

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

IN RE:	)	
Carillon Toker	)	Docket No.
License No. 026.0111962	)	2015-218

STIPULATION AND CONSENT ORDER

STIPULATION

NOW COME the State of Vermont, by and through State Prosecuting Attorney Rachel Allen, and the Respondent, Carillon Toker, who stipulate and agree as follows:

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. § 127; 3 V.S.A. § 129(a); 3 V.S.A. § 129a; 3 V.S.A. § 814(d); 26 V.S.A. Chapter 28; the Administrative Rules of the Board of Nursing (the "ARBN"); and the Rules of the Office of Professional Regulation.

Stipulated Facts

2. Carillon Toker (the "Respondent") of South Burlington, VT, is licensed by the State of Vermont as a Registered Nurse under license number 026.0111962. This license was originally issued on or about August 18, 2015 and expires on or about March 31, 2017.
3. During the relevant time period, Respondent was employed as a Registered Nurse at St. Albans Health and Rehabilitation Center in St. Albans, Vt.
4. On or about May 19, 2015, Respondent filed a Registered Nurse Endorsement Application with the Vermont Secretary of State's Office of Professional Regulation. Respondent's application stated that she had been employed in Vermont at the St. Albans Health and Rehabilitation Center from April 1, 2015 to May 21, 2015. In addition, Respondent reported working at Burlington Health and Rehab in Burlington, VT, from May 14, 2015, to the date of application.

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5. From April 1, 2015 to May 19, 2015, Respondent practiced nursing in Vermont without a Vermont license.

Violations

6. The acts, omissions and/or circumstances described above, constitute unprofessional conduct in violation of:
- a. 3 V.S.A. §127 (Unauthorized practice of a regulated profession)
 - b. 26 V.S.A. §1584(a)(3) (It shall be a violation of this chapter for any person, including any corporation, association, or individual to:...(3) Practice nursing unless duly registered and currently licensed to do so under the provisions of this chapter).

Understandings

7. Respondent acknowledges that the facts above are true and that the conditions set out in the Consent Order below are appropriate and necessary to protect the public.
8. 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.
9. Respondent specifically waives any claims that any disclosures made to the full Board during its review of this agreement have prejudiced Respondent's rights to a fair and impartial hearing if this agreement is not accepted by the Board and proceeds to a contested hearing.
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 Respondent signs this Stipulation and Consent Order.
12. 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.
13. Respondent voluntarily waives Respondent's right to a contested hearing before the Board of Nursing and waives any right to appeal from this Stipulation and Consent Order.
14. Respondent agrees that the Order set forth below may be entered by the Board.

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ORDER

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

- A. The Board of Nursing imposes a **MONETARY CIVIL PENALTY IN THE AMOUNT OF TWO HUNDRED AND FIFTY DOLLARS (\$250)** on the Respondent. This penalty is to be paid within ninety (90) days of the date of entry of this Order.
- B. Notwithstanding any provision above, the Respondent must continue to meet all Nursing Board requirements for maintaining a license, license renewal and license reinstatement.
- 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).
- 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.

AGREED TO:

STATE OF VERMONT
SECRETARY OF STATE

Dated: 1/13/10

By: 
Rachel Allen
State Prosecuting Attorney

CARILLON TOKER
RESPONDENT

Dated: 1/8/16

By: 
Carillon Toker

APPROVED AND SO ORDERED:

VERMONT BOARD OF NURSING

Dated: 2/8/16

By: 
Chairperson

Date of Entry: 2/8/16

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