensing correspondence had been received from the Board. When Respondent contacted Board staff to inquire, it emerged that the Board, through no fault of Respondent, had issued Respondent multiple credential numbers. Resulting confusion about the credential numbers distracted those involved and caused a missed opportunity to clarify Respondent's licensure status.

Noncompliance with Administrative Duties

7. By committing the act(s) and/or omission(s) described above, Respondent has violated 26 V.S.A. § 1584(a)(3) ("It shall be violation of this chapter for any person, including any corporation, association, or individual, to ... [p]ractice nursing unless duly registered and currently licensed to do so under the provisions of this chapter.").
8. In the specific and limited context of this case, the failure to comply with § 1584(a)(3) did not relate to patient care and is properly cognizable as noncompliance with administrative duties pursuant to 3 V.S.A. § 129(a)(3).

Understandings

9. Respondent understands that the Nursing Board must review and accept the terms of this Consent Order. If the Board rejects any portion, the entire Stipulation and Consent Order shall be null and void.
10. 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.

STATE OF VERMONT



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11. Respondent has read and reviewed this entire document and agrees that it contains the entire agreement between the parties.
12. Respondent is not under the influence of any drugs or alcohol at the time she signs this Stipulation and Consent Order.
13. 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.
14. 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.
15. Respondent agrees that the Order set forth below may be entered by the Board.

ORDER

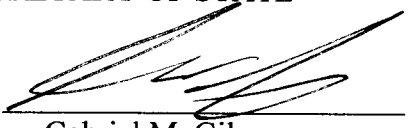
Based on the Stipulation above, it is **ORDERED AND ADJUDGED** as follows:

- A. Whereas the above-described violation relates only to noncompliance with administrative duties, the Board of Nursing does **NOT** make a finding of unprofessional conduct, but rather imposes a **MONETARY CIVIL PENALTY IN THE AMOUNT OF TWENTY-FIVE DOLLARS (\$25)**. This penalty is to be paid by Respondent within ninety (90) days of the date of entry of this Order.
- 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 pursuant to 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: 6/7/12

By: 

Gabriel M. Gilman
State Prosecuting Attorney

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KAREN MEYERS
RESPONDENT

Dated: 6/12/12

By: Karen Meyers RN
Karen Meyers, RN

APPROVED AND SO ORDERED:

VERMONT BOARD OF NURSING

Dated: 7/9/12

By: [Signature]
Acting Chairperson

Date of Entry: 7/10/12

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