

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

**IN RE:**

**LISA D. WESTER**

**License No. 026.0025574**

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**Docket No. 2012-489**

**STIPULATION AND CONSENT ORDER**

NOW COME the State of Vermont, by State Prosecuting Attorney Gabriel M. Gilman, and the Respondent in this matter, Lisa D. Wester, represented by Attorney William B. Miller, Jr., 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. Lisa D. Wester ("Respondent") of Burlington, Vermont is licensed by the State of Vermont as a Registered Nurse under license number 026.0025574. The license first issued on or about June 1, 2000 and expires on March 31, 2015.
3. At all times relevant, Respondent was employed as a Registered Nurse at Fletcher Allen Health Care, Burlington.
4. On or about August 8, 2012, Respondent was to perform an initial assessment of a male patient presenting with symptoms of drug withdrawal. Respondent asked team leader C.S., RN, why the patient should receive treatment. C.S. explained that treatment decisions were the province of the patient's provider. C.S. later discovered that Respondent had skipped over the patient. Respondent explained, "I'm just not in the mood to take care of a patient like that today."
5. In late May, 2012, Respondent learned of a patient of foreign origin who expressed unhappiness with the time she was made to wait for treatment. Respondent remarked, within earshot of patients, "Even foreigners are complaining tonight." When interviewed by an OPR investigator, Respondent did not understand why this commentary would be viewed as offensive.
6. To facilitate settlement of this matter, Respondent has completed NCSBN Learning Extension coursework recommended by the Board's case manager as appropriate to

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Prosecuting Attorney  
Office of  
Professional Regulation  
89 Main Street  
3rd Floor  
Montpelier, VT  
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address the described circumstances. Respondent has completed (a) *Diversity: Building Cultural Competence*, 6.0 contact hours and (b) *Ethics of Nursing Practice*, 4.8 contact hours.

#### **Violations**

7. 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: 26 V.S.A. § 1582(a)(11) ("Has failed to comply with the patient bill of rights provisions of 18 V.S.A. § 1852," specifically "The patient has the right to considerate and respectful care at all times and under all circumstances with recognition of his or her personal dignity.")

#### **Understandings**

8. Respondent admits that the facts above are true and that the sanction below is appropriate to protect the public and the integrity of the profession.
9. 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.
10. Respondent specifically waives any claims that any disclosures made to the full Board during its review of this agreement prejudice her right to a fair and impartial hearing in future hearings if this agreement is not accepted by the Board and proceeds to a contested hearing before the same panel.
11. Respondent has read and reviewed this entire document and agrees that it contains the entire agreement between the parties.
12. Respondent is not under the influence of any drugs or alcohol at the time she signs this Stipulation and Consent Order.
13. 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.
14. 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.
15. Respondent agrees that the Order set forth below may be entered by the Board.

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**ORDER**

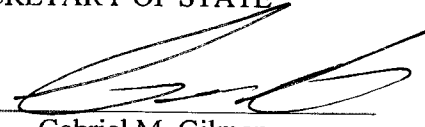
Based on the Stipulation above, it is **ORDERED AND ADJUDGED** as follows:

- A. The Board of Nursing hereby **WARNS** the Respondent's license.
- B. 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).
- C. 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:

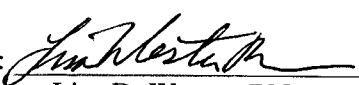
STATE OF VERMONT  
SECRETARY OF STATE

Dated: 12/4/13

By:   
Gabriel M. Gilman  
State Prosecuting Attorney

LISA D. WESTER  
RESPONDENT

Dated: 11-29-13

By:   
Lisa D. Wester, RN

APPROVED AS TO FORM:

ATTORNEY FOR RESPONDENT

Dated: 12-2-13

By:   
William B. Miller, Jr.  
Langrock Sperry & Wool, LLP

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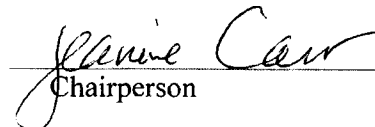


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05620-3402

APPROVED AND SO ORDERED:

VERMONT BOARD OF NURSING

Dated: 12/9/13  
Date of Entry: 12/9/13

By:   
Chairperson