



Board of Nursing

Office of Professional Regulation, Vermont Secretary of State

89 Main Street, 3rd Floor • Montpelier, VT 05620-3402

<https://sos.vermont.gov/opr/>

UNAPPROVED MINUTES

February 12, 2024

Remote Meeting

1. **Call to Order:** The meeting was called to order at 9:01 a.m. by the Chair, Jennifer Laurent.

Board members present: Jennifer Laurent, Jennifer Lyon, Daniel Coane, Luana Tredwell, William “Jamie” Floyd, Matthew Choate and Ginger Gillette-Kent (joined at 11am).

Ad Hoc members: Marsha Arend, Jim Huitt and Danielle Rubalcaba

Absent: Deb Belcher and Kelly Sinclair

Staff members present: Shiela Boni, Nursing Board Executive Officer; Carrie Phillips, Pharmacy Executive Officer; Lauren Layman, General Counsel; Noura Eltabbakh, General Counsel; Emily Trudeau, General Counsel; George Belcher, Administrative Law Officer; Kristin Donnelly, Case Manager; Elizabeth Kneen, Case Manager; Julie Bowen, Docket Clerk; Corrine Reynolds, Licensing Administrator; Kamanie Sweet, Licensing Administrator; Michelle Lavoie, Licensing Administrator; Aprille Morrison, Licensing Administrator Supervisor; Laticia Garcia, Enforcement Licensing Administrator; Kris Bowdish, OPR Deputy Chief Investigator; Matthew Kinsley, Investigator; Shawn McGarvin, Investigator; Marcello D’Alessandro, Investigator; and Dennis Menard, Investigator.

Prosecuting Attorneys: Jennifer Colin, Rachel Heath, Ultan Doyle and George Hasselback.

Guests: Attorney Adam Pignatelli, Attorney Gary Apfel, Attorney Ed Adrian, Attorney Lydia Newcomb Elizabeth R, Lesa Cathcart, Mary Kay Jurovick, Rachel Balch, Riley Saunders, Ann Hatton, Flavia Porch, Kathryn Butterly, Hesseltine, Caroline Fenoff, and Sara DeVico.

2. **Approval of Minutes from January 8, 2024**

Daniel Coane moved to approve the minutes of January 8, 2024. William “Jaime” Floyd seconded. The motion passed. Luana Tredwell abstained.

3. **Executive Officer Report:** Shiela Boni, Nursing Executive Officer:

- **Administrative Updates:**

- OPR Bill Status: still in progress with corrections on language of Nursing Statute to align with new Rule language on additional pathways for renewal and correcting subheadings for different license types.
- Office Renovations: Staff will be moving back to the office the 1st or 2nd week of March. There are delays with shipping of electronics in the Board meeting room which are necessary for conducting hybrid meetings at this time the March meeting will be held remotely. An update will be made at next month’s meeting.
- Licensure census month end January 2024:
RN 12,067; LPN 2,107; LNA 4,917; & APRN 2,161

- Senate Health & Welfare Committee Bill S.211. Jennifer Laurent, Lauren Layman, and Shiela Boni testified to the Senate health Committee on January 24, requesting the proposed language requiring the Board to issue rules for nursing apprenticeships be replaced with a requirement that OPR conduct a study to evaluate potential impacts of such a program before requiring its implementation. A copy of the testimony is available on the Vermont.gov legislative webpage, [S.211~Lauren Layman~S.211 Office of Professional Regulation Proposed Amendment~1-24-2024.pdf \(vermont.gov\)](#)

2. Discipline Hearings

- 2023-101 – *In re: Elizabeth Rohr, Contested Hearing*
 - The matter was heard on the record. William “Jamie” Floyd moved to go into deliberative session at 10:50am, seconded by Matthew Choate. The board came back from deliberative session at 11:55am. William “Jamie” Floyd moved to find unprofessional conduct on violations 1, 2, and 3 because even the procedure Respondent described falls outside of normal practice and is unsafe. The consequence of this finding is a reprimand by the Board. The motion was seconded by Matthew Choate. The votes were 5-Yes (Jen Lyon, Daniel Coane, Matthew Choate, Marsha Arend, William “Jamie” Floyd) and 2-No (Jennifer Laurent and Luana Tredwell). The Chair addressed the Respondent regarding the finding of unprofessional conduct and to emphasize that the process employed by respondent was unsafe and put the patient at risk. The Board recommended that Respondent takes steps to improve their practice as they move forward in their career.
 - Board Members participating: Jen Lyon, Daniel Coane, Matthew Choate, Jennifer Laurent, Luana Tredwell and William “Jamie” Floyd
 - Ad Hoc Member participating: Marsha Arend
- 2021-12 – *In re: Heidi Welch, Contested Hearing; Summary Suspension*
 - The matter was heard on the record. The matter recessed from 12:30 until 3:15pm due to a lack of a quorum. The Board reconvened at 3:15pm. William “Jamie” Floyd moved to accept the Order as written, seconded by Daniel Coane. The motion passed; Matthew Choate and Luana Tredwell was recused.
 - Board Members participating: Jen Lyon, Daniel Coane, Ginger Gillette-Kent, Jennifer Laurent, and William “Jamie” Floyd
 - Ad Hoc Member participating: Jim Huitt
- 2023-120 – *In re: Shelby Chicoine, Uncontested Hearing: Stipulation and Consent Order*
 - The matter was heard on the record. Matthew Choate moved to accept the Order as written, seconded by Jennifer Laurent. The motion passed; Jen Lyon was recused.
 - Board Members participating: Daniel Coane, Matthew Choate, Luana Tredwell, Ginger Gillette-Kent, William “Jamie” Floyd and Jennifer Laurent
 - Ad Hoc Member participating: Marsha Arend
- 2023-135 – *In re: Erin Roy, Uncontested Hearing: Stipulation and Consent Order*
 - The matter was heard on the record. Jennifer Laurent moved to accept the Order as written, seconded by Matthew Choate. The motion passed; Jen Lyon was recused.
 - Board Members participating: Daniel Coane, Matthew Choate, Luana Tredwell, Ginger Gillette-Kent, William “Jamie” Floyd, and Jennifer Laurent
 - Ad Hoc Member participating: Marsha Arend

- 2022-268 & 70– *In re: Megan Slack, Uncontested Hearing: Stipulation and Consent Order*
 - The matter was heard on the record. Matthew Choate moved to accept the Order as written, seconded by Jen Lyon. The motion passed; Luana Tredwell was recused.
 - Board Members participating: Jen Lyon, Daniel Coane, Matthew Choate, Ginger Gillette-Kent, and William “Jamie” Floyd,
 - Ad Hoc Member participating: Marsha Arend and Danielle Rubalcaba
- 2023-156 – *In re: Kathryn Butterly, Uncontested Hearing: Stipulation and Consent Order*
 - The matter was heard on the record. Jen Lyon moved to accept the Order as written, seconded by Daniel Coane. The motion passed; Luana Tredwell was recused.
 - Board Members participating: Jen Lyon, Daniel Coane, Matthew Choate, Ginger Gillette-Kent, and William “Jamie” Floyd
 - Ad Hoc Member participating: Marsha Arend and Danielle Rubalcaba
- 2023-121 – *In re: Wendy Sondermann, Uncontested Hearing: Stipulation and Consent Order*
 - The matter was heard on the record. Matthew Choate moved to accept the Order as written, seconded by Marsha Arend. The motion passed; Luana Tredwell was recused.
 - Board Members participating: Jen Lyon, Daniel Coane, Matthew Choate, Ginger Gillette-Kent, and William “Jamie” Floyd
 - Ad Hoc Member participating: Marsha Arend and Danielle Rubalcaba
- 2023-28 – *In re: Kimberly Ruel, Uncontested Hearing: Stipulation and Consent Order*
 - The matter was heard on the record. Jen Lyon moved to accept the Order as written, seconded by Luana Tredwell. The motion passed unanimously.
 - Board Members participating: Jen Lyon, Daniel Coane, Matthew Choate, Luana Tredwell, Ginger Gillette-Kent, and William “Jamie” Floyd
 - Ad Hoc Member participating: Marsha Arend
- 2023-85 – *In re: Elizabeth Vallejo, Uncontested Hearing: Stipulation and Consent Order*
 - The matter was heard on the record. Jen Lyon moved to accept the Order as written, seconded by Luana Tredwell. The motion passed unanimously.
 - Board Members participating: Jen Lyon, Daniel Coane, Matthew Choate, Luana Tredwell, Ginger Gillette-Kent, and William “Jamie” Floyd
 - Ad Hoc Member participating: Marsha Arend
- 2024-31 & 32 – *In re: Brooke Thompson, Uncontested Hearing: Stipulation and Consent Order*
 - The matter was heard on the record. Daniel Coane to accept the Order as written, seconded by Marsha Arend. The motion passed; Matthew Choate was recused.
 - Board Members participating: Jen Lyon, Daniel Coane, Luana Tredwell, Ginger Gillette-Kent, and William “Jamie” Floyd
 - Ad Hoc Member participating: Marsha Arend and Danielle Rubalcaba

- 2023-118 & 119 – *In re: Deslyn Wilson, Uncontested Hearing: Stipulation to Stay Proceedings*
 - The matter was heard on the record. Daniel Coane moved to deny the motion. Danielle Rubalcaba moved to go into deliberative session at 2:09pm, seconded by Matthew Choate. The board returned from deliberative session at 2:20pm. Daniel Coane moved to dismiss the motion as written, seconded by Matthew Choate. The motion to deny passed. The Board clarified that it denied the motion not because it did not support the stay in the matter but because it did not believe the Board was the proper authority for granting or denying the motion.
 - Board Members participating: Jen Lyon, Daniel Coane, Luana Tredwell, Ginger Gillette-Kent, and William “Jamie” Floyd
 - Ad Hoc Member participating: Marsha Arend and Danielle Rubalcaba

4. Public Comment: No public comment

5. Adjournment

There being no additional business, Jennnifer Laurent adjourned the meeting at 4:08 pm.

The next scheduled meeting is March 11, 2024