



STATE OF MAINE  
 BOARD OF NURSING  
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 AUGUSTA, MAINE  
 04333-0158

PAUL R. LePAGE  
 GOVERNOR

MYRA A. BROADWAY, J.D., M.S., R.N.  
 EXECUTIVE DIRECTOR

**IN RE: LITA C. BAILLY-FORD** )  
 a/k/a Lita C. Bailly )  
 of Pawnee, Oklahoma )  
 APRN License No. CNP081328 )

**CONSENT AGREEMENT  
 FOR  
 WARNING AND FINE**

**INTRODUCTION**

This document is a Consent Agreement (“Agreement”) regarding Lita C. Bailly-Ford’s license to practice as a Registered Nurse (“RN”) and an Advanced Practice Registered Nurse (“APRN”) in the State of Maine. The parties to this Agreement are Lita C. Bailly-Ford (“Licensee” or “Ms. Bailly-Ford”), Maine State Board of Nursing (“Board”) and the Office of the Attorney General, State of Maine. The Parties reached this Agreement on the basis of a Board Complaint dated September 26, 2011, which includes correspondence from the Board dated October 13, 2010 and a document titled “Lita Bailly-Ford Time Line.” The parties enter into this Agreement pursuant to 32 M.R.S. § 2105-A (1-A) (A), 10 M.R.S. § 8003(5) (B).

**FACTS**

1. Lita C. Bailly-Ford was originally licensed as an RN to practice in Maine on August 12, 1986. Ms. Bailly-Ford was originally licensed (approved) as an APRN to practice in the State of Maine on July 18, 1998. Both her RN license and APRN license in Maine lapsed on April 9, 2011.
2. Lita C. Bailly-Ford’s renewal applications for licensure as an APRN for April 9, 2007 to April 9, 2009 were received by the Board on April 4, 2007; her renewal applications for April 9, 2009 to April 9, 2011 were received by the Board on March 27, 2009. On both renewal applications, she answered question number “2.” in the affirmative, representing that she had completed the 75 contact hour requirement for advanced nurse practice for each of the past two-year licensing cycles (2007-2009 and 2009-2011).  
  
 Ms. Bailly-Ford’s national certification by the American Nurses Credentialing Center (ANCC”) as an APRN was valid from May 10, 2005 to May 9, 2010. Her certification lapsed on May 9, 2010 because she failed to meet the continuing education requirement for the five-year national certification cycle. Her certification was reinstated on July 12, 2010, with an expiration date of July 11, 2015. As a result of Ms. Bailly-Ford’s lapse in national certification, the Board conducted an audit on her 75 contact hour requirement for advanced nurse practice in Maine for the two-year licensing cycle of 2007-2009. The Board has not conducted such an audit for the 2009-2011 licensing cycle.
3. The Rules and Regulations of the Maine State Board of Nursing (“Board Rules”), Chapter 1, Section 2.1. E. “Special Provisions” states:  
  
 E. In the event the licensee’s certification expires during the licensing cycle, the licensee must submit evidence of continuous certification, and when eligible, recertification to the board on or before the certification expiration date. If the licensee has not received verification of recertification from his/her national certifying body, the licensee must provide evidence that he or she has made application to his/her certifying body, the application has been reviewed, and is awaiting processing of the recertification document.
4. Board Rules Chapter 8, Section 8.1.A., B. and C. “Continuing Approval to Practice” are as follows:



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- A. A certified nurse practitioner, certified nurse-midwife, certified registered nurse anesthetist, certified clinical nurse specialist (and those approved to practice prior to September 8, 1993 when certification was not required) seeking continuing approval to practice as an advanced practice registered nurse must have completed during the 2-year period of licensure a minimum of 75 contact hours of continuing education in nursing, medicine or allied health in the area of practice for which the individual has been approved as an advanced practice registered nurse. The applicant for continuing approval shall affirm under oath, on the continuing approval form, completion of the required continuing education.
- Documentation of continuing education must be maintained by the advanced practice registered nurse for two license renewal periods and is subject to random or targeted audits.
- B. A minimum of 30 contact hours must be in Category I, which is defined in subsection 2(A).
- C. No more than 45 contact hours may be in Category II.

5. As a result of the Board audit, it was determined that for Ms. Bailly-Ford's licensing cycle of April 9, 2007 to April 9, 2009, she was deficient by 22.5 contact hours in Category I.

6. Board Rule, Chapter 8, Section 8.2.A. and B. defines Category I and Category II as follows:

- A. Category I activities are those planned continuing education activities sponsored by organizations or institutions whose educational offerings are approved by professional bodies such as: American Nurses Association Credentialing Center; American Academy of Nurse Practitioners; American College of Nurse-Midwives; Council on Recertification of Nurse Anesthetists; National Organization of Nurse Practitioner Faculty; Maine State Nurses Association; American Psychological Association; American Medical Association Council of Medical Education; Accreditation Council for Continuing Medical Education or the Committee of Continuing Medical Education of the Maine Medical Association.

Completion of courses which offer academic credit related to the practice area.

Value: One contact hour for 50 minutes of participation.

- B. Category II activities include the following continuing health related education activities described below:

- (1) exhibits or presentations offered to health professionals
- (2) papers published in nursing and allied health journals
- (3) articles or chapters authored and published in professional textbooks
- (4) self-instruction such as: reading advanced nursing journals or allied health journals; listening to audio or videotapes; viewing slides; utilizing programmed or computer-assisted instruction
- (5) participation in peer review; utilization management; and nursing/medical audits
- (6) presentation at grand rounds
- (7) participation at meetings that have a clinical focus
- (8) precepting registered nurses enrolled in advanced practice registered nursing programs
- (9) active participation in health related research

Value: One contact hour for each 50 minutes of participation.  
Ten contact hours for each article or chapter published in nursing and allied health journals.  
One contact hour for three hours of precepting registered nurses enrolled in advanced practice registered nursing programs.

For presenters seeking contact hours, a one-time credit of 10 contact hours will be awarded for the preparation of the initial presentation.

7. Board Rule, Chapter 8, Section 8.2.C. states:
  - C. Documentation of continuing education activities shall be maintained by the individual to reflect the following: category; date of offering; subject matter or title; sponsor, provider or institution; number of academic contact hours; and proof of attendance in Category I.
8. Board Rule, Chapter 8, Section 8.3 states, in part:

Failure to comply with the continuing education rules may, at the Board's discretion, result in a decision to deny continuing approval to practice as an advanced practice registered nurse, or may result in a decision to enter into a consent agreement and probation setting forth terms and conditions to correct the licensee's failure to complete continuing education . . . .
9. Lita C. Bailly-Ford has agreed to resolve this matter by entering into this Agreement and waives her right to a hearing.


#### AGREEMENT

10. Lita C. Bailly-Ford understands and agrees that her conduct in the above-stated facts constitutes grounds for discipline under Title 32 M.R.S. § 2105-A, (2) (F), (2) (H) and Chapter 4.1.A.6, 4.1.A.8. and Chapter 8, Section 8. of the Board Rules. Lita C. Bailly-Ford is hereby **WARNED** and the Board imposes a **FINE** in the amount of One Thousand Five Hundred Dollars (\$1,500.00) for these violations. Specifically, the violations are:
  - a. 32 M.R.S. § 2105-A (2) (F). Ms. Bailly-Ford engaged in unprofessional conduct that violates standards of professional behavior practice that have been established in the practice for which she is licensed. See: Board Rule Chapter 4, Section 1.A.6.
  - b. 32 M.R.S. § 2105-A (2) (H). Ms. Bailly-Ford violated a Maine Revised Statute in Title 32, Chapter 31 and rules adopted by the Board. See also: Board Rule Chapter 4, Section 1.A.8.
  - c. Board Rule, Chapter 8, Section 8. Lita C. Bailly-Ford failed to comply with the Board Rules for continuing education.
11. If Ms. Bailly-Ford wishes to seek reinstatement of a Maine APRN license, she will be required to meet any deficiencies for continuing education in Board Rule Chapter 8.
12. Lita C. Bailly-Ford understands that she does not have to execute this Agreement and that she has the right to consult with an attorney before entering into the Agreement.
13. Modification of this Agreement must be in writing and signed by all the parties.
14. This Agreement is not subject to review or appeal by Ms. Bailly-Ford.
15. This Agreement is a public record within the meaning of 1 M.R.S. § 402 and will be available for inspection and copying by the public pursuant to 1 M.R.S. § 408.

16. This Agreement becomes effective upon the date of the last necessary signature below.


**I, LITA C. BAILLY-FORD, HAVE READ AND UNDERSTAND THE FOREGOING CONSENT AGREEMENT. I UNDERSTAND THE EFFECT IT WILL HAVE ON MY APRN LICENSE. I UNDERSTAND THAT BY SIGNING IT, I WAIVE CERTAIN RIGHTS. I SIGN IT VOLUNTARILY, KNOWINGLY, AND INTELLIGENTLY AND AGREE TO BE BOUND BY THIS AGREEMENT. I UNDERSTAND THAT THIS CONSENT AGREEMENT CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND.**

DATED: 4-13-12

  
LITA C. BAILLY-FORD

FOR THE MAINE STATE  
BOARD OF NURSING

DATED: 4/16/12

  
MYRA A. BROADWAY, J.D., M.S., R.N.  
Executive Director

FOR THE OFFICE OF THE  
ATTORNEY GENERAL

DATED: 4/19/12

  
JOHN H. RICHARDS  
Assistant Attorney General