

**STATE OF VERMONT
BOARD OF NURSING**

In re: Thomas Njuguna
License No. 025-68650

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}

M2014-16
Docket No. (2012-247)

Decision on Motion for Reinstatement (amended)

Participating Board Members:

Jeanine Carr, RN, Chair
Ellen Watson, APRN, Vice Chair
William G. White, Jr., Public Member
Douglas Sutton, RN
Sheila Davis, LPN
Virginia Hudson, RN
Kelly Sinclair, LNA
Jennifer Laurent, APRN

Appearances:

for Petitioner, State of Vermont: Lauren Hibbert
for Respondent: Richard C. Bothfeld

Presiding Officer: Larry S. Novins

**FINDINGS OF FACT, CONCLUSIONS OF LAW,
AND ORDER**

The Vermont Board of Nursing held a hearing in the above matter on January 12, 2015 at the Office of Professional Regulation Conference Room at the City Center in Montpelier, Vermont. Respondent appeared with his attorney, Richard Bothfeld. Lauren Hibbert represented the State of Vermont.

Background

On April 8, 2013 this Board accepted a Stipulation and Consent Order in which Mr. Njuguna admitted unprofessional conduct which included sexual misconduct and conviction of a crime related to the practice of the profession or conviction of a felony, whether or not related to the practice of the profession. The Stipulation and Consent Order resulted in an indefinite suspension of Mr. Njuguna's LPN license and complete "rehabilitative counseling as required by the probation department." Mr. Njuguna could petition for reinstatement at which time it would be his burden to show that there exists a "set of license conditions what would enable him to return to nursing practice while adequately protecting the public health, safety and welfare, and

the integrity of the nursing profession. On January 16, 2014 Mr. Njuguna petitioned for reinstatement. The petition was denied. Mr. Njuguna requested a hearing which was held on June 9, 2014. At that time the Board found that Mr. Njuguna had not proved that reinstatement was appropriate at that time. The Board's Order contained a set forth a set of conditions that would permit reinstatement and practice. The Order denied the petition and Ordered that Mr. Njuguna complete a remedial course and counseling for no less than three months. The specifics of the counseling and reinstatement conditions are set out in the Board's Order. Mr. Njuguna has petitioned for reinstatement.

Findings of Fact

Based on the evidence presented and a review of the record in this matter, the Board finds as follows:

1. Mr. Njuguna was licensed as a practical nurse and is therefore subject to the regulatory authority of this Board. 3 V.S.A. §§ 129, 129a, 814(d), 26 V.S.A. § 1582(a) nurses and applicants, the Administrative Rules of the Board of Nursing, and the Rules of the Office of Professional Regulation.
2. Mr. Njuguna has completed the remedial course as required by the Board's June, 2014 Order.
3. As Ordered, Mr. Njuguna engaged in ten hours of counseling over a period of three months. His board-approved counselor was Gale H. Golden, LISCW BCD. Ms. Golden had the Board's June 2014 Order. Her September 15, 2014 report indicated that she remains available to Mr. Njuguna for any additional needed counseling.
4. A memorandum submitted by the Prosecuting Attorney on behalf of the investigative team alleged that Ms. Golden did not have the original Stipulation and Consent Order. Her report shows no familiarity with Mr. Njuguna's adjudicated crimes or the fact that he was convicted. Mr. Njuguna, Ms. Golden reported, was cooperative and compliant with her requests. Her report is brief. The report itself does not specifically indicate that she worked with Mr. Njuguna successfully to obtain skills to "appropriately recognize and maintain nursing professional boundaries, and deal with difficult patients" as required by the June 2014 Order. Her report itself does not specifically state that Mr. Njuguna has developed strategies to deal with challenges that arise in nursing and ensure that he has the communication skills necessary to deal appropriately with difficult patients.
5. Ms. Gold testified at the hearing and indicated that she was aware of Ms. Njunga's convictions but not the factual specifics of the crimes. She worked with him on recognizing risks involved in practice.
6. Documents accompanying the report do disclose the subject matter of Mr. Njuguna and Ms. Golden's sessions. They worked on what to do to ensure professional boundaries are not crossed, identifying the imperative need to seek assistance when confronted with manipulative clients or clients who are exhibiting uncontrollable behaviors, the need to have another healthcare profession available in the room, the need for patient consent before care is provided and the importance of reporting to superiors any incident where professional boundaries have been crossed.

7. Ms. Golden did conclude that based on psychological tests (VASOR and Static-ppr) and on her relationship with him that he "would certainly not be at risk to the community or the patients he will work with in his future."

Conclusions of Law

Based on the evidence presented and Facts found above we conclude as follows: Mr. Njuguna has shown that he has met the conditions imposed by our prior orders. He is eligible for reinstatement of his license.

Order

Mr. Njunga's license is **reinstated with the conditions set out in the June 10, 2014 Decision on Petition for Reinstatement.**

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, Office of Professional Regulation, National Life Bldg., North, FL2, Montpelier, Vermont 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:


Jeanne Carr, RN, Chair

Date January 15, 2015

OFFICE OF PROFESSIONAL REGULATION

DATE OF ENTRY: 1/16/15

**STATE OF VERMONT
BOARD OF NURSING**

In re: Thomas Njuguna
License No. 025-68650

M2014-16

Docket No. (2012-247)

Decision on Motion for Reinstatement

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Appearances:

for Petitioner, State of Vermont: Lauren Hibbert
for Respondent: Richard C. Bothfeld

Presiding Officer: Larry S. Novins

**FINDINGS OF FACT, CONCLUSIONS OF LAW,
AND ORDER**

The Vermont Board of Nursing held a hearing in the above matter on January 12, 2015 at the Office of Professional Regulation Conference Room at the City Center in Montpelier, Vermont. Respondent appeared with his attorney, Richard Bothfeld. Lauren Hibbert represented the State of Vermont.

Background

On April 8, 2013 this Board accepted a Stipulation and Consent Order in which Mr. Njuguna admitted unprofessional conduct which included sexual misconduct and conviction of a crime related to the practice of the profession or conviction of a felony, whether or not related to the practice of the profession. The Stipulation and Consent Order resulted in an indefinite suspension of Mr. Njuguna's LPN license and complete "rehabilitative counseling as required by the probation department." Mr. Njuguna could petition for reinstatement at which time it would be his burden to show that there exists a "set of license conditions what would enable him to return to nursing practice while adequately protecting the public health, safety and welfare, and

the integrity of the nursing profession. On January 16, 2014 Mr. Njuguna petitioned for reinstatement. The petition was denied. Mr. Njuguna requested a hearing which was held on June 9, 2014. At that time the Board found that Mr. Njuguna had not proved that reinstatement was appropriate at that time. The Board's Order contained a set forth a set of conditions that would permit reinstatement and practice. The Order denied the petition and Ordered that Mr. Njuguna complete a remedial course and counseling for no less than three months. The specifics of the counseling and reinstatement conditions are set out in the Board's Order. Mr. Njuguna has petitioned for reinstatement.

Findings of Fact

Based on the evidence presented and a review of the record in this matter, the Board finds as follows:

1. Mr. Njuguna was licensed as a practical nurse and is therefore subject to the regulatory authority of this Board. 3 V.S.A. §§ 129, 129a, 814(d), 26 V.S.A. § 1582(a) nurses and applicants, the Administrative Rules of the Board of Nursing, and the Rules of the Office of Professional Regulation.
2. Mr. Njuguna has completed the remedial course as required by the Board's June, 2014 Order.
3. As Ordered, Mr. Njuguna engaged in ten hours of counseling over a period of three months. His board-approved counselor was Gale H. Golden, LISCW BCD. Ms. Golden had the Board's June 2014 Order. Her September 15, 2014 report indicated that she remains available to Mr. Njuguna for any additional needed counseling.
4. A memorandum submitted by the Prosecuting Attorney on behalf of the investigative team alleged that Ms. Golden did not have the original Stipulation and Consent Order. Her report shows no familiarity with Mr. Njuguna's adjudicated crimes or the fact that he was convicted. Mr. Njuguna, Ms. Golden reported, was cooperative and compliant with her requests. Her report is brief. The report itself does not specifically indicate that she worked with Mr. Njuguna successfully to obtain skills to "appropriately recognize and maintain nursing professional boundaries, and deal with difficult patients" as required by the June 2014 Order. Her report itself does not specifically state that Mr. Njuguna has developed strategies to deal with challenges that arise in nursing and ensure that he has the communication skills necessary to deal appropriately with difficult patients.
5. Ms. Gold testified at the hearing and indicated that she was aware of Ms. Njunga's convictions but not the factual specifics of the crimes. She worked with him on recognizing risks involved in practice.
6. Documents accompanying the report do disclose the subject matter of Mr. Njuguna and Ms. Golden's sessions. They worked on what to do to ensure professional boundaries are not crossed, identifying the imperative need to seek assistance when confronted with manipulative clients or clients who are exhibiting uncontrollable behaviors, the need to have another healthcare profession available in the room, the need for patient consent before care is provided and the importance of reporting to superiors any incident where professional boundaries have been crossed.

7. Ms. Golden did conclude that based on psychological tests (VASOR and Static-ppr) and on her relationship with him that he "would certainly not be at risk to the community or the patients he will work with in his future."

Conclusions of Law

Based on the evidence presented and Facts found above we conclude as follows: Mr. Njuguna has shown that he has met the conditions imposed by our prior orders. He is eligible for reinstatement of his license.

Order

Mr. Njuguna's license is **reinstated with the conditions set out in the April, 2013 Stipulation and Consent Order.**

APPEAL RIGHTS

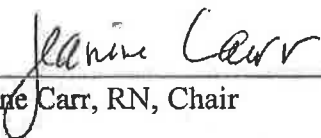
This is a final administrative determination by the Vermont Board of Nursing. A party aggrieved by a final decision of a board may appeal this decision by filing a written Notice of Appeal with the Director of the Office of Professional Regulation, Vermont Secretary of State, Office of Professional Regulation, National Life Bldg., North, FL2, Montpelier, Vermont 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, RN, Chair

Date January 12, 2015

OFFICE OF PROFESSIONAL REGULATION

DATE OF ENTRY: 1/13/15

**STATE OF VERMONT
BOARD OF NURSING**

In re: Thomas Njuguna
License No. 025-68650

} M2014-16
} Docket No. 2012-247(LPN)
}

**Decision on
Petition for Reinstatement**

Participating Board Members:

Ellen Watson, APRN, Vice Chair
Alan Weiss, Public Member
William G. White, Jr., Public Member
Deborah Swartz, RN
Sheila Davis, LPN
Virginia Hudson, RN
Luana Tredwell, LPN
Jennifer Laurent, APRN
Cessilee Franks, LNA, ad hoc

Appearances:

Prosecuting the case: Gabriel Gilman
for Respondent: Richard C. Bothfeld

Presiding Officer: Larry S. Novins

**FINDINGS OF FACT, CONCLUSIONS OF LAW,
AND ORDER**

The Vermont Board of Nursing held a hearing in the above matter on June 9, 2014 at the Office of Professional Regulation Conference Room at the City Center in Montpelier, Vermont.

Background

Mr. Njuguna's license was indefinitely suspended in accordance with a Stipulation and Consent Order accepted by the Board in April, 2012. Paragraph B of the Consent Order states: "At such time as Respondent has completed rehabilitative counseling as may be required by the Vermont Probation Department, Respondent may petition the Board for the conditional reinstatement of his license pursuant to ARBN 11.4. The State may file opposition of the petition or present evidence relative to the petition. Respondent shall bear the burden of demonstrating that a set of licensing conditions exists that would enable him to return to nursing practice while adequately protecting the public health, safety and welfare, and the integrity of the nursing professions."

Mr. Njuguna petitioned the Board for reinstatement on January 16, 2014. A preliminary denial letter was sent on March 26, 2014. The denial letter's stated:

"The reason for this decision is that you have not provided information needed by the subcommittee to determine that Mr. Njuguna has completed the required rehabilitative counseling and whether a set of license conditions exists that would enable him to return to nursing practice while adequately protecting the public health, safety and welfare, and the integrity of the nursing professions."

Mr. Njuguna requested a hearing. In support of his petition Mr. Njuguna has submitted several documents to the Board. They are: Mr. Njuguna's letter date February 11, 2014, a psychosexual evaluation dated December 20, 2013, and a letter from Mr. Njuguna's attorney dated April 21, 2014.

Findings of Fact

Based on the evidence presented, the Board finds as follows:

1. Mr. Njuguna was a licensed practical nurse and is therefore 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 November 9, 2011 Mr. Njuguna made inappropriate sexual contact with a female patient who was incarcerated at the Chittenden Regional Correctional Facility where he was employed as a nurse.
3. Mr. Njuguna's license was indefinitely suspended pursuant to a Stipulation and Consent Order accepted by the Board in April, 2013. Mr. Njuguna and the State stipulated that Mr. Njuguna violated 26 V.S.A. § 1582(a)(3)(unable to practice nursing) and 26 V.S.A. § 1582(a)(12)(sexual misconduct that exploits the provider-patient relationship, including sexual conduct with a patient, surrogates, or key third parties.)
4. The Stipulation and Consent Order recites in the stipulated facts that two criminal convictions resulted from Mr. Njuguna's contact with the inmate at the Chittenden Correctional Facility. The language of the first conviction shows that he "engaged in sexual act with a person who he knew was confined to a correctional facility, to wit, H.C., by inserting his finger into H.C.'s genital opening through her clothing, in violation of 13 V.S.A. § 3257(a)(1)." For that offense, Mr. Njuguna was placed on probation which may be subject to expungement at the end of three years. The language of the other conviction showed that he "engaged in lewdness, to wit, by having contact between his hand and H.C.'s genital area outside of her clothing, in violation of 13 V.S.A. § 2632."
5. In the Stipulation and Consent Order Mr. Njuguna stipulated that his conduct violated 26 V.S.A. § 1582(a)(sexual misconduct that exploits the provider-patient relationship, including sexual contact with a patient; 26 V.S.A. § 1582(a)(3)(unable to practice nursing); and 3 V.S.A. § 129a(b)(1) and (2)(failure to practice competently.)
6. By the terms of the Stipulation and Consent Order Mr. Njuguna is at this time eligible to petition for reinstatement.
7. Mr. Njuguna testified about the incident with the inmate. Mr. Njuguna's version of what

- transpired between him and the female inmate varies from the conduct he admitted to in court. No matter what his version of events is, what is clear is that he failed to report the matter to his superiors. Four days after the incident, Mr. Njuguna quit his job.
8. Mr. Njuguna's sexual conduct with a female inmate is set forth in the Stipulation and Consent Order with its recitation of his criminal convictions and violations of unprofessional conduct statutes. The plea agreement in effect leaves to Mr. Njuguna control over any incarceration and the extent of his ultimate criminal record. So long as he complies with his probation, he will remain out of jail.
 9. At the time of Mr. Njuguna's crime, November, 2011, he was enrolled in a registered nursing program at North Country Community College in New York State. He has completed that program. He took the ethics portion of the program after the incident with the inmate. He has not yet taken the NCLEX examination.
 10. Mr. Njuguna spoke of his plans to avoid similar problems in the future. He plans to work where he is not alone with any female patients. He plans to work where an LNA can be with him in problematic situations.
 11. Mr. Njuguna applied for work at the Arbors in Shelburne, Vermont. In his application he did not disclose, as he was required to do by the application form, his most recent employment where his illegal conduct occurred. He testified that he was told to include only prior employment similar to the position he was applying for. His application was inaccurate and false.
 12. Thomas A. Powell, Ph.D. conducted a forensic evaluation of Mr. Njuguna. The evaluation was for Mr. Njuguna to present to the Board so it could determine whether to permit Mr. Njuguna to resume practice. It also served to inform the probation department whether Mr. Njuguna was in need of sex offender treatment. Dr. Powell conducts forensic evaluations for the Department of Corrections. Dr. Powell administered several tests including the Multiphasic Sex Inventory; a Personality Assessment Inventory; the Paulus Deception Scales test; the Abel & Becker Cognitions Scale; the Bumbly Cognitive Distortions Questionnaire; the Hostility Toward Women Scale; the Levinson Victim Empathy Scale; and the Hanson Sex Attitude Questionnaire.
 13. Dr. Powell reported that there was no indication that Mr. Njuguna suffers from any sexual dysfunction and/or desire disorder. His testing showed that Mr. Njuguna has a very low degree of attitudinal and behavioral commonality with men who were convicted of sexual assault. Mr. Njuguna is considered to be at low risk, approximately 1.7%, for re-offending, i.e., committing another sexual crime.
 14. Dr. Powell's evaluation focused on re-offense risk. It did not focus on Mr. Njuguna's judgment and ability to practice nursing in a safe manner.
 15. Mr. Njuguna has no previous disciplinary or criminal history. Dr. Powell concluded that Mr. Njuguna "does not represent sexual risk in the community in any fashion." His test scores put him in the lowest recidivism categories. Dr. Powell suggested that with mentoring by a seasoned nurse who could observe his interaction with patients and provide him with guidance about therapeutic relationships and boundaries, Mr. Njuguna should be able to practice safely. Dr. Powell suggested that Mr. Njuguna take a course or continuing education unit on ethical obligations and expectations in the nursing professions. Dr. Powell suggested that Mr. Njuguna not practice in "boundary challenging environments" such as correctional facilities or juvenile facilities. He should

be able to practice in a less intensive institutional environment or in an office. Dr. Powell did not believe that sex offender treatment would "serve any rehabilitative or public safety function."

16. Mr. Njuguna is not in need of sex offender treatment.

Discussion

Mr. Njuguna's conduct with the inmate in November, 2011, as the prosecutor pointed out, is a most serious breach of nursing standards. Mr. Njuguna's conduct was not a matter of violating of nursing ethics which is cured in part by his subsequent nursing training. In November, 2011 Mr. Njuguna knew what he did was wrong. His breach was of one of the most basic and fundamental tenets of nursing. It was an egregious boundary violation of a vulnerable individual. Mr. Njuguna's failure to contact his superiors highlights his lack of judgment about how to handle the situation. Mr. Njuguna's job application, where he was not fully honest about his work history, once again shows a lack of judgment and understanding of his responsibilities.

We agree with Dr. Powell that specific sex offender counseling is not necessary to prevent criminal conduct. However, mentoring and mere continuing education course work is not sufficient to assure us that Mr. Njuguna will be ready to resume nursing practice.

Patients are a vulnerable group. The ones that Mr. Njuguna is likely to encounter can present an immense variety of challenges. Patients in nursing or long term care facilities can act out in any number of ways, including sexually. A nurse can not simply avoid inappropriate patient behavior or make sure that he or she is accompanied by other staff when it occurs. Successful nursing requires strategies formulated in advance to deal with patient challenges. Successful nursing with challenging patients requires effective communication skills.

How Mr. Njuguna will respond to patient behavior can not be known at this time. It is our hope that with the appropriate guidance and training, Mr. Njuguna will be able to show that he has the means to meet the challenges he will face. To achieve that goal, and to permit protect the public while permitting him to resume practice, the Board issues the following Order.

Conclusions of Law

Based on the evidence presented and Facts found above we conclude as follows:

1. Mr. Njuguna has not met his burden to show that his return to nursing may now occur in a manner in which the public health, safety, and welfare can be protected. He may, however, by complying with the following, have his license reinstated with conditions.
2. Conditions exist which can permit Mr. Njuguna to resume practice safely.

Order

Mr. Njuguna's license shall remain suspended until he has met the following conditions.

1) **Remedial course:** Mr. Njuguna shall successfully complete a course, pre-approved by the Board or its designee in respecting professional boundaries. The NCSBN course covering this subject matter would be appropriate.

2) **Counseling:**

a) Mr. Njuguna shall engage in counseling with a licensed mental health professional ("the professional") specializing in evaluating and treating health care providers. The professional shall be pre-approved by the Board or its designee. The professional shall be provided a copy of this Order, the Stipulation and Consent Order, and any other documents deemed necessary by the Board or its designee.

b) **Respondent's counseling shall continue for no less than three months.** The counseling must deal with and assist Mr. Njuguna to obtain knowledge and gain and possess skills to appropriately recognize and maintain nursing professional boundaries, deal with challenging potential patient encounters, and deal with difficult patients. The counseling shall enable Mr. Njuguna to develop and implement strategies to deal with challenges that arise in nursing and ensure that Mr. Njuguna has the communication skills necessary to deal appropriately with difficult patients. The goal of the counseling is to assure that Mr. Njuguna is fit to practice without risk to the public.

c) When the professional feels that Mr. Njuguna possesses the strategies and skills to deal with the issues mentioned in the preceding paragraph, he or she shall submit a written report to the Board outlining the areas covered in counseling and evidence that the counseling objectives have been met.

3) When Mr. Njuguna has 1) successfully completed the course and 2) when the professional reports that Mr. Njuguna is fit to resume practice and does not present a risk to the safety, health, or welfare of his potential patients, Mr. Njuguna may petition for reinstatement of his license.

Conditions after Reinstatement

a) **Reinstatement** When Mr. Njuguna has shown the Board successful completion of the reinstatement prerequisites above, his license shall be reinstated as "**conditioned.**" The conditions set forth below shall remain with Mr. Njuguna's license until further Order of the Board. In any event, Mr. Njuguna's license shall remain conditioned for no less than one year.

b) **Length of time of Conditions Imposed** These conditions shall remain in place until Mr. Njuguna has completed all conditions ordered. Mr. Njuguna shall be subject to the conditions until Mr. Njuguna completes a **minimum of one year** of supervised practice in which he works at least forty (40) hours every two (2) weeks as a licensed practical nurse. Part time employment of less than forty (40) hours every two (2) weeks shall be credited on a pro-rated basis.

3. **Notification to Employers/Nursing School (a) Employer** Mr. Njuguna shall provide a copy of this Order and the prior Stipulation and Consent Order to all employers in any setting in which Mr. Njuguna practices as a licensed practical nurse and inform them of the conditional license status. Within ten (10) days of the date of entry of this Order or of any subsequent employment, Mr. Njuguna shall cause his immediate supervisor to write on the employer's letterhead or form issued by the Board to the Vermont Board of Nursing acknowledging receipt of this Order and acknowledging the employer's ability to comply with the conditions required by this Order.

4. **Reports from Employers/Program Director (a)** Within one (1) month of the date of entry of this Order and monthly thereafter, Mr. Njuguna shall cause every employer he has worked for during the relevant period as a licensed practical nurse to submit to the Board an evaluation of his performance during that period. This report shall be on forms issued by the Board. (b) Should Mr. Njuguna attend a nursing program which has a clinical portion that involves actual patient care, Mr. Njuguna shall provide a copy of this Order to the Program Director. Mr. Njuguna shall cause the Program Director to write to the Board on school letterhead or form issued by the Board acknowledging receipt of the Order and the ability of the program to comply with the terms of this Order during Mr. Njuguna's clinical experience.

5. **Practice Under Supervision** Mr. Njuguna shall practice only in a setting where he has "direct supervision" for the entire shift by a licensed registered nurse in good standing.

6. **Types of Employment Prohibited** Mr. Njuguna shall not work for a nurse registry, traveling nurse agency, float-pool, home health care agency, temporary nursing employment agency or as a personal care provider during the effective period of this Order. Mr. Njuguna shall not work in a correctional or juvenile facility.

7. **Out-of-State Practice** Out-of-state practice can be credited toward fulfillment of this Order only if Mr. Njuguna first obtains prior approval from this Board for out-of-state practice. If Mr. Njuguna fails to obtain prior approval before practicing out-of-state, none of the out of state practice time will be credited toward fulfillment of this Order. The Board will approve out-of-state practice so long as Mr. Njuguna can still comply with the provisions of this Order.

8. **Notification of Place of Employment, Personal Address, Telephone Number** Within 5 days of the entry of this Order, Mr. Njuguna shall notify the Board in writing, of his current place of employment, personal address, and telephone number. Mr. Njuguna shall further notify the Board, in writing, within forty-eight (48) hours of any change of employment, personal address, or telephone number.

9. **Notification to Other Jurisdictions** In the event that Mr. Njuguna is licensed in any other jurisdiction(s), Mr. Njuguna must, within thirty (30) days, inform the nursing licensing board there of the conditioned status of Mr. Njuguna's license in Vermont.

10. **License Renewal** If Mr. Njuguna's license expires while this Order remains in effect, this Order does not automatically extend the license. To continue to practice Mr. Njuguna must timely apply for renewal, pay the applicable fee, and demonstrate that all renewal requirements have been satisfied.
11. **Costs** Mr. Njuguna shall bear all costs of complying with this Order.
12. **Violation of this Order** Violation of any part of this Order is grounds for further disciplinary action. If a complaint of unprofessional conduct is made against Mr. Njuguna during the term of this Order, the Order shall be automatically extended until the unprofessional conduct matter is concluded.
13. **Completion of Conditional License Period** (a) After the conditional license period, Mr. Njuguna may petition the Board to remove any and all license conditions. Mr. Njuguna must present proof that all terms of this Order have been met. Mr. Njuguna must demonstrate to the satisfaction of the Board that he poses no danger to the public or the practice of nursing and that he can safely and competently perform his licensed duties. (b) Notwithstanding any provision above, Mr. Njuguna must continue to meet all Board of Nursing requirements for maintaining a license, license renewal, and license reinstatement.

APPEAL RIGHTS

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

Vermont Board of Nursing

By: EW
Ellen Watson, APRN, Vice Chair

Date: June 10, 2014

OFFICE OF PROFESSIONAL REGULATION

DATE OF ENTRY: 6/16/14