

OFFICE OF PROFESSIONAL REGULATION
VERMONT STATE BOARD OF NURSING

IN RE: Kathleen Trump)
Case File No. NU61-0303)
License No. 26-13424)

DEFAULT ORDER

Introduction

The Board of Nursing held a default hearing in the above matter on October 13, 2003 at 81 River Street in Montpelier, Vermont. Board members De-Ann Welch, Linda Rice, Sandra Norton, Donarae Metcalf, Pat Rock and Laurey Tyo participated in the decision. State Prosecuting Attorney Edward Adrian appeared for the State. The Respondent did not attend and was not represented.

Findings of Fact

1. The Respondent was sent notice of the Charges against her to her last known address by certified mail and first class mail on August 18, 2003.
2. The mailing return receipt for the certified mail was received by the office, signed for by the Respondent on August 28, 2003.
3. Notice of the default hearing was mailed to that same address by certified and regular mail on September 16, 2003. The certified mailing was returned, marked "unclaimed."
4. After taking notice of its own file, the Board found the Respondent to be in default. The allegations contained in the State's Specification of Charges dated August 14, 2003 (copy attached) are therefore treated as the facts on which the Board's order is based.

Conclusions of Law

The Respondent has received adequate notice of the charges against her as indicated by the Board's file. Because the Respondent has failed to answer the charges against her, the State's factual allegations are treated as if proved. Accordingly, the Board finds, in the default hearing held pursuant to 3 V.S.A. §809(d), that the Respondent 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, the license of the Respondent is hereby INDEFINITELY SUSPENDED, effective as of the date of the hearing.

Appeal Rights

This is a final administrative determination by the Vermont State Board of Nursing. You may appeal by sending a notice of appeal in writing to the Director of the Office of Professional Regulation within 30 days of the date of entry of this order. If you wish to request a stay of the Board's decision, please refer to the attached stay instructions.

By: Linda Rice APRN
Linda Rice
Acting Chair

Date: 10-24-03

OFFICE OF PROFESSIONAL REGULATION

DATE OF ENTRY: 11/4/03

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

IN RE:

**KATHLEEN TRUMP, R.N.
License No. 026-0013424**

Docket No: NU 61-0303

SPECIFICATION OF CHARGES

NOW COMES the State of Vermont and makes the following Charges against the Respondent, Kathleen Trump, RN:

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)(5); 3 V.S.A. §814(d); 26 V.S.A. §1582(a).

Facts

2. The Respondent is licensed in the State of Vermont as a Registered Nurse under License Number 026-0013424.
3. Respondent's license currently expires on March 31, 2005.
4. On or about February 25, 2003, the Office of Professional Regulation received the Respondent's registered nurse renewal application for the period covering April 1, 2003 through March 31, 2005.
5. On said renewal application, the Respondent indicated that she had been convicted of driving under the influence of alcohol, third offense. This is a felony conviction.
5. On October 9, 1995, Respondent was convicted of DUI. On July 30, 1998, Respondent was convicted of DUI.
7. Respondent did not list these prior DUI convictions on her earlier submitted renewal form dated February 23, 2001.

Charges

STATE OF VERMONT



Prosecuting Attorney
Office of
Professional Regulation
Montpelier, VT 05602

- A. Failing to comply with provisions of federal or state statutes or rules governing the practice of the profession is unprofessional conduct and is a basis on which the Board can impose disciplinary action. 3 V.S.A. §129a(a)(3).
- B. Whether or not committed in this state, being convicted of a crime related to the practice of nursing or a felony which evinces an unfitness to practice nursing is unprofessional conduct and is a basis on which the Board can impose disciplinary action. 26 V.S.A. §1582(a)(2).
- C. Making a false representation in renewing a license to practice constitutes unprofessional conduct and is a basis on which the Board can impose disciplinary action. 26 V.S.A. §1582(a)(1); Administrative Rules of the Board of Nursing, Chapter 4, Rule IV(II)(A).

Relief Requested

WHEREFORE, the license of Kathleen Trump should be revoked, suspended, reprimanded, conditioned or otherwise disciplined.

Dated at Montpelier, Vermont this 14th day of August 2003.

STATE OF VERMONT

SECRETARY OF STATE

By: _____

Edward Adrian
State Prosecuting Attorney

nu.trump.soc

STATE OF VERMONT



Prosecuting Attorney
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