

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

IN RE:)
RUTH RUDNICK) **Docket No: NU44-1105**
License No. 026-0018246)

STIPULATION AND CONSENT ORDER

STIPULATION

NOW COMES the State of Vermont, through the State Prosecuting Attorney, Edward G. Adrian, and the Respondent, Ruth Rudnick, R.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, Ruth Rudnick, is licensed in the State of Vermont as a registered nurse under license number 026-0018246. This license was originally issued on or about April 1, 1988 and is currently set to expire on March 31, 2007.
3. At all times relevant, the Respondent was employed as a registered nurse in the dialysis unit at Southwestern Vermont Medical Center (the "Facility") located in Bennington, Vermont.
4. On or about November 17, 2003 and again on November 25, 2003, Respondent, accessed D.P.'s medical records for non-work related purposes. At the time Respondent and D.P. were friends and colleagues. On information and belief, the Respondent did not benefit personally from accessing D.P.'s medical records.

Charges

5. The acts, omissions and/or circumstances described above constitute grounds for discipline because the Respondent has committed unprofessional conduct in violation of 3 V.S.A. § 129a(a)(3) (failing to comply with the provisions of state statutes or rules governing the practice of the profession); in that Respondent did not obtain from D.P. a medical authorization.

Understandings

6. The Respondent understands that the Board of Nursing must review and accept the terms of the Order set forth below and that if the Board rejects all or any portion of the Order, then this entire document shall be null and void.
7. The Respondent has read and reviewed this entire document and agrees that it contains the entire agreement between the parties.
8. The Respondent is not under the influence of any drugs or alcohol at the time this document is being signed.
9. The Respondent agrees that she has had sufficient opportunity to consult with legal counsel before signing this document.
10. The Respondent is voluntarily waiving her right to a contested hearing before the Board of Nursing.
11. The Respondent agrees that the Order set forth below may be entered by the Board of Nursing.

ORDER

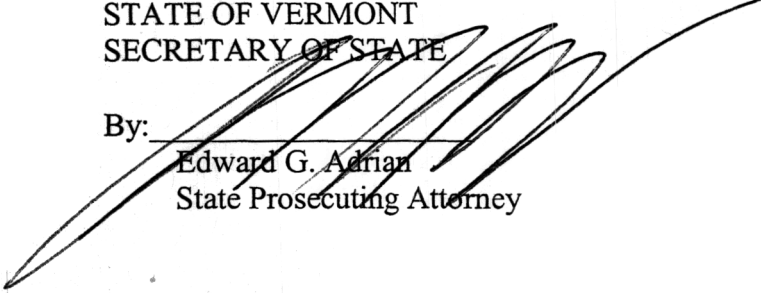
Based on the above stipulation, it is **ORDERED AND ADJUDGED** as follows:

- 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).
- 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:

Dated: 7/5/66

STATE OF VERMONT
SECRETARY OF STATE

By: 

Edward G. Adrian
State Prosecuting Attorney

RUTH RUDNICK
RESPONDENT

Dated: 6/23/06

By: Ruth Rudnick
Ruth Rudnick, R.N.

APPROVED AS TO FORM

Dated: 6/30/06

By: Ritchie E. Berger
Ritchie E. Berger, Esq.
Attorney for Respondent

APPROVED AND SO ORDERED:

VERMONT BOARD OF NURSING

Dated: 7/10/06

By: Susan Faurell
Chairperson

Date of Entry: 7/12/06

nu.rudnick3.stip

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

IN RE:

RUTH RUDNICK

License No. 026-0018246

Docket No: NU44-1105

SPECIFICATION OF CHARGES

NOW COMES the State of Vermont and makes the following Charges against the Respondent, Ruth Rudnick, R.N.:

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, Ruth Rudnick, is licensed in the State of Vermont as a registered nurse under license number 026-0018246. This license was originally issued on or about April 1, 1988 and is currently set to expire on March 31, 2007.
3. At all times relevant, the Respondent was employed as a registered nurse in the dialysis unit at Southwestern Vermont Medical Center (the "Facility") located in Bennington, Vermont.
4. On or about November 17, 2003 and again on November 23, 2003, Respondent accessed D.P.'s medical records for non-worked related purposes. D.P. was not Respondent's patient, nor were there any other medical reasons requiring Respondent to access D.P.'s records.
5. In an interview conducted by State Investigator Steve Kennedy on or about December 1, 2005, Respondent admitted that she had accessed D.P.'s medical records for personal reasons.

Charges

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

STATE OF VERMONT



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

- i. 26 V.S.A. § 1582(a)(3) (is unable to practice nursing competently by reason of any cause) which includes, but is not limited to, failing to conform to the essential standards of acceptable and prevailing nursing practice pursuant to ARBN Chapter 4, Rule IV(II)(B)(2);
- ii. 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. Failure to practice competently includes, but is not limited to, failure to conform to the essential standards of acceptable and prevailing practice); and
- iii. 3 V.S.A. § 129a(a)(3) (failing to comply with the provisions of state statutes or rules governing the practice of the profession).

Relief Requested

WHEREFORE, the license of Ruth Rudnick should be revoked, suspended, reprimanded, conditioned or otherwise disciplined.

DATED at Montpelier, Vermont this 20th day of March 2006.

STATE OF VERMONT
SECRETARY OF STATE

By: _____

Edward G. Adrian
State Prosecuting Attorney

nu.rudnick.soc

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