

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

IN RE:

**MARY E. TROMBLEY
License No. 026-0018842**

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Docket No: NU74-0507

STIPULATION AND CONSENT ORDER

STIPULATION

NOW COMES the State of Vermont, through State Prosecuting Attorney, Edward G. Adrian, and the Respondent, Mary E. Trombley, R.N., 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, 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 ("ARBN"); and the Rules of the Office of Professional Regulation.

Statement of Facts

2. The Respondent, Mary E. Trombley, is licensed in the State of Vermont as a registered nurse under license number 026-0018842. This license was originally issued on or about March 10, 1989 and is currently set to expire on March 31, 2009.
3. At all times relevant, the Respondent was employed as a registered nurse and the Clinical Manager of Child/Adolescent Inpatient Services at the Brattleboro Retreat (the "Facility") located in Brattleboro, Vermont.
4. Beginning in approximately October of 2006, the Respondent began signing patient G.W. out of the Facility at night and taking G.W. home with her, then returning G.W. to the Facility in the morning. On or about November 2, 2006, G.W. moved into the Respondent's home full time as a foster child.
5. By way of history, G.W. was seventeen (17) years old at the time and was being treated for mood disorder and suicidal behavior. G.W. was also under the custody of the State of Vermont and managed by the Department of Children and Families ("DCF"). G.W. had been a patient in the Respondent's unit periodically since at least September of 2003.

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9 Baldwin Street
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05609-1107**

6. The Respondent did not notify her supervisors at the Facility that she intended to take G.W. as a foster child nor did she obtain approval from the Facility to take G.W. as a foster child.
7. Facility policy clearly prohibits personal involvement with patients outside of the therapeutic relationship.
8. The Respondent was previously counseled regarding boundary issues with patients in her annual evaluation dated March 17, 2003.

Charges

9. The acts, omissions and/or circumstances described above constitute grounds for discipline because the Respondent has committed unprofessional conduct in violation of:
 - i. 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. Failure to practice competently includes: 1) performance of unsafe or unacceptable patient or client care; and/or 2) failure to conform to the essential standards of acceptable and prevailing practice).

Understandings

10. 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.
11. 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.
12. Respondent has read and reviewed this entire document and agrees that it contains the entire agreement between the parties.
13. Respondent is not under the influence of any drugs or alcohol at the time she signs this Stipulation and Consent Order.
14. 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.
15. 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.
16. Respondent agrees that the Order set forth below may be entered by the Board.

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ORDER

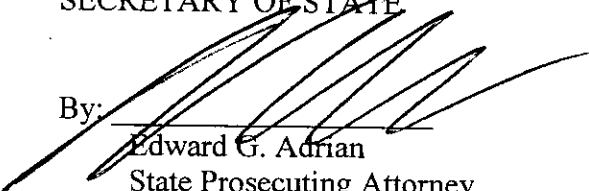
Based upon the stipulation above, it is **ORDERED AND ADJUDGED** as follows:

- A. The Board of Nursing hereby **REPRIMANDS** the Respondent's registered nursing license.
- 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 the 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

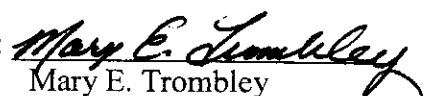
Dated: 6/10/08

By: 

Edward G. Adrian
State Prosecuting Attorney

MARY E. TROMBLERY
RESPONDENT

Dated: June 5, 2008

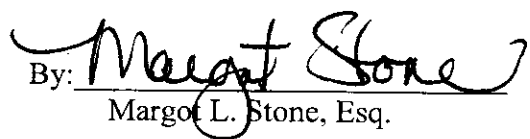
By: 

Mary E. Trombley

APPROVED AS TO FORM:

ATTORNEY FOR RESPONDENT

Dated: June 5, 2008

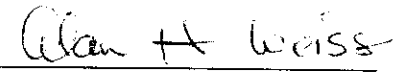
By: 

Margot L. Stone, Esq.

APPROVED AND SO ORDERED:

VERMONT BOARD OF NURSING

Dated: 7/14/08

By: 

Chairperson

Date of Entry: 7/16/08

nu.trombley.stip

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