

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

IN RE:

PATRICIA LYNN WILSON

License No. 025.0008790

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Docket No. 2009-202

STIPULATION AND CONSENT ORDER

STIPULATION

NOW COME the State of Vermont, by and through State Prosecuting Attorney BetsyAnn Wrask, and the Respondent, Patricia Lynn Wilson, LPN, who stipulate and agree as follows:

Board Authority

1. The Vermont State Board of Nursing (the "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 (the "ARBN"); and the Rules of the Office of Professional Regulation.

Statement of Facts

2. Patricia Lynn Wilson (the "Respondent") of Hartland, Vermont is licensed by the State of Vermont as a Licensed Practical Nurse under license number 025.0008790. This license was originally issued on or about August 18, 2005 and is currently set to expire on or about January 31, 2012.
3. At all times relevant, Respondent was employed as a Licensed Practical Nurse with Prison Health Services ("PHS"), and worked at the Southeast State Correctional Facility (the "Facility"), located in Windsor, Vermont.
4. Respondent was hired at the Facility on or about March 31, 2008 and was terminated on or about April 14, 2009 due to performance issues.
5. On or about June 24, 2009 in an in-person interview with State Investigator Steve Kennedy, PHS District Manager N.W. and Facility Clinical Coordinator K.S. advised in part the following:

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Office of
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9 Baldwin Street
Montpelier, VT
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- a. On or about September 7, 2008, Respondent received verbal counseling for improperly written telephone orders on several occasions. An error in dosage and medication was made.
- b. On or about February 24, 2009, Respondent failed to see three (3) inmates – A.K., S.P., and A.Z. – who had filled out sick slips. It is the responsibility of the nurse to go through the slips and see the inmates. Respondent did not advise K.S. – who came on shift after Respondent – that Respondent did not see those inmates; K.S. made that discovery on her own. When questioned by K.S., Respondent stated that she did not have time to see the inmates.
- c. On or about February 25, 2009, Respondent received verbal counseling for administering 20mg Benadryl to an inmate when the physician order was for 10mg Benadryl. Respondent had no explanation for the error, but admitted the mistake.
- d. On or about March 4, 2009, Respondent received a written warning for the following:
 - i. Respondent failed to document entries on a “NETS” form, as required. No patient name, information, dates, or times were filled out on the form when Respondent saw an inmate on two separate occasions. One slip lacked vital signs. On both slips, Respondent indicated that she would call the on-call provider for orders, but there were no progress notes on either chart, and no physician order to indicate that Respondent had followed-up with the provider. Respondent admitted to not filling out the NETS form completely.
 - ii. On or about March 3, 2009, Respondent saw a diabetic inmate, C.B., with a finger stick blood sugar reading of 404, but Respondent did not call a provider or the supervisor, and did not make any documentation in any progress note or mention it on the shift report.
- e. On or about March 4, 2009, Respondent received verbal counseling for counting sharps by herself (not with the outgoing shift nurse, according to policy), and signing off as the count being correct, when in fact a syringe was missing. Respondent admitted that she conducted the count by herself.

6. On or about July 6, 2009 in an interview with Investigator Kennedy, PHS State Program Director D.M. advised that after being terminated from the Facility, PHS decided to rehire Respondent to work at Southern State Correctional Facility, located in Springfield, Vermont, and that there had been no problems with her performance there.

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Charges

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:
 - 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); and
 - b. 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).

Understandings

8. 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.
9. 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.
10. Respondent has read and reviewed this entire document and agrees that it contains the entire agreement between the parties.
11. Respondent is not under the influence of any drugs or alcohol at the time she signs this Stipulation and Consent Order.
12. 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.
13. 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.
14. 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:

STATE OF VERMONT



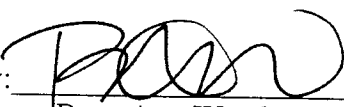
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- A. The Board of Nursing hereby **WARNS** Respondent's license to practice practical nursing.
- B. This Stipulation and Consent Order is a matter of public record and may be reported to other licensing authorities as provided in 3 V.S.A. §129(a).
- 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: 3.9.10

By: 
Betsy Ann Wrask
State Prosecuting Attorney

PATRICIA LYNN WILSON
RESPONDENT

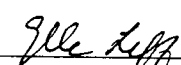
Dated: 3/5/10

By: 
Patricia Lynn Wilson

APPROVED AND SO ORDERED:

VERMONT BOARD OF NURSING

Dated: 4.12.10

By: 
Chairperson

Date of Entry: 4/15/10
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