STATE OF VERMONT
BOARD OF NURSING

IN RE:	)	
Jodi Walker	)	Case File No. NU49-0104
License No. 26-26168	)	

ORDER

Introduction

The Vermont Board of Nursing ("the Board") held a hearing in this case on Monday, June 13, 2005 at 81 River Street in Montpelier, Vermont. Board members Ellen Leff, Laurey Tyo, De-Ann Welch, Susan Farrell, Elayne Clift, Donarae Metcalf, Alan Weiss, Sandra Norton and Kenneth Bush participated in the decision. Edward Adrian, Prosecuting Attorney, appeared for the State. Jodi Walker ("the Respondent") was present and was represented by attorney Melvin B. Neisner, Jr.. Christopher Winters presided for the Board.

The Board took testimony from one witness, after which the parties asked for time to conference. At the end of that conference, the parties proposed a resolution to the case, which was accepted by the Board. The agreement included an admission on two of the State's alleged instances of unprofessional conduct found at Paragraphs 16 and 18 of the State's Specification of Charges and that the Respondent would receive a warning as a sanction. The agreement also included a modification to the language in Paragraph 18, all of which is set forth below.

Stipulated Findings of Fact

1. The Respondent is a licensed registered nurse who holds license number 26-26168 issued by the State of Vermont.

2. The Respondent, at all times relevant, was employed by the City School in St. Albans, Vermont.

3. On or about February 18, 2003, the Respondent administered Tylenol to student K.C. without obtaining permission to do so.

4. On or about February 21, 2003, the Respondent administered Tylenol to student K.K., and she did not record that it was given on the Tylenol sheet in accordance with school policy.

Conclusions of Law

A. The Board of Nursing may revoke, suspend, discipline or otherwise condition the license of a nurse who engages in unprofessional conduct as defined by 26 V.S.A. §1582.

B. Respondent, by engaging in the conduct described above, has committed unprofessional conduct by failing to comply with provisions of federal or state statutes or rules governing the practice of the profession in violation of 3 V.S.A. §129a(a)(3).

Order

A. In light of the above findings and conclusions, the Respondent's nursing license is hereby WARNED.

B. This 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 Order will remain part of Respondent's licensing file and may be used for purposes of determining sanctions in any future disciplinary matter.

By: Susan Farrell Date: 6/27/05
Susan Farrell, R.N.
Board Chair

OFFICE OF PROFESSIONAL REGULATION

Date of entry: 6/29/05

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

IN RE:	)	
JODI K. IANNANTUONI WALKER	)	Docket No: NU 49-0104
License No. 026-0026168	)	

SPECIFICATION OF CHARGES

NOW COMES the State of Vermont and makes the following Charges against the Respondent, Jodi K. Iannantuoni Walker, R.N.:

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) and 129a; 3 V.S.A. §814(d); 26 V.S.A. §1582(a); Administrative Rules of the Board of Nursing; Rules of the Office of Professional Regulation.

2. Failure to comply with the provisions of state statutes or rules governing the practice of the profession is unprofessional conduct upon which the Board can base disciplinary action. 3 V.S.A. §129a(a)(3).

3. The inability to practice nursing by reason of any cause is unprofessional conduct upon which the Board can base disciplinary action. 26 V.S.A. §1582(a)(3).

4. The inability to practice nursing competently includes the performance of unsafe or unacceptable patient care pursuant to the Administrative Rules of the Board of Nursing, Chapter 4, Rule IV(II)(B)(1), and failing to conform to the essential standards of acceptable and prevailing nursing practice pursuant to the Administrative Rules of the Board of Nursing, Chapter 4, Rule IV(II)(B)(2).

Facts

5. The Respondent is licensed in the State of Vermont as a Registered Nurse under License Number 026-0026168.

6. The Respondent's license was originally issued on February 23, 2001 and the Respondent's license is currently set to expire on March 31, 2005.

7. At all times relevant, the Respondent was employed as an R.N. by the City School in St. Albans, Vermont.

STATE OF VERMONT

Prosecuting Attorney
Office of
Professional Regulation
Montpelier, VT 05602

8. On January 13, 2002, the Respondent the Respondent gave I.G. Penicillin 250 mg at 12:00 p.m., however the Respondent failed to document that it was given. Additionally, the physician's signature to administer the Penicillin did not arrive until the following day, on January 14, 2002.

9. On February 27, 2002, a physician's order was written for J.M. to take Cephlaxin 250 mg for one month. However, the Respondent continued to give J.M. the prescription until April 29, 2002.

10. On September 4, 2002, the Respondent failed to document that she administered an inhaler dose to R.T.

11. On September 16, 2002, the Respondent sent J.P. home from school, however, as required per school policy, the Respondent did not complete a "sent home sheet", nor did she document the incident in J.P.'s chart.

12. On September 30, 2002, I.S. was hurt in the cafeteria and was seen by the Respondent, however, the Respondent failed to complete an accident report until November 20, 2002.

13. The Respondent administered Concerta to B.L. from October 8, 2002 through October 14, 2002, although the physician's order was not signed until October 15, 2002.

14. On November 11, 2002, the Respondent failed to chart that she gave Tylenol to S.S.

15. On February 5, 2003, G.P. had an episode of "turning blue", however the Respondent failed to document the incident until February 7, 2003, and even then no vitals or pulse were listed.

16. On February 18, 2003, the Respondent administered Tylenol to K.C. without obtaining permission to do so.

17. On February 21, 2003, the Respondent administered Tylenol to K.K., ~~but did not document the reason for giving it, nor did~~ and did not she record that it was given on the Tylenol sheet.

18. On March 27, 2003, the Respondent failed to document that she had administered Advil to C.S.

19. On April 1, 2003, the Respondent changed D.M.'s medication dosage without having received a physician's prescription to do so.

20. On June 9, 2003, B.L carried two tablets of Metadate 40 mg to school in a baggie. The Respondent accepted the drugs and then put them into the prescription bottle.

Charges

STATE OF VERMONT

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A. The above acts, omissions and/or circumstances described above, constitute grounds for discipline because Respondent violated:

(i) 26 V.S.A. §1582(a)(3) (is unable to practice nursing competently by reason of any cause) which includes the performance of unsafe or unacceptable patient care pursuant to the Administrative Rules of the Board of Nursing, Chapter 4, Rule IV(II)(B)(1), and failing to conform to the essential standards of acceptable and prevailing nursing practice pursuant to the Administrative Rules of the Board of Nursing, Chapter 4, Rule IV(II)(B)(2); and

(ii) 3 V.S.A. §129a(a)(3) (failing to comply with the provisions of state statutes or rules governing the practice of the profession).

Relief Requested

WHEREFORE, the license of Jodi K. Iannantuoni Walker should be revoked, suspended, reprimanded, conditioned or otherwise disciplined.

Dated at Montpelier, Vermont this 7th day of July 2004.

STATE OF VERMONT
SECRETARY OF STATE

By: _____
Edward G. Adrian
State Prosecuting Attorney

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STATE OF VERMONT

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Office of
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