

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

IN RE:
SONJA NILSEN
License No. 025-0006312

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Docket No: NU60-0407

STIPULATION AND CONSENT ORDER

NOW COMES the State of Vermont, through State Prosecuting Attorney, Edward G. Adrian, and the Respondent, Sonja Nilsen, L.P.N., 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, 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 ("ARBN"); and the Rules of the Office of Professional Regulation.

Statement of Facts

2. The Respondent, Sonja Nilsen, is licensed in the State of Vermont as a licensed practical nurse holding license number 025-0006312. This license was originally issued on or about November 1, 1988 and is currently set to expire on January 31, 2010.

3. At all times relevant, the Respondent was employed as a licensed practical nurse at Deerfield Valley Health Center (the "Facility") located in Wilmington, Vermont.

4. In an interview conducted by State Investigator Stephen Kennedy on or about May 30, 2007, the Respondent admitted to the following actions:

- a. The Respondent advised that she pre-labeled patient PAP smears the night before the tests were scheduled because the days would get hectic.
- b. The Respondent advised that she had a co-worker administer a vitamin B-12 shot to her even though the Respondent did not have a prescription for the shot.
- c. The Respondent advised that she would give a patient Fosomax samples without proper authorization.

5. The Respondent was terminated from the Facility on or about March 6, 2007 due in part to the above mentioned actions.

Charges

STATE OF VERMONT



Prosecuting Attorney
Office of
Professional Regulation
9 Baldwin Street
Montpelier, VT
05609-1107

6. The acts, omissions and/or circumstances described above constitute grounds for discipline because the Respondent has committed unprofessional conduct in violation of:

- (i) 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. Failure to practice competently includes: (1) performance of unsafe or unacceptable patient care; or (2) failure to conform to the essential standards of acceptable and prevailing practice); and
- (ii) 3 V.S.A. § 129a(a)(3) (failing to comply with the provisions of state statutes or rules governing the practice of the profession).

Understandings

- 7. 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.
- 8. 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.
- 9. Respondent has read and reviewed this entire document and agrees that it contains the entire agreement between the parties.
- 10. Respondent is not under the influence of any drugs or alcohol at the time she signs this Stipulation and Consent Order.
- 11. 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.
- 12. 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.
- 13. Respondent agrees that the Order set forth below may be entered by the Board.

ORDER

- A. The Board of Nursing hereby **REPRIMANDS** the Respondent's nursing license.
- 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).

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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: 06/02/08¹⁰

By: [Signature]
Edward G. Adrian
State Prosecuting Attorney

SONJA NILSEN (SMOCK)
RESPONDENT

Dated: 06/02/08

By: [Signature]
Sonja Nilsen (Smock)

APPROVED AND SO ORDERED:

VERMONT BOARD OF NURSING

Dated: 7/14/08

By: [Signature]
Chairperson

Date of Entry: 7/16/08

nu.smock.stip

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Prosecuting Attorney
Office of
Professional Regulation
9 Baldwin Street
Montpelier, VT
05609-1107