

STATE OF VERMONT
VERMONT BOARD OF NURSING

In Re:	)	
Barbara Snody	)	Docket No. NU72-0401
License No. 25-07466	)	

STIPULATION AND CONSENT ORDER

STIPULATION

1. The Board of Nursing has jurisdiction to investigate complaints of unprofessional conduct and to conduct hearings pursuant to 3 V.S.A. §129, and 26 V.S.A. §§1574, 1582.
2. Respondent is a nurse licensed by the State of Vermont holding license number 25-07460.
3. At all times relevant to this, Respondent was employed by the Pleasant Manor Nursing Home of Rutland, Vermont.
4. Respondent admits that on or about April 3, 2001, she approached Blanch Durkey and requested that Ms. Durkey give resident MC one of her medications.
5. Respondent admits that Ms. Durkey is a housekeeper at Pleasant Manor Nursing Home. Respondent admits she did not explain how or what procedures were to be followed in doing this.
6. Respondent does not contest that on this occasion after giving the medication to Ms. Durkey to give to resident MC, Respondent left the area.
7. Respondent admits that this same request had been made of Ms. Durkey by Respondent and had been undertaken by Ms. Durkey on other occasions.

8. 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.

9. Respondent understands that this agreement, if accepted by the Board, is a public document that may be reported to other licensing authorities as provided in 3 V.S.A. §129(a)(7).

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

11. Respondent is not under the influence of any drugs or alcohol at the time she signs this agreement.

12. Respondent voluntarily enters this agreement after the opportunity to consult with legal counsel and is not being coerced by anyone into signing it.

13. Respondent agrees that the order set forth below may be entered by the Board.

ORDER

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

A. The Board finds that by the actions described in paragraphs 4 through 7 Respondent has committed unprofessional conduct pursuant to 26 V.S.A. §1582(a)(3)(unable to practice nursing competently by reason of any cause) and Vermont Nursing Board Rule IV.B. (2)(B), since these actions fail to conform to the essential standards of acceptable and prevailing nursing practice and 3 V.S.A. §129a(a)(6)(delegating professional responsibilities to one not qualified to perform them).

B. The Board hereby **reprimands** the license of Barbara Snody and **conditions** her license as follows:

1. Respondent shall take and submit proof of successful completion of a course in proper delegation of responsibilities for medication administration within 90 days of the date of entry of this order. This course shall be approved in advance by the Board or its designee.

2. Respondent shall then prepare a written paper wherein she applies the concepts from the course regarding delegation to the circumstances of this case and describe how appropriate delegation could have been accomplished. It is understood that the paper shall address the appropriate procedures for the delegation of duties for administration of medications to and LNA or a non-licensed person. The paper should be at least 2 typed pages in length. The Board or its designee will review this for accuracy and acceptability. This paper shall be completed within 60 days of the completion of the above course work.

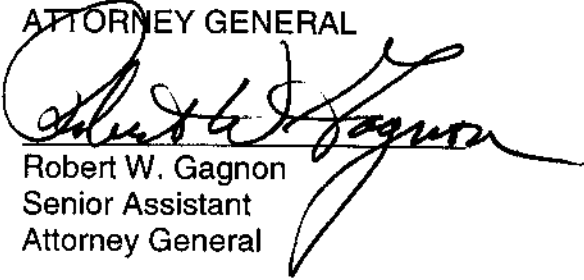
C. This Stipulation and Consent Order is a matter of public record and may be reported to other licensing authorities as provided in 3 V.S.A. §129(a)(7).

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: 2-5-02

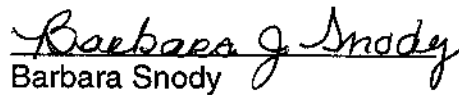
By:


Robert W. Gagnon
Senior Assistant
Attorney General

BARBARA SNODY
RESPONDENT

Dated: 02-04-02

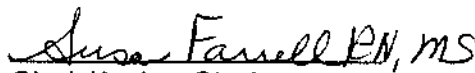
By:


Barbara Snody

APPROVED AND SO ORDERED:

Dated 2/11/02

By:


Chair/Acting Chair
Vermont Board of Nursing

Date of Entry: 2/12/02