

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

IN RE:)
GAIL S. THRESHER) Docket No. 2010-190
License No. 026.0042725)

STIPULATION AND CONSENT ORDER

STIPULATION

NOW COME the State of Vermont, by and through State Prosecuting Attorney S. Lauren Hibbert, and the Respondent, Gail S. Thresher, RN, who stipulate and agree as follows:

Board Authority

1. Gail S. Thresher (the "Respondent") of Wilder, Vermont is licensed by the State of Vermont as a Registered Nurse under license number 026.0042725. This license was originally issued on or about July 2, 2008 and is currently set to expire on or about March 31, 2011. Respondent has also been licensed by the State of Vermont as a Licensed Practical Nurse under license number 025.0005866. Respondent's LPN license was originally issued on or about January 23, 1986 and expired on or about April 30, 1988.
2. At all times relevant, Respondent was employed as a Registered Nurse with the Visiting Nurse Association of Vermont and New Hampshire (the "VNA").
3. On or about July 20, 2010 in an interview with State Investigator Steve Kennedy, Respondent admitted that on or about December 31, 2009 while providing care for VNA Client R.B., Respondent falsified the charting of R.B.'s vital signs by documenting that R.B.'s vital signs were stable, when she did not in fact take R.B.'s vital signs.
4. By falsifying R.B.'s vital signs, Respondent has violated 3 V.S.A. § 129a(b)(1) and (2); and 3 V.S.A. § 129a(a)(3).

Charges

5. 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:

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Office of
Professional Regulation
9 Baldwin Street
Montpelier, VT
05609-1107

- a. 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
- b. 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).

Understandings

1. Respondent admits the facts as outlined above are true and the Board may find that the Respondent engaged in unprofessional conduct.
2. 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.
3. 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.
4. Respondent has read and reviewed this entire document and agrees that it contains the entire agreement between the parties.
5. Respondent is not under the influence of any drugs or alcohol at the time she signs this Stipulation and Consent Order.
6. 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.
7. 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.
8. 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 of Nursing hereby **REPRIMANDS** the Respondent's license to practice as a Registered Nurse **from the date of entry below**.

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- B. 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).
- C. 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: 3/31/11

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

GAIL S. THRESHER
RESPONDENT

Dated: 3/29/11

By: Gail S. Thresher
Gail S. Thresher

APPROVED AND SO ORDERED:

VERMONT BOARD OF NURSING

Dated: 4.11.11

By: Allen Ruff
Chairperson

Date of Entry: 4/12/11
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