

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

IN RE:)
RUTH SANFORD) Docket No: NU34-1005
License No. 026-0014366)

STIPULATION AND CONSENT ORDER

NOW COMES the State of Vermont, through State Prosecuting Attorney, Edward G. Adrian, and the Respondent, Ruth Sanford, 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 Sanford, is licensed in the State of Vermont as a registered nurse holding license number 026-0014366. This license was originally issued on or about September 3, 1981 and is currently set to expire on March 31, 2007.
3. At all times relevant, the Respondent was employed as a registered nurse at the Northern State Correctional Facility (the Facility), located in Newport, Vermont.
4. On her progress notes for inmate D.F., the Respondent indicated that D.F. complained to her of belly pain on or about August 22, 2005, August 25, August 30, 2005, and September 9, 2005. The Respondent's notes indicate that D.F. advised the Respondent that the pain he was experiencing was related to his Crohn's Disease.
5. The Respondent's assessment of the second complaint was that D.F. was drug seeking. For the third complaint, the Respondent placed D.F. on Tylenol and indicated in her notes that D.F. was not currently receiving medication for Crohn's Disease. For the fourth complaint, the Respondent indicated in her notes that there was no evidence of Crohn's Disease in D.F.'s chart. However, D.F.'s medical chart contained three separate references to his complaints regarding Crohn's Disease, all prior to the incidents in which D.F. complained to the Respondent.

STATE OF VERMONT



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Office of
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9 Baldwin Street
Montpelier, VT
05609-1107

6. The Respondent failed to refer D.F. to his physician regarding D.F.'s continued complaints of pain and the possibility that D.F. was suffering from symptoms of Crohn's Disease.

Charges

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

- (i) 26 V.S.A. § 1582(a)(3) (is unable to practice nursing competently by reason of any cause) which includes performing unsafe or unacceptable patient care pursuant to ARBN Chapter 4, Rule IV(II)(B)(1); 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)(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
- (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).

Understandings

8. This Stipulation is neither an admission of liability by the Respondent nor a concession by the State of Vermont that its charges are not well founded. To avoid delay, uncertainty, inconvenience, and expense of protracted litigation of the charges above the Parties reach a full and final Stipulation pursuant to these Understandings and the Order below.

9. 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.

10. 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.

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

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

13. 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.

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14. 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.

15. 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).

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: 1/29/07

By: [Signature]

Edward G. Adrian
State Prosecuting Attorney

RUTH SANFORD
RESPONDENT

Dated: 3/12/07

By: [Signature]

Ruth Sanford

APPROVED AND SO ORDERED:

VERMONT BOARD OF NURSING

Dated: 3/12/07

By: [Signature]

Chairperson

Date of Entry: 3/16/07

nu.sanford.stip

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IN RE:)
RUTH SANFORD) Docket No: NU34-1005
License No. 026-0014366)

SPECIFICATION OF CHARGES

NOW COMES the State of Vermont and makes the following Charges against the Respondent, Ruth Sanford, 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.

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5. The Respondent's assessment of the second complaint was that D.F. was drug seeking. For the third complaint, the Respondent placed D.F. on Tylenol and indicated in her notes that D.F. was not currently receiving medication for Crohn's Disease. For the fourth complaint, the Respondent indicated in her notes that there was no evidence of Crohn's Disease in D.F.'s chart. However, D.F.'s medical chart contained three separate references to his complaints regarding Crohn's Disease, all prior to the incidents in which D.F. complained to the Respondent.

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(ii) 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

(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 Sanford should be revoked, suspended, reprimanded, conditioned or otherwise disciplined.

DATED at Montpelier, Vermont this 27th day of November 2006.

STATE OF VERMONT
SECRETARY OF STATE

By: _____

Edward G. Adrian
State Prosecuting Attorney

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