

**STATE OF VERMONT
BOARD OF NURSING**

In re: Steven M. St. Peter
License No. 026-43505

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Docket No. 2012-002(RN)

Appearances:

Petitioner, State of Vermont: Gabriel Gilman
Respondent: Did not appear

Presiding Officer: Larry S. Novins

DEFAULT ORDER

The Board held a hearing on the above matter on November 5, 2012 at the Chapel Building of the Vermont College of Fine Arts in Montpelier, Vermont. Mr. St. Peter did not attend and was not represented by counsel.

Findings of Fact

1. Mr. St. Peter is licensed as a registered nurse and is therefore subject to the regulatory authority of this Board. 3 V.S.A. §§ 129, 129a, 26 V.S.A. § 1582(a), the Administrative Rules of the Board of Nursing, and the Rules of the Office of Professional Regulation.
2. On July 20, 2012 Mr. St. Peter was sent a Notice of Charges in this matter by certified mail to his last known address. A copy of the Specification of Charges is attached to this Default Order.
3. OPR Rule 3.3 requires that an Answer be filed within 20 days of the date on which the notice of charges was mailed by the Director.
4. Licensees are required to notify the Board of any change of address within 30 days. 3 V.S.A. § 129a(a)(14).
5. Mr. St. Peter signed the return receipt on July 24, 2012. He received the notice of charges.
6. Mr. St. Peter has not filed an answer to the charges.
7. On October 4, 2012 notice of the Default Hearing scheduled for this date was mailed to Mr. St. Peter at that same address by certified mail. Mr. St. Peter signed the return receipt. He has actual notice of today's hearing.
8. Mr. St. Peter has still not answered the charges.
9. Upon hearing the State's presentation and taking notice of its own file, the Board finds Mr. St. Peter to be in Default. The allegations contained in the State's Specification of Charges are therefore treated as the facts on which the Board's Order is based. OPR Rule 3.4, 3 V.S.A. § 809(d) and 3 V.S.A. § 814(c).

Conclusions of Law

Mr. St. Peter has received adequate or constructive notice of the charges in this matter as indicated by the Board's file and the State's presentation. Because Mr. St. Peter has failed to answer the charges, the State's factual allegations are treated as if proved. O.P.R. Rule 3.4. Accordingly, the Board finds, in this Default Hearing held pursuant to 3 V.S.A. §809(d), that Mr. St. Peter has engaged in the unprofessional conduct alleged in the State's Specification of Charges.

Order

In accordance with the above Findings of Fact and Conclusions of Law, Mr. St. Peter's license is hereby **Suspended Indefinitely**, effective as of the date of the hearing. Should Mr. St. Peter apply for reinstatement, the Board at that time will determine whether any conditions can permit him to resume practice while protecting public health and safety.

Appeal Rights

This is a final administrative determination by the Vermont Board of Nursing.

A party aggrieved by a final decision of a board may appeal this decision by filing a written Notice of Appeal with the Director of the Office of Professional Regulation, Vermont Secretary of State, National Life Bldg., North, FL2, Montpelier, VT 05620-3402 within 30 days of the entry of this order.

If an appeal is filed, the Director of the Office of Professional Regulation shall assign the case to an appellate officer. The review shall be conducted on the basis of the record created before the board. In cases of alleged irregularities in procedure before the board, not shown in the record, proof on that issue may be taken by the appellate officer. 3 V.S.A. §§ 129(d) and 130a.

To request a stay of the Board's decision, please refer to the attached stay instructions.

Vermont Board of Nursing

By: Jeanine Carr
Jeanine Carr, RN, Chair

Date: November 5, 2012

OFFICE OF PROFESSIONAL REGULATION

DATE OF ENTRY: 11/6/12

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

IN RE:

STEVEN M. ST. PETER

License No. 026.0043505

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Docket No. 2012-002

SPECIFICATION OF CHARGES

NOW COMES the State of Vermont and makes the following Charges against the Respondent, Steven M. St. Peter, RN:

Board Authority

1. The Vermont State Board of Nursing (the "Board") has authority to issue warnings or reprimands; suspend, revoke, limit, or 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 (the "ARBN"); and the Rules of the Office of Professional Regulation.

Statement of Facts

2. Steven M. St. Peter (the "Respondent") of Townshend, Vermont is licensed by the State of Vermont as a Registered Nurse under license number 026.0043505. This license was originally issued on or about September 11, 2008 and expires on March 31, 2013.
3. At all times relevant, Respondent was employed as a registered nurse at Grace Cottage Hospital (the "Facility"), located in Townshend, Vermont.
4. On or about December 29, 2011, the Office of Professional Regulation received a Report of Unprofessional Conduct alleging that Respondent committed charting and medication errors.
5. On or about August 22, 2011, Respondent failed to confirm a patient 1's name or date of birth prior to applying a wrist band to an ER patient. The patient had been registered under the incorrect name. Respondent then drew blood from the incorrect chart's order without checking the patient 1's wrist band and mislabeled the vials of blood. Respondent also ordered medications from the pharmacy following the wrong chart for patient 1. Additionally, Respondent ordered an x-ray for patient 1. It was not until the x-ray technician checked patient 1's wrist band that the mis-registration was discovered.

STATE OF VERMONT



Prosecuting Attorney
Office of
Professional Regulation
National Life Building
Second Floor North
Montpelier, VT
05620-3602

6. On or about December 26, 2011, Respondent was given an order at approximately 16:20 by Dr. W.G. to administer Lorazepam to patient 2 who was suicidal and homicidal. Dr. W.G. was approached by patient 2 approximately one hour later and patient 2 asked why she had not been given her medication. When questioned patient 2 stated that Respondent was asleep, patient 2 did not want Respondent to administer the medication and Dr. W.G. administered the Lorazepam. Additionally, Respondent failed to properly document his treatment of patient 2. Furthermore, Respondent did not return the key for the Lorazepam back to Pyxis and instead took the key home.
7. On or about May 23, 2012, Respondent stated that did not dispute the allegations of the Facility; however, Respondent stated that he suffers from hepatitis C that he contracted from an on the job needle stick. He stated that the conduct alleged is directly related to his disease which causes periods of unawareness and cognitive deficits.

Charges

8. The act(s), omission(s), and/or circumstance(s) described above constitute grounds for discipline because the Respondent has committed unprofessional conduct in violation of:
 - a. The State incorporates paragraphs 5 through 7, 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, Subchapter 4, Rule II(B)(1); and failing to conform to the essential standards of acceptable and prevailing nursing practice pursuant to ARBN Chapter 4, Subchapter 4, Rule II(B)(2);
 - b. The State incorporates paragraphs 5 through 7, 26 V.S.A. § 1582(a)(6) (Has a mental, emotional or physical disability, the nature of which interferes with the ability to practice nursing competently);
 - c. The State incorporates paragraphs 5 through 7, 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, whether actual injury to a client, patient, or customer has occurred. Failure to practice competently includes: (1) performance of unsafe or unacceptable patient or client care; or (2) failure to conform to the essential standards of acceptable and prevailing practice); and
 - d. 3 V.S.A. § 129a(a)(3) (Failing to comply with provisions of federal or state statutes or rules governing the practice of the profession).

Relief Requested

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WHEREFORE, the license of Steven M. St Peter should be revoked, suspended, reprimanded, conditioned, or otherwise disciplined.

DATED at Montpelier, Vermont this 19 day of July, 2011.

STATE OF VERMONT
SECRETARY OF STATE

By: S. Lauren Hibbert
S. Lauren Hibbert
State Prosecuting Attorney

STATE OF VERMONT



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