

STATE OF VERMONT
BOARD OF NURSING

IN RE:

Susan E. Simone, RN
License No: 26-22185

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Docket No.: NU66-0699
& NU01-0799

STIPULATION AND CONSENT ORDER

STIPULATION

NOW COME the State of Vermont, through its Attorney General William H. Sorrell, and Respondent Susan E. Simone, who stipulate and agree as follows:

1. The Board of Nursing has jurisdiction to investigate and adjudicate complaints of unprofessional conduct and to approve Consent Orders pursuant to 3 V.S.A. §129 and 26 V.S.A. §§1595, 1598
2. Respondent is a nurse licensed by the State of Vermont. She holds license #26-22185.
3. Respondent admits she worked as a staff nurse at Wake Robin and was assigned care of a patient, H.G. Respondent worked with H.G. on or about June 17, 1999.
4. Respondent admits that on or about, June 17, 1999, Respondent took from H.G.'s constructive possession a check made out to H.G. in the amount of \$3962.50. She then attempted to cash said check at the Howard Bank at 111 Main Street, Burlington, Vermont.

5. Respondent admits that when she was asked to wait and to speak with the manager that she abandoned the check and left the premises of the bank.
6. Respondent has acknowledged doing the above and stressed that she had not received any money for the check.
7. Respondent worked as a staff nurse at Fletcher Allen Health Care and was assigned care.
8. From May 7, 1999 to June 18, 1999, while working at Fletcher Allen, Respondent frequently and repeatedly diverted medications. These medications were Demerol (approximately 4200 mg), Morphine (approximately 70 mg), Dilaudid (approximately 24 mg), MSIR (approximately 80 mg), MSERT (20 mg), and Percocet (2 tablets).
9. Respondent, in the presence of Pat Markle, reported this diversion by telephone on or about July 21, 1999 to the Nursing Board in the person of Janice Hatch.
10. Respondent understands that the Board must review and accept the terms of this agreement. If the Board rejects any portion, the entire agreement shall be null and void.
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 agreement.
13. Respondent voluntarily enters this agreement after the opportunity to consult

with legal counsel and is not being coerced by anyone into signing it.

14. Respondent agrees that the Board may enter the order set forth below.

ORDER

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

A. The Board **SUSPENDS** the license of Susan E. Simone for an indefinite period from the date of entry of this order. At any time, Respondent may petition the Board for reinstatement. Respondent, however, must present proof of successful substance abuse rehabilitation and demonstrate, to the satisfaction of the Nursing Board, that she poses no danger to the practice of nursing and that she can safely and competently perform the duties of a registered nurse. Such proof shall include appropriate support from her employer or nursing school administrator and a plan from a certified drug rehabilitation counselor or mental health practitioner addressing her substance abuse problem. Furthermore, Respondent shall demonstrate, to the Board's satisfaction, that she fully complied with all the terms of this Consent Order. It is understood and likely that the Nursing Board would phase in Respondent's return to nursing and require a conditional license for a period, probably three years.

C. Notwithstanding any provision above, Respondent must meet all Nursing Board requirements for license renewal and license reinstatement.

D. 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)(7).

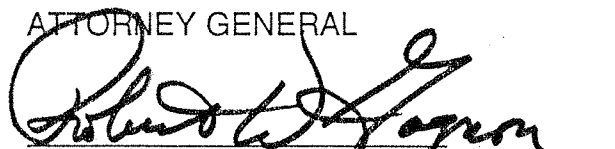
E. This Stipulation and Consent Order will remain part of Respondent's licensing file and may be used for purposes of determining sanctions in any future disciplinary matter.

STATE OF VERMONT

WILLIAM H. SORRELL
ATTORNEY GENERAL

Dated: 11/25/00

by:


Robert W. Gagnon
Senior Assistant Attorney General

SUSAN E. SIMONE
RESPONDENT

Dated: _____

by:


Susan E. Simone

APPROVED AS TO FORM

Dated: _____

by:

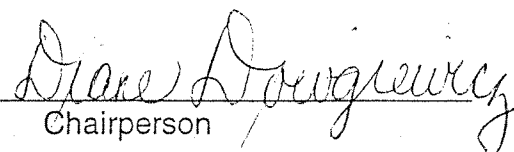

Robert Andres, Her attorney

APPROVED AND SO ORDERED:

VERMONT BOARD OF NURSING

Dated: 12/11/00

by:


Chairperson

Date of entry: 12-13-00

STATE OF VERMONT
BOARD OF NURSING

In re: Susan E. Simone
License No. 26-22185

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Docket No. NU66-0699

SUMMARY SUSPENSION ORDER

On July 12, 1999, this case came before the Board of Nursing for a hearing on the State's request for summary suspension.

Based upon the evidence presented by the parties, the Board finds that the allegations in the request for summary suspension have been established to the necessary degree. Therefore, the Board finds that the public health, safety, and welfare imperatively require emergency action against the Respondent's license.

Pursuant to 3 V.S.A. § 814(c), Susan E. Simone's license as a registered nurse is SUMMARILY SUSPENDED until a hearing on charges has been held and determined, or other resolution of this case.

BOARD OF NURSING

By: Diane Dowgiewicz
Diane Dowgiewicz, LPN
Acting Chair

Dated: July 12, 1999

OFFICE OF PROFESSIONAL REGULATION

DATE OF ENTRY: 7-16-99

In re:)
Susan E. Simone, RN) Docket No. NU66-0699
Lic. No. 26-22185)

NOW COMES the State of Vermont and requests the summary suspension
of the nursing license of Susan E. Simone on the following grounds:

- 1

V.S.A. §1582(3)(is unable to practice nursing by reason of any cause)and (7)(engages in conduct likely to defraud or harm the public, and 3 V.S.A. §129a(11)(taking improper advantage of a person using professional services).

8. The health, safety, and welfare of the public imperatively require emergency action against the license of respondent.

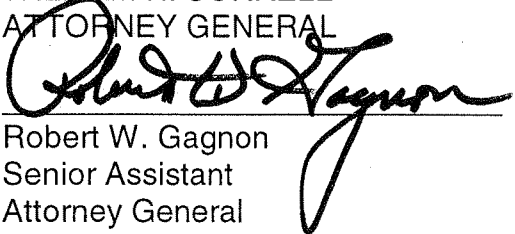
WHEREFORE, the nursing license of Susan E. Simone should be summarily suspended.

Dated at Montpelier, Vermont this 5th day of July 1998.

STATE OF VERMONT

WILLIAM H. SORRELL
ATTORNEY GENERAL

by:


Robert W. Gagnon
Senior Assistant
Attorney General