

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

IN RE: Martha Tawah

Application Tracking No. 026.0130462

)
)
)

Docket No. 2017-334

NOTICE OF FINAL APPLICATION DENIAL

In the matter captioned above, a *Notice of Preliminary Denial* was served by certified mail, consistent with 3 V.S.A. § 129(e).

The 30-day appeal period has run, and there has been no request for review.

The decision to deny the application is now final, and the matter is closed.

DATED: 7/17/2017

By:

C. Benjamin / c.a.e.

Colin R. Benjamin
Director of Professional Regulation

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

IN RE:	)	
Martha Tawah	)	Docket No. 2017-334
Application Tracking No. 026.0130462	)	

NOTICE OF PRELIMINARY DENIAL

An Application for licensure as a Registered Nurse, submitted by Martha Tawah, (the "Applicant") was received on May 15, 2017 (the "Application"). The Application was complete on May 16, 2017. The Application has been **preliminarily denied** by the State of Vermont for the following reasons:

Board Authority

1. The Vermont Board of Nursing (the "Board") has authority to deny an applicant's license if it finds that the applicant has engaged in unprofessional conduct in any jurisdiction. 3 V.S.A. § 129(a); 26 V.S.A. § 1582; and the Rules of the Office of Professional Regulation.

Basis for Denial

Basis for Denial # 1 : 3 V.S.A. § 129a(a)(1) Fraudulent or deceptive procurement or use of a license.

2. On May 15, 2017, Applicant submitted an application for licensure as a Registered Nurse in the State of Vermont.
3. Applicant answered "NO" to the question, "Has Vermont or any other state, federal authority, or other jurisdiction (US or elsewhere) taken any disciplinary action against (e.g. restricted, warned, reprimanded, suspended, revoked, or conditioned) a license, certificate, or registration that you hold or held in any profession or occupation?"
4. This answer was false.
5. On March 11, 2002, Applicant's Registered Nurse and Licensed Practical Nurse licenses were reprimanded by the Massachusetts Board of Registration in Nursing for knowingly completing patient death pronouncements as a Registered Nurse despite not being licensed as such at the time she completed the paperwork, as well as giving dishonest information about her nursing practice and licensure to co-workers.

STATE OF VERMONT



Prosecuting Attorney
Office of
Professional Regulation
89 Main Street
3rd Floor
Montpelier, VT
05620-3402

Basis for Denial # 2: 26 V.S.A. § 1582(a)(3) Engaging in conduct of a character likely to deceive, defraud, or harm the public

6. Paragraphs 2 through 5 above are re-alleged and incorporated herein.
7. The conduct referenced in Paragraph 5 above also demonstrates that Applicant engaged in conduct of a character likely to deceive, defraud, or harm the public when she misrepresented her credentials and gave dishonest information about her nursing practice and licensure to co-workers.
8. The unprofessional conduct referenced in Paragraph 5 above would constitute unprofessional conduct in Vermont. Pursuant to 3 V.S.A. §129(a)(5), the Board may discipline any licensee or refuse to license any person who has had a license application denied or license revoked, suspended, limited, conditioned or otherwise disciplined by a licensing agency in another jurisdiction for conduct which would constitute unprofessional conduct in this state, or has surrendered a license while under investigation for unprofessional conduct.

As a result of the foregoing reasons, the Application for licensure is **PRELIMINARILY DENIED**. If you would like this decision to be reviewed please refer to the appeal rights at the bottom of this notice.

DATED at Montpelier, Vermont this 9th day of June, 2017.

STATE OF VERMONT
SECRETARY OF STATE

By: Elizabeth A. St. James
Elizabeth A. St. James
State Prosecuting Attorney
Enforcement Unit
(802)828-1218
elizabeth.st.james@sec.state.vt.us

STATE OF VERMONT



Prosecuting Attorney
Office of
Professional Regulation
89 Main Street
3rd Floor
Montpelier, VT
05620-3402

To appeal this preliminary denial, you must file a written appeal with the Docket Clerk within 30 days of the date of this notification. In order to expedite the appellate process, your appeal shall include a statement of issues, that is, why the preliminary denial should be reversed and that the license should be granted.

Please send your appeal to the address below:

Liz Amaral, Docket Clerk
Office of Professional Regulation
89 Main Street, 3rd Floor
Montpelier, VT 05602-3402

A hearing will then be scheduled. The State will be represented by the state prosecutor. At the hearing you will have the burden of showing that this preliminary denial should be reversed and that your license should be granted. 3 V.S.A. §129(e). The tribunal may uphold the denial, in whole, or in part, or may issue an unrestricted license, or may issue a license that is sanctioned. 3 V.S.A. §129(a)(3).

If you do not appeal this preliminary denial it will become final in 30 days. As a final disciplinary decision it will be reported to all required national data banks and shall be public pursuant to 3 V.S.A. §131.

Once the decision is final, it may be appealed pursuant to 3 V.S.A. §130a.

STATE OF VERMONT



Prosecuting Attorney
Office of
Professional Regulation
89 Main Street
3rd Floor
Montpelier, VT
05620-3402