

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

IN RE:

**CAROLYN SECHMAN
License No. 026-0021773**

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)
)

Docket No: NU38-1105

STIPULATION AND CONSENT ORDER

NOW COMES the State of Vermont, through State Prosecuting Attorney, Edward G. Adrian, and the Respondent, Carolyn Sechman, 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, Carolyn Sechman, is licensed in the State of Vermont as a registered nurse under license number 026-0021773. This license was originally issued on or about September 13, 1994 and is currently set to expire on March 31, 2007.
3. At all times relevant to these charges, the Respondent was employed as a registered nurse at the Vermont State Hospital ("VSH") located in Waterbury, Vermont.
4. On or about the evening of October 21, 2005, nursing assistant S.D. and psychiatric technician L.F. observed the following verbal exchange between the Respondent and patient R.H. The Respondent answered a telephone call from R.H. while she was at the nurses' station. S.D. and L.F. observed the Respondent tell R.H. to hang up the phone and to stop calling. The Respondent then told R.H. "If you don't hang up the phone, I'm going to sew your mouth shut!" S.D. also advised that she heard the Respondent tell R.H. that if he did not hang up the telephone she would stomp on his feet. S.D. and L.F. advised that these comments were made in a loud, harsh, threatening tone.

Charges

5. 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 performing unsafe or unacceptable patient care and failing to conform to the essential standards of acceptable and prevailing nursing practice pursuant to ARBN Chapter 4, Rule IV(II)(B)(1) and (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 or client care; and/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

6. 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.
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 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.
9. Respondent has read and reviewed this entire document and agrees that it contains the entire agreement between the parties.
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 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.
12. 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.
13. Respondent agrees that the Order set forth below may be entered by the Board.
14. Although the Respondent does not admit to the truth of the State's allegations, she does not contest that the State would be able to present credible evidence from which a Board could conclude these facts by a preponderance of the evidence at a hearing.

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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: 11/6/06

By: [Signature]
Edward G. Adrian
State Prosecuting Attorney

CAROLYN SECHMAN
RESPONDENT

Dated: 11-1-06

By: [Signature]
Carolyn Sechman

APPROVED AS TO FORM:

ATTORNEY FOR RESPONDENT

Dated: 11-1-06

By: [Signature]
Richard A. Gadbois, Esq.

APPROVED AND SO ORDERED:

VERMONT BOARD OF NURSING

Dated: 11-13-06

By: [Signature]
Chairperson

Date of Entry: 11/15/06

nu.sechman.stip

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IN RE:)
CAROLYN SECHMAN) Docket No: NU38-1105
License No. 026-0021773)

SPECIFICATION OF CHARGES

NOW COMES the State of Vermont and makes the following Charges against the Respondent, Carolyn Sechman, 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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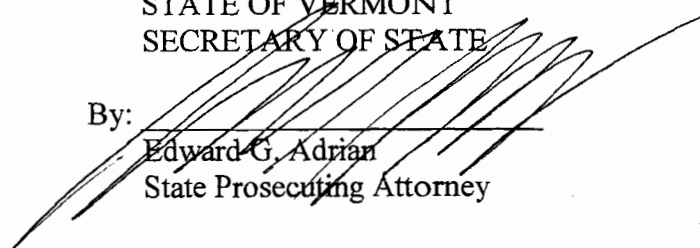
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- iii. 3 V.S.A. §129a(a)(3) (failing to comply with the provisions of state statutes or rules governing the practice of the profession).

Relief Requested

WHEREFORE, the license of Carolyn Sechman should be revoked, suspended, reprimanded, conditioned or otherwise disciplined.

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

STATE OF VERMONT
SECRETARY OF STATE

By: 
Edward G. Adrian
State Prosecuting Attorney

nu.sechman.soc

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