

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

IN RE:)
VICKI ELAINE PERRY) **Docket No: NU 58-0305**
License No. 025-0003098)

STIPULATION AND CONSENT ORDER

STIPULATION

The Respondent, Vicki Elaine Perry, L.P.N. and the State of Vermont, by State Prosecuting Attorney, Angela B. Stanski, stipulate to the statements set forth below and agree to the entry of the following Consent Order by the Vermont State Board of Nursing as a final order in this matter.

Board Authority

1) The Vermont State Board of Nursing ("Board") has jurisdiction to investigate and adjudicate complaints of unprofessional conduct against nurses pursuant to 3 V.S.A. §§129a and 129(a); 3 V.S.A. §814(d); 26 V.S.A. §1582(a); the Administrative Rules of the Board of Nursing ("ARBN"); and the Rules of the Office of Professional Regulation.

Facts

2) The Respondent is a Licensed Practical Nurse holding license number 025-0003098, issued by the State of Vermont. The Respondent's license expired on January 31, 2004.

3) On March 18, 2005, the Board of Nursing received a Licensed Practical Nurse Renewal Application from the Respondent. The Respondent indicated on the application that she had been working as a L.P.N. at Central Vermont Hospital Physician's Practice Corp. from September 2001 through the date of the application, March 19, 2005.

Charges

4) By failing to renew her L.P.N. license as required and by practicing without a current Vermont license, the Respondent has:

(i) Failed to comply with federal or state statutes or rules governing the practice of the profession in that she practiced as a L.P.N. in Vermont without a current license to practice in violation of 3 V.S.A. §129a(a)(3) and ARBN Chapter 4, Subchapter IV, (II)(D)(9).

STATE OF VERMONT



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

Understandings

- 5) The parties understand that the terms of this Stipulation and Consent Order are contingent upon review and acceptance by the Board of Nursing and that if the Board rejects any portion the entire Stipulation and Consent Order shall be null and void.
- 6) The Respondent has read and reviewed this document fully and agrees that it contains the entire agreement between the parties.
- 7) This Stipulation and Consent Order is entered into voluntarily by the Respondent after the opportunity to consult with legal counsel. The Respondent has not been coerced by anyone into signing this Stipulation and Consent Order.
- 8) The Respondent is voluntarily waiving her right to charges and a contested hearing before the Board of Nursing and waives any right to appeal from this Stipulation and Consent Order.
- 9) The Respondent agrees that the Facts alleged above are true and the Order set forth immediately below may be entered by the Board of Nursing.

WHEREFORE, the parties agree that the following constitutes a reasonable resolution given the above violations:

CONSENT ORDER

Based upon the above stipulation, it is **ORDERED AND ADJUDGED** as follows:

- A. The Board of Nursing hereby imposes an **ADMINISTRATIVE PENALTY OF THREE HUNDRED FIFTY DOLLARS (\$350.00)** against the Respondent. As the facts show noncompliance with administrative duties not related to patient, client or customer care, the Board finds that the conduct stipulated to does not constitute unprofessional conduct, pursuant to 3 V.S.A. §129(a)(3). This penalty shall be paid within ninety (90) days of the date of entry of this Order.
- B. 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).
- C. This Stipulation and Consent Order will remain part of the 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

STATE OF VERMONT



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

Dated: _____

By: _____

Angela B. Stanski
State Prosecuting Attorney

*Edward
Adrian
for*

VICKI ELAINE PERRY
RESPONDENT

Dated: 7-28-05

By: _____

Vicki Elaine Perry
Vicki Elaine Perry

APPROVED AND SO ORDERED: VERMONT BOARD OF NURSING

Dated: _____

9/12/05

By: _____

Jane Farrell
Chairperson

Date of Entry: _____

9/14/05

nu.perry3.stip

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