

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

IN RE:
Susan Walker
License No. 026.0014387

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Docket No. 2015-31

STIPULATION AND CONSENT ORDER

NOW COMES the State of Vermont, by and through State Prosecuting Attorney Rachel Allen, and the Respondent, Susan Walker, represented by Gary McQuesten, Esq., who stipulate and agree as follows:

Board Authority

1. The Vermont State Board of Nursing ("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. § 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. Susan Walker (the "Respondent") of South Barre, Vermont, is licensed by the State of Vermont as a Registered Nurse under license number 026.0014387. This license was originally issued on or about September 3, 1981, and expires on or about March 31, 2017.
3. During the relevant time period, Respondent was employed as a Registered Nurse at Woodridge Nursing Home (the "Facility") in Berlin, Vermont.
4. The Facility maintains individual patient care plans electronically in a medical records system.
5. On December 28, 2014, Respondent, assisted Patient M.M. to the bathroom.
6. M.M. had a care plan that stated that she must be supervised while in the bathroom. The plan stated that staff could step out of the bathroom to provide privacy for M.M., but must be within hearing range with the door slightly ajar.
7. A handwritten notice was posted on the back of M.M.'s bathroom door to remind staff not to leave the Patient unattended while seated on the toilet.
8. Respondent did not check M.M.'s care plan prior to assisting her to the bathroom.

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Montpelier, VT
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9. Respondent did not check the back of the bathroom door to look at the mobility sheet.
10. Respondent left M.M. unattended on the toilet.
11. M.M. suffered an unwitnessed fall in the bathroom and suffered a laceration on her forehead.

Violations

13. 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:
 - 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);

Understandings

14. Respondent admits that the facts above are true and that the conditions below are necessary to protect the public.
15. 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.
16. 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.
17. Respondent has read and reviewed this entire document and agrees that it contains the entire agreement between the parties.
18. Respondent is not under the influence of any drugs or alcohol at the time she signs this Stipulation and Consent Order.
19. 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.
20. 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.

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21. 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 **WARNS** the Respondent's license.
- B. Respondent must successfully complete (i.e., receive a passing grade, if applicable) the following course that has prior approval of the Board or its designee, and then submit written documentation of completion:
- a. **Delegating Effectively**, through the National Council of State Boards of Nursing.
- This course must be completed within ninety (90) days of the date of entry of this Stipulation and Consent Order. Failure to complete such courses within the prescribed timeframe shall constitute a violation of this Order.
- C. Notwithstanding any provision above, the Respondent must continue to meet all Nursing Board requirements for maintaining a license, license renewal and license reinstatement.
- D. 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).
- E. 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: 2/25/16

By: 
Rachel Allen
State Prosecuting Attorney

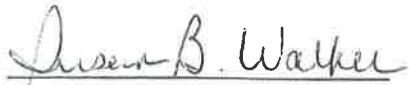
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SUSAN WALKER
RESPONDENT

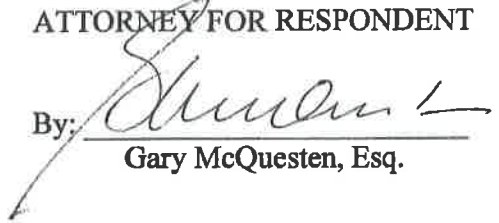
Dated: 2/23/16

By: 
Susan Walker

APPROVED AS TO FORM:

Dated: 2/23/16

ATTORNEY FOR RESPONDENT

By: 

Gary McQuesten, Esq.

APPROVED AND SO ORDERED:

Dated: 3/14/16

Date of Entry: 3/14/16

VERMONT BOARD OF NURSING

By: 

Chairperson

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NCSBN Learning Extension

National Council of State Boards of Nursing | learningext.com

Course Completion Certificate

This certifies that

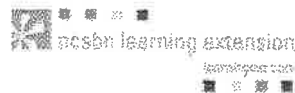
Susan Walker

has completed

Delegating Effectively v5.0.1

Course Session Date: 18 Feb 2016 - 20 Feb 2016

Contact Hours: 4.20



This course is approved by NCSBN which is an accredited provider of continuing education in nursing in Alabama (Provider Number: ABNP1046, expiration October 2018) and California (Provider Number: CEP 15807, expiration July 2017).