

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

**IN RE:**

**ANITA F. WRIGHT, RN  
License No. 026-0023374**

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**Docket No: NU 46-0299**

**STIPULATION AND CONSENT ORDER**

The Respondent, Anita F. Wright, RN, and the State of Vermont, by its Attorney General, William H. Sorrell, stipulate to the statements of Board Authority, Facts and Understandings set forth below and agree to the entry of the following Consent Order by the Vermont State Board of Nursing as a final order in this matter.

**Board Authority**

- A. The Vermont State Board of Nursing ["the Board"] has authority to approve consent orders, issue warnings or reprimands, suspend, revoke, limit, condition or prevent the renewal of current or lapsed licenses if, after disciplinary hearing, the Board finds that the Respondent has engaged in unprofessional conduct. 3 V.S.A. §129(a)(5); 3 V.S.A. §814(d); 26 V.S.A. §1582(a).
- B. 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).
- C. Engaging in conduct of a character likely to deceive, defraud or harm the public is unprofessional conduct upon which the Board can base disciplinary action. 26 V.S.A. §1582(a)(7).
- D. Being unable to practice nursing competently by reason of any cause is unprofessional conduct upon which the Board can base disciplinary action. 26 V.S.A. §1582(a)(3).
- E. Inability to practice nursing competently includes performance of unsafe or unacceptable patient care and failure to conform to the essential standards of acceptable and prevailing nursing practice. Administrative Rules of the Board of Nursing ("ARBN") Chapter 4, Rule IV(B)(2).

Office of the  
ATTORNEY  
GENERAL  
109 State Street  
Montpelier, VT  
05609

### **Facts**

- F. The Respondent (whose address is listed in the database of the Office of Professional Regulation as P.O. Box 426, West Rutland, Vermont, 05777) is a Registered Nurse under License Number 026 – 0023374.
- G. Respondent's license has a current expiration date of March 31, 2001.
- H. From November 23, 1998 to January 27, 1999, the Respondent was employed by Rutland Regional Medical Center in Rutland, Vermont.
- I. Between November 23, 1998 and January 27, 1999, the Respondent made a number of errors in the course of her practice, specifically:
  - (1) Respondent gave patient A.V. an IV, but failed to activate the antibiotic; and
  - (2) Respondent failed to take the post-op vital signs of patient P.J. as ordered by the physician; and
  - (3) Respondent failed to take the vital signs of patient P.M. in a timely manner following a blood transfusion; and
  - (4) Respondent admitted two (2) patients without intake information being acquired.

### **Charges**

- J. By making the above errors, the Respondent has:
  - (1) failed to comply with federal or state statutes or rules governing the practice of the profession; and
  - (2) engaged in conduct of a character likely to harm the public; and
  - (3) failed to practice nursing competently by performing unsafe or unacceptable patient care and by failing to conform to the essential standards of acceptable and prevailing nursing practice.

### **Understandings**

- K. The Respondent understands that the Board of Nursing must review and accept the terms of the Order set forth below and that if the Board rejects all or any portion of the Order, then this entire document shall be null and void.
- L. The Respondent has read and reviewed this entire document and agrees that it contains the entire agreement between the parties.
- M. The Respondent is not under the influence of any drugs or alcohol at the time this document is being signed.

- N. The Respondent agrees that she has had sufficient opportunity to consult with legal counsel before signing this document.
- O. The Respondent is voluntarily waiving her right to a contested hearing before the Board of Nursing.
- P. The Respondent agrees that the Order set forth immediately below may be entered by the Board of Nursing.

### **Consent Order**

Q. Based on the above stipulations, it is **ADJUDGED** as follows:

- (1) The "Facts" listed above are true; and
- (2) The Respondent has engaged in unprofessional conduct in that the Respondent has:
  - (a) failed to comply with federal or state statutes or rules governing the practice of the profession; and
  - (b) engaged in conduct of a character likely to harm the public; and
  - (c) failed to practice nursing competently by performing unsafe or unacceptable patient care and by failing to conform to the essential standards of acceptable and prevailing nursing practice.

R. Based on the above stipulation and on the above Findings and Conclusions of this Board, it is **ORDERED** follows:

S. The Respondent's license is hereby **CONDITIONED** for a minimum period of **one (1) year**. The **CONDITIONS** on Respondent's license are as follows:

(1) Length of Time Conditions Imposed.

The conditions shall remain in effect until Respondent has completed all conditions ordered. The one (1) year period shall be based on employment at or above 40 hours every two (2) weeks. Should Respondent be employed at less than 40 hours in a two (2) week period, the one (1) year period shall be pro rated and extended. Respondent's license is conditioned as follows.

(2) Reports from Employers.

Within one (1) month of the date of entry of this Consent Order and every month thereafter, Respondent shall cause every employer she has worked for during the month to submit to the Board an evaluation of Respondent's performance and attendance during that month. This report shall be submitted in writing on forms issued by the Board. In the event Respondent is not employed in nursing during any month or portion thereof, Respondent shall submit to the Board, in writing, a self-report describing other employment or activities.

Respondent shall sign a consent, upon request of the Board, to authorize her employer to provide all information requested by the Nursing Board,

or its designee, either orally or in writing, at any time during the period the Consent Order is in effect.

(3) Practice Under Supervision.

Respondent shall practice only in a setting where she has on-site supervision for the entire shift by a registered nurse in good standing with the Vermont Board of Nursing. 'On-site supervision' shall mean supervision by a registered nurse, in good standing, on the premises of the facility during the entire shift.

(4) Types of Employment Prohibited.

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

(5) License Renewal.

In the event Respondent's license is scheduled to expire during the period this Consent Order is in effect, Respondent shall apply for renewal of the license, pay the applicable fee, and otherwise maintain qualifications to practice nursing in the State of Vermont.

(6) Costs.

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

(7) Violation of the Consent Order.

If Respondent violates the terms of this Consent Order in any respect, the Board, after giving Respondent notice and an opportunity to be heard, may revoke the terms of the conditional license and take further disciplinary action. If a complaint or charges are filed against Respondent during the term of this Consent Order, the conditional license period shall be extended until the matter is final.

(8) Completion of Conditional License Period.

Upon completion of the conditional license period, Respondent may petition the Board to remove any and all conditions on her license and after formal review by the Board, Respondent's nursing license may be fully restored by appropriate Board action. Respondent, however, must present proof to the satisfaction of the Nursing Board, that she poses no danger to the practice of nursing and that she can safely and competently perform the duties of a nurse. Such proof shall include appropriate support from her employer. Furthermore, Respondent shall demonstrate, to the Board's satisfaction, that she fully complied with all the terms of this Consent Order.

T. 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 practicing as a RN, the Respondent must timely apply for renewal of her nursing license or obtain a license to be a Licensed Practical Nurse.

U. 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)(8).

V. This Stipulation and Consent Order will remain part of the Respondent's licensing file and may be used in determining sanctions in future disciplinary matters.

**AGREED TO:**

Date: 6/28/00

BY: ANITA F. WRIGHT  
RESPONDENT

Anita F. Wright  
Anita F. Wright

Approved as to form:

William H. Sorrell  
Respondent's Attorney

AND BY: STATE OF VERMONT  
WILLIAM H. SORRELL  
ATTORNEY GENERAL

Date: 6/29/00

George C. Haegle IV  
George C. Haegle IV  
Assistant Attorney General

**ACCEPTED AND SO ORDERED:**

**BOARD OF NURSING**

Date: July 10, 2000

Susan Farrell  
Chairperson

Dated entered: 7-11-00