

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

<i>In re</i>	Beth-Anne Willis	}	Docket No. NU70-0306
License No.	025-0007270	}	

DEFAULT ORDER

Upon the filing of a *Notice of Hearing for Default Judgment* by the Secretary of State, the Nursing Board heard this matter on Monday 13 August 2007 at the Secretary of State's office, Montpelier, Vermont.

Findings of Fact

1. Respondent is subject to the regulatory authority of this Board. 3 V.S.A. §§s 129 and 129a; 26 V.S.A. Chapter 28; Board of Nursing Administrative Rules and Office of Professional Regulation Administrative Rules.
2. The State filed a Specification of Charges (attached) against the Respondent on 25 May 2007 alleging unprofessional conduct.
3. The Office of Professional Regulation ("OPR") served Respondent with notice of the charges by certified mail and first class mail to the Respondent's last known address as provided by the Respondent to OPR. The notice of charges contained instructions detailing the Respondent's legal obligation to answer the charges and explaining the consequences of failure to file a timely response. OPR served a notice of this default hearing to the Respondent by certified mail.
4. The Respondent did not answer the charges within the legally prescribed time as required by OPR Admin. Rule 3.3 or at any time thereafter.
5. Upon hearing the State's presentation and taking notice of its own file pursuant to 3 V.S.A. § 810(4), the Board finds the Respondent to be in default. The allegations contained in the State's specification of charges (copy attached) are therefore treated as proven and serve as the factual basis for the Board's order. OPR Admin. Rule 3.4; 3 V.S.A. § 809(d) and 3 V.S.A. § 814(c).

Conclusions of Law

The Respondent received adequate and legal notice of the charges as indicated by the Board's file and the State's presentation of the case to the Board. Because the Respondent failed to answer the charges of unprofessional conduct, the Board finds the Respondent in default and will treat the State's factual allegations as established pursuant to OPR Admin. Rule 3.4. The Board concludes, in this default hearing held pursuant to 3 V.S.A. § 809(d), that the Respondent has engaged in unprofessional conduct as alleged by the State of Vermont.

Order

In accordance with the above findings of fact and conclusions of law and effective the date of this order, the Board of Nursing ORDERS that the Respondent's license be REVOKED.

- END -

(signature page to follow)

Vermont Board of Nursing:

By: Susan O. Farrell
Susan O. Farrell, RN
Board Chairperson

Dated at: Montpelier, Vermont 13 August 2007

OFFICE OF PROFESSIONAL REGULATION

DATE OF ENTRY: 8/14/07

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

IN RE:

**BETH-ANNE WILLIS
License No. 025-0007270**

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)

Docket No. NU70-0306

SPECIFICATION OF CHARGES

NOW COMES the State of Vermont and makes the following Charges against the Respondent, Beth-Anne Willis, L.P.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); 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. Beth-Anne Willis (the "Respondent") of Colchester, Vermont is a licensed practical nurse holding license number 025-0007270, issued by the State of Vermont. This license was originally issued on or about August 21, 1995 and it is currently set to expire on January 31, 2008.

3. By way of history, the Respondent's license is currently conditioned pursuant to a Stipulation and Consent Order (the "Order") entered by the Board on or about November 13, 2003. Attachment A. The Order also reinstated the Respondent's license, as her license had previously been revoked pursuant to a default order entered by the Board on or about June 29, 2000. Attachment A. The revocation of the Respondent's license was due to the Respondent's falsification of records and failure to comply with a Board order. Attachment A.

4. At all times relevant to these charges, Respondent was employed as a licensed practical nurse at Burlington Health and Rehabilitation ("BHR") located in Burlington, Vermont.

5. At all relevant times beginning on or about February 6, 2006, patient C.C. had a standing doctor's order for a wound dressing change twice a day. A review of C.C.'s medical records reveals the following:

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9 Baldwin Street
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05609-1107

- a. On or about February 23, 2006, the Respondent failed to change C.C.'s wound dressing pursuant to the doctor's order. Additionally, the Respondent failed to document in the nursing notes and on C.C.'s MAR that she had not completed the dressing change.
 - b. On or about February 24, 2006, the Respondent failed to change C.C.'s wound dressing pursuant to the doctor's order. Additionally, the Respondent failed to document in the nursing notes and on C.C.'s MAR that she had not completed the dressing change.
 - c. On or about February 26, 2006, the Respondent failed to change C.C.'s wound dressing pursuant to the doctor's order. Additionally, the Respondent failed to document in the nursing notes and on C.C.'s MAR that she had not completed the dressing change.
 - d. On or about March 9, 2006, the Respondent failed to change C.C.'s wound dressing pursuant to the doctor's order. Additionally, the Respondent failed to document in the nursing notes and on C.C.'s MAR that she had not completed the dressing change.
6. In approximately April of 2006, the Respondent's employment at BHR was terminated. On or about August 8, 2006, the Respondent commenced employment at Starr Farm Nursing Home ("Starr Farm") located in Burlington, Vermont. The Respondent failed to notify the Board of this change in her nursing employment until approximately October 24, 2006.
 7. Section J(8) of the Order requires the Respondent to notify the Board, in writing, within forty-eight (48) hours of any change in nursing employment. Attachment A.

Charges

8. 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(a)(4) (failing to comply with an order of the board or violating any term or condition of a license restricted by the board);
 - (ii) 26 V.S.A. § 1582(a)(3) (is unable to practice nursing competently by reason of any cause) which includes, but is not limited to, performing unsafe or unacceptable patient care and failing to conform to the essential standards of acceptable and prevailing nursing practice pursuant to ARBN Chapter 4, Rule IV(II)(B)(1) and (2);
 - (iii) 3 V.S.A. § 129a(b) (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 care; or (2) failure to conform to the essential standards of acceptable and prevailing practice); and
 - (iv) 3 V.S.A. § 129a(a)(3) (failing to comply with provisions of federal or state statutes or rules governing the practice of the profession).

Relief Requested

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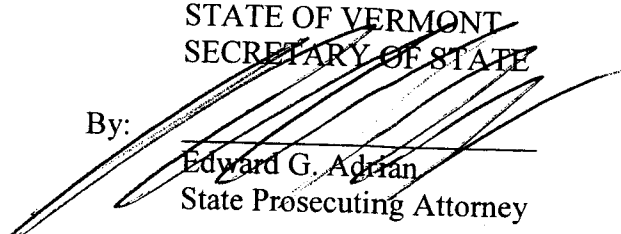
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WHEREFORE, the license of Beth-Anne Willis should be revoked, suspended, reprimanded, conditioned or otherwise disciplined.

DATED at Montpelier, Vermont this 25th day of May, 2007.

STATE OF VERMONT
SECRETARY OF STATE

By:


Edward G. Adran
State Prosecuting Attorney

nu.willis.soc

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

IN RE:)
BETH-ANNE M. WILLIS) Docket Nos.: NU43-0199; NU31-0100
License Nos.: 25-7270;)
75-4876)

STIPULATION AND CONSENT ORDER

STIPULATION

NOW COMES the State of Vermont, by and through State
Prosecuting Attorney, Edward G. Adrian, and Respondent Beth-Anne M.
Willis, who stipulate and agree as follows:

Board Authority

1. The Board of Nursing has jurisdiction to investigate complaints of unprofessional conduct and to approve consent orders pursuant to 3 V.S.A. §§ 129 and 129a and 814; 26 V.S.A. §§ 1574 and 1582.
2. Failing to comply with an order of the Board or violating any term or condition of a license restricted by the Board is unprofessional conduct and is a basis upon which the Board can impose disciplinary action. 3 V.S.A. §239a(a)(4).
3. Falsifying or altering clinical records or making inaccurate or misleading entries is unprofessional conduct and is a basis upon which the Board can impose disciplinary action. Nursing Board Rules Chapter 4, Rule IV, B.4.c.

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Montpelier, VT 05602

Attachment A

4. Engaging in conduct of a character likely to deceive, defraud, or harm the public is unprofessional conduct and is a basis upon which the Board can impose disciplinary action. 26 V.S.A. §1582(a)(7).
5. Failing to comply with the provisions of federal or state statutes or rules governing the practice of the profession is unprofessional conduct and is a basis upon which the Board can impose disciplinary action. 3. V.S.A. §129a(a)(3).

Facts

6. At all times relevant to these charges, the Respondent (whose address is 18 Canusa Street, P.O. Box 129, Beebee Plain, VT 05823) was a licensed practical nurse holding license number 25-7270 issued by the State of Vermont.
7. Respondent's license was originally issued on August 21, 1995 and Respondent's license is currently suspended Due to a Board Order entered on June 29, 2000. The discipline was based on falsifying records and failing to comply with a Board Order. (Attachment 1)
8. Respondent, by letter dated April 14, 2003, requested that her nursing license be reviewed for reinstatement.
9. Respondent's co-worker submitted a letter dated April 1, 2003, setting forth that the Board should consider reinstating the Respondent. (Attached as Exhibit A)

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Montpelier, VT 05602

10. Respondent's colleague submitted a letter dated April 10, 2003, setting forth that the Board should consider reinstating the Respondent.

(Attached as Exhibit B)

11. While Respondent is competent and qualified to return to the practice of nursing, Respondent still requires monitoring regarding her past conduct as a nurse.

12. The Respondent agrees that the conditions below are necessary for her to return to the practice.

Understandings

- A. Respondent admits the facts above are true and that the conditions below are necessary to protect the public.
- B. 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.
- C. 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.
- D. Respondent has read and reviewed this entire document and agrees that it contains the entire agreement between the parties.
- E. Respondent is not under the influence of any drugs or alcohol at the time she signs this Stipulation and Consent Order.

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Montpelier, VT 05602

- F. 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.
- G. Respondent voluntarily waives her right to charges and a contested hearing before the Board of Nursing.
- H. 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:

- I. Respondent admits that she requires the following conditions to protect the public.
- J. Based on the above Stipulation and the Findings and Conclusions of this Board, it is **ORDERED** that **CONDITIONS** shall be imposed on any license to practice nursing issued to Respondent and the conditions shall remain **FOR A MINIMUM PERIOD OF THREE (3) YEARS** from the date of entry of this Order. The conditions are as follows:

- (1) License to be labeled "Conditioned".

Any license issued to the Respondent by this Board shall be labeled "Conditioned".

- (2) Length of Time Conditions Imposed.

The conditions shall remain in place until Respondent has completed all conditions ordered. Respondent shall be subject to the

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conditions until Respondent completes three (3) years of supervised nursing practice in which she works at least forty (40) hours every two (2) weeks as a nurse. Part time hours of less than forty (40) hours every two (2) weeks shall be credited on a prorated basis. Respondent shall be prohibited from working more than forty (40) hours per week.

(3) Completion of Course on Diabetic Management.

Respondent must complete (i.e. receive a passing grade, if applicable) a course on diabetic management, with prior approval by the Board or its designee, and then submit written documentation (e.g. certificate of completion) to verify the same to the satisfaction of the Board or its designee.

If the Board does not approve the course on diabetic management presented to the Board for approval, Respondent must submit another course on diabetic management for the Board's approval prior to the next regularly scheduled monthly meeting of the Board. If Respondent fails to comply with this paragraph or the Board should again reject the proposed course on diabetic management, Respondent shall be deemed to have violated this Consent Order.

(4) Interview with the Board or its designee

Respondent shall appear in person for interviews with the Board or its designee upon request.

(5) Types of Employment Prohibited.

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Respondent shall not work for a nurse registry, traveling nurse agency, float-pool, home health care agency, temporary nursing employment agency, or as a personal care provider during the effective period of this Consent Order.

(6) Prohibited Duties.

Respondent shall be prohibited from being a Charge Nurse during the effective period of the Consent Order. Respondent shall be prohibited from working the night shift during the effective period of the Consent Order. Respondent shall not work more than forty (40) hours per week.

(7) Out of State Practice/Residence.

Before any out-of-state practice or residence can be credited toward fulfillment of these terms and conditions, Respondent shall first obtain approval from the Board prior to Respondent leaving the State of Vermont. If Respondent fails to receive such approval before leaving the State, none of the time spent out-of-state will be credited toward the fulfillment of the terms and conditions of this Consent Order. The Board will approve out-of-state practice so long as the Respondent can still comply with the provisions of this Consent Order.

(8) Notification of Place of Employment/ Personal Address/Telephone Number.

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Within five (5) days of the date of entry of this Consent Order, Respondent shall notify the Board, in writing, of her current place of nursing employment, personal address, and telephone number.

Respondent shall further notify the Board, in writing, within forty-eight (48) hours of any change in nursing employment, personal address, or telephone number. Respondent shall provide a copy of this Consent Order to all employers, current and future, and shall inform them of the conditional status of her license.

(9) License Renewal.

If the Respondent's license expires while this Order is still in effect, this Order does not automatically extend the license. In that situation, in order to continue to practice nursing, the Respondent must timely apply for renewal, pay the applicable fee and demonstrate that she has otherwise complied with the requirements for license renewal.

(10) Release of Information Forms.

In fulfilling the conditions of this Order which require the Respondent to authorize various persons to report information or to discuss the Respondent with the Board, the Respondent must execute a consent to disclose form which meets the requirements of 42 C.F.R. §2.31. The authorization must allow the information to also be provided to the Office of Professional Regulation investigators. Any revocation by The Respondent of such a consent to disclosure during the term of this Order shall be considered a violation of this Order.

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(11) Costs.

The Respondent shall bear all costs of complying with this Consent Order.

(12) Violation of this Order.

If the Respondent violates the terms of this Order in any respect, the Board, after giving the Respondent notice and an opportunity to be heard, may rescind or modify this Order and impose additional appropriate disciplinary actions. If a complaint of unprofessional conduct is made against the Respondent during the term of this Order, this Order shall be automatically extended until the unprofessional conduct matter is concluded.

(13) Completion of Conditional License Period.

After the conditional license period, the Respondent may petition the Board to remove any and all conditions on her license. The Respondent must present proof that she has fully complied with the terms of this Order. Respondent must also prove to the satisfaction of the Nursing Board, that she poses no danger to the public or the practice of nursing and that she can safely and competently perform the duties of a Licensed Practical Nurse.

K. Notwithstanding any provision above, The Respondent must continue to meet all Nursing Board requirements for maintaining a license, license renewal and license reinstatement.

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L. 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).

M. 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: 10/7/03

By: [Signature]
Edward G. Adrian
State Prosecuting Attorney

BETH-ANNE M. WILLIS
RESPONDENT

Dated: Oct 3, 2003

By: [Signature]
Beth-Anne M. Willis

APPROVED AND SO ORDERED: VERMONT BOARD OF NURSING

Dated: Nov. 10, 2003

By: [Signature]
Chairperson

Date of Entry: 11/13/03

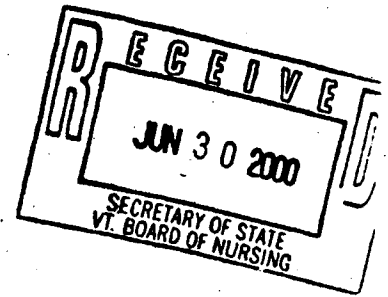
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Office of
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Montpelier, VT 05602

m.willis.stip

OFFICE OF PROFESSIONAL REGULATION
VERMONT STATE BOARD OF NURSING



IN RE: Beth-Anne Willis)
Case File Nos. NU43-0199)
NU31-0100)
License Nos. 25-7270)
75-4876)

DEFAULT ORDER

Introduction

The Board of Nursing held a default hearing in the above matter on June 12, 2000 at 81 River Street in Montpelier, Vermont. Board members Larry Kingsbury, Pat Rock, Diane Dowgiewicz, Susan Farrell, Louise Lamphere, Linda Rice, Raymond Phillips, and Elayne Clift participated in the decision. Assistant Attorney General William Ahlers appeared for the State. The Respondent was not present for the hearing.

Upon hearing the State's presentation and after taking official notice of its own files, the Board found that the Respondent was in default. The allegations contained in the State's specification of charges dated April 28, 2000 (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 and the Assistant Attorney General's presentation. 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 a 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, attached.

Order

In accordance with the above findings of fact and conclusions of law, the licenses of the Respondent, Beth-Anne Willis, are hereby REVOKED. The revocation is effective as of

Attachment 1

the date of entry of this Order, below.

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: Susan Farrell
Susan Farrell
Chair

Date: June 30, 2000

OFFICE OF PROFESSIONAL REGULATION

DATE OF ENTRY: 6-29-00

April 1, 2003

To Whom It May Concern:

I am writing a letter of recommendation for Beth Willis. I have known Beth for about two years in her job as a paraprofessional here at Derby Elementary. I have been a special education teacher for 15 years.

As a Special Education teacher, I have had many opportunities to work with, observe and evaluate Beth. She has worked with some very behaviorally and academically challenging students, with very positive results in all cases. She pays close attention to the individual needs of each student and easily adapts to their learning style, preferences and level of functioning. She works hard to develop and maintain personal, yet professional, relationships with students and staff.

Beth has demonstrated the ability to coordinate, schedule, and effectively communicate and collaborate with co-workers, parents, and administration. She is well known for her ability to address difficult situations and topics with students and adults. She has contributed many creative ideas and is always willing to test new ones.

Beth also possesses the unique ability to understand and empathize with problems of students and adults on a personal level. She has had numerous professional and personal experiences which enable her to assist in the progression of problem-solving and seek a positive outcome. She is aware of various school-related issues, and never hesitates to follow up with the appropriate personnel should a problem come to her attention.

Beth is very engaging with children and adults. She is able to recognize strengths and needs and to give encouraging feedback. She is constantly seeking to further her knowledge through coursework, workshops, consultations with other staff, and a commitment to learning.

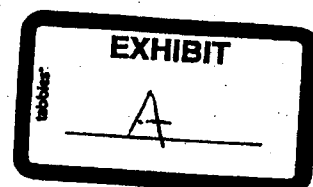
I know Beth to be incredibly motivated and conscientious. She is prompt and reliable. She takes on additional duties whenever asked, and also volunteers for extra activities on her own time. She possesses the ability to delegate responsibilities when appropriate. Given her enthusiasm and initiative, I feel that she would be an excellent employee for any position for which she applies.

If I can be of further assistance, please do not hesitate to contact me anytime, at 873-3162 (w) or 766-5018 (h).

Sincerely,

Cam Green

Cam Green
Special Education Teacher
Derby Elementary School



April 10, 2003

To Whom It May Concern:

Beth Ann Willis has been working in my classroom with students who need great amounts of focusing and organizational skills. She is very capable and always willing to work with anyone who needs her. She can assess any situation and adapt accordingly and her students are not even aware there has been a change.

Beth Ann is a welcome addition to our school who loves to work with children of all ages. She is consistent and thorough in all that she does. She is very conscientious and tries very hard to convey this quality to her charges. Children and adults alike work well with Beth Ann because she listens well and can accommodate for specific needs.

I have enjoyed working with her these two years very much. She is a respected colleague. I consider her another teacher in the classroom who makes excellent decisions that will help her students to attain their goals at their abilities. She does not have to be directed, she can adapt and help her students do the same.

I highly recommend Beth Ann in any capacity she chooses to follow. She has a good head on her shoulders and would be an asset wherever she was.

Sincerely,

Patrice Ladd
Patrice Ladd

