

**STATE OF VERMONT
BOARD OF NURSING**

IN RE:

Theresa A. Saxton

License No: 25-7456

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Docket No. NU36-1200

SPECIFICATION OF CHARGES, STIPULATION AND CONSENT ORDER

SPECIFICATION OF CHARGES

1. The Vermont Board of Nursing has jurisdiction to investigate and adjudicate allegations of unprofessional conduct committed by nurses and nursing assistants pursuant to 3 V.S.A. §§129, 129a and 814; 26 V.S.A. §§1574, 1582, 1595 and 1598; the Board of Nursing's Rules and the Office of Professional Regulation's Rules.
2. Respondent Theresa A. Saxton (formerly known as Theresa A. Genier), of Fair Haven, Vermont, is a licensed practical nurse holding license number 25-7456, issued by the State of Vermont. This license was originally issued on about December 26, 1996 and it is currently extended.
3. At all times relevant, Respondent was employed by Mettowee Valley Family Health Center, of Pawlet, Vermont.
4. During about the summer of 2000, Respondent's close relative, "A", was prescribed Prozac by a health care provider with prescriptive authority.
5. During about the summer of 2000, Respondent dispensed the above Prozac by placing manufacturer's samples from her employer, in a bottle with her own writing on the label, without prior authorization.

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6. The above acts, omissions and/or circumstances violate: Nursing Board Rules: Chapter 4, Rule IV, B.4.d (diverting supplies, equipment, or drugs for personal use or other unauthorized use) and 3 VSA §129a(a)(3) (failing to comply with the provisions of federal or state statutes or rules governing the practice of the profession).

WHEREFORE, the license of Theresa A. Saxton should be revoked, suspended or otherwise disciplined.

STIPULATION

1. The Vermont Board of Nursing has jurisdiction to investigate and adjudicate allegations of unprofessional conduct committed by nurses and nursing assistants pursuant to 3 V.S.A. §§129, 129a and 814; 26 V.S.A. §§1574, 1582, 1595 and 1598; the Board of Nursing's Rules and the Office of Professional Regulation's Rules.
2. Respondent Theresa A. Saxton (formerly known as Theresa A. Genier), of Fair Haven, Vermont, is a licensed practical nurse holding license number 25-7456, issued by the State of Vermont. This license was originally issued on about December 26, 1996 and it is currently extended.
3. At all times relevant, Respondent was employed by Mettowee Valley Family Health Center, of Pawlet, Vermont.
4. Respondent admits that during about the summer of 2000, her close relative, "A", was prescribed Prozac by a health care provider with prescriptive authority.

5. Respondent admits that during about the summer of 2000, she dispensed the above Prozac by placing manufacturer's samples from her employer, in a bottle with her own writing on the label, without prior authorization
6. Respondent admits the conclusions of unprofessional conduct as set forth below in the Board's Order.
7. 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.
8. Respondent has read and reviewed this entire document and agrees that it contains the entire agreement between the parties.
9. Respondent waives any notification period and agrees to have this document reviewed by the Board during the next available meeting. 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.
10. Respondent is not under the influence of any drugs or alcohol at the time she signs this Stipulation and Consent Order.
11. Respondent voluntarily enters this agreement after the opportunity to consult with legal counsel and is not being coerced by anyone into signing this Stipulation and Consent Order.
12. Respondent voluntarily waives her right to charges and a contested hearing before the Board of Nursing.
13. Respondent agrees that the Board may set forth the order below.

ORDER

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

A. By engaging in the conduct above, Respondent acted unprofessionally pursuant to, and in violation of Nursing Board Rules: Chapter 4, Rule IV, B.4.d (diverting supplies, equipment, or drugs for personal use or other unauthorized use) and 3 VSA §129a(a)(3) (failing to comply with the provisions of federal or state statutes or rules governing the practice of the profession).

B. The Nursing Board issues a **WARNING** to the Respondent.

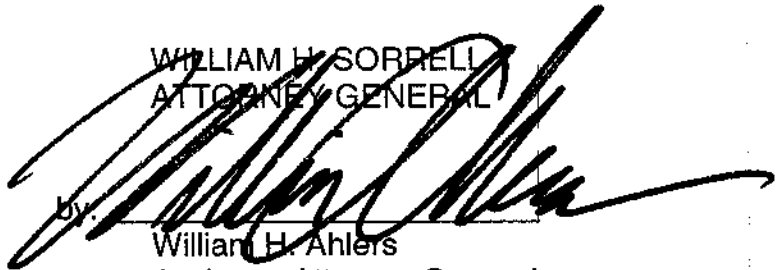
C. This Stipulation and Consent Order is a matter of public record and may be reported to other licensing authorities as provided in 3 V.S.A. §129(a).

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.

STATE OF VERMONT

WILLIAM H. SORRELL
ATTORNEY GENERAL

Dated: 1/29/02

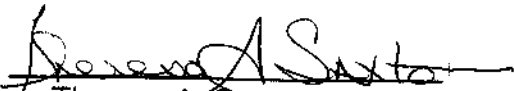
by: 

William H. Ahlers
Assistant Attorney General

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RESPONDENT
THERESA A. SAXTON

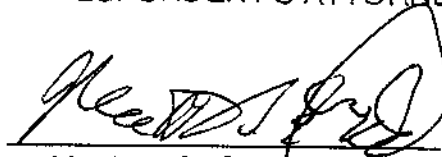
Dated: 1/29/2002

by: 
Theresa A. Saxton

MATTHEW D. GILMOND, ESQ.
RYAN, SMITH & CARBINE
RESPONDENT'S ATTORNEYS

Approved as to Form:

Dated: 1/29/02

by: 
Matthew D. Gilmond, Esq.

APPROVED AND SO ORDERED:

VERMONT BOARD OF NURSING

Dated: Feb. 11, 2002

by: 
Chairperson

Date of entry: 2/12/02