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

IN RE:	)	
JUDITH RESSLER	)	**Docket No. 2011-106**
License No. 026.0019389	)	

STIPULATION AND CONSENT ORDER

STIPULATION

NOW COME the State of Vermont, by and through State Prosecuting Attorney S. Lauren Hibbert, and the Respondent, Judith Ressler, RN, 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, or 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 (the "ARBN"); and the Rules of the Office of Professional Regulation.

Stipulated Facts

2. Judith Ressler (the "The Respondent") of Brattleboro, Vermont is licensed by the State of Vermont as a Registered Nursed under license number 026.0019389. This license was originally issued on or about March 8, 1990 and is currently set to expire on or about March 31, 2011.

3. At all times relevant, the Respondent was not employed as a Registered Nurse and her license status is currently inactive.

4. On or about February 09, 2011 the Respondent completed a registered nurse application which indicated that she had practiced as an RN for either 50 days within the last two years or for 120 days within the last five years. The Respondent had no documented proof and indicated the records had been lost in an accident.. Additionally, the Respondent indicated on her license renewal application that she successfully completed a Board approved RN re-entry program within the last five years at North Dakota Re-Entry Program in Bismark, North Dakota.

STATE OF VERMONT

Prosecuting Attorney
Office of
Professional Regulation
National Life Building
Second Floor North
Montpelier, VT
05620-3602

5. On or about February 09, 2011 Program Services sent a deficiency letter to the Respondent requesting further proof of her hours.

6. On or about February 09, 2011 the Respondent contacted Program Services and admitted she could not provide work hours from previous employers and some data had been destroyed. The Respondent also admitted she had incorrectly answered the questions on the renewal application.

7. On or about February 16, 2011 the Respondent completed another application for license renewal. In this application she updated the address for the North Dakota re-entry program and answered truthfully that she had not practiced as an RN in the last five years.

8. On or about July 1, 2011, in an interview with State Investigator Jocelyn Stohl, the Respondent admitted that she did not have hours that would fulfill the work requirement for licensure.

9. Respondent has committed unprofessional conduct because she falsified information on her license renewal application to indicate she had worked the required hours; by doing so she had not conformed to the essential standards of nursing nor has she complied with statutes or rules governing the profession.

Violations

10. The act(s), omission(s), and/or circumstance(s) described above constitute grounds for discipline because the Respondent has committed unprofessional conduct in violation of:

    a. 3 V.S.A. §129a(b)(2) (Failure to practice competently by reason of any cause on a single occasion or on multiple occasions may constitute unprofessional conduct, whether actual injury to a client, patient, or customer has occurred. Failure to practice competently includes: (2) failure to conform to the essential standards of acceptable and prevailing practice); and,

    b. 3 V.S.A. § 129a(a)(3) (Failing to comply with provisions of federal or state statutes or rules governing the practice of the profession).

Understandings

11. 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.

STATE OF VERMONT

Prosecuting Attorney
Office of
Professional Regulation
National Life Building
Second Floor North
Montpelier, VT
05620-3602

12. 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.

13. Respondent has read and reviewed this entire document and agrees that it contains the entire agreement between the parties.

14. Respondent is not under the influence of any drugs or alcohol at the time she signs this Stipulation and Consent Order.

15. 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.

16. 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.

17. 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. The Board of Nursing hereby changes Respondent's license status to **INACTIVE-CONDITIONED, commencing with the date of entry below**. If, in the future, Respondent requests reinstatement of her nursing ~~assistant~~ license, her license will be **CONDITIONED** by the Board pursuant to whatever terms the Board finds reasonable at the time of Respondent's request for reinstatement. SLH

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).

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

STATE OF VERMONT

Prosecuting Attorney
Office of
Professional Regulation
National Life Building
Second Floor North
Montpelier, VT
05620-3602

Dated: 3/5/12

By: S. Lauren Hibbert
State Prosecuting Attorney

JUDITH RESSLER
RESPONDENT

Dated: 3/5/12

By: Judith Ressler

APPROVED AND SO ORDERED:

VERMONT BOARD OF NURSING

Dated: 4/19/12

By: Janine Carr
Chairperson

Date of Entry: 4/10/12

nu.ressler.stip

STATE OF VERMONT

Prosecuting Attorney
Office of
Professional Regulation
National Life Building
Second Floor North
Montpelier, VT
05620-3602