



Paul R. LePage
GOVERNOR

STATE OF MAINE
BOARD OF NURSING
158 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0158

KIM ESQUIBEL, PH.D., M.S.N., R.N.
EXECUTIVE DIRECTOR

IN RE: ABIGAIL BELLAVANCE, LPN
of Gardiner, ME
License LPN12758

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CONSENT AGREEMENT
FOR
WARNING

Complaint 2014-143

INTRODUCTION

Pursuant to Title 32, Chapter 31, the Maine State Legislature endowed the Board with the power and duty to regulate the practice of nurses licensed by the Board, including issuing licenses and investigating complaints. Pursuant to 10 M.R.S. §8008, the Legislature provided that the sole purpose of the Board is to “protect the public health and welfare” and that “other goals or objectives may not supersede this purpose.”

This document is a Consent Agreement (“Agreement”) regarding Abigail Bellavance’s license as a licensed practical nurse (“LPN”) in the State of Maine. The parties to this Agreement are Abigail Bellavance (“Licensee”), the Maine State Board of Nursing (“the Board”), and the Office of the Attorney General, State of Maine. The parties enter into this Agreement pursuant to 32 M.R.S. §2105-A (1-A)(A), 10 M.R.S. §§8003 (5)(A-1)(1) and 8003 (5)(B) in order to resolve Complaint 2014-143.

FACTS

1. Abigail Bellavance was licensed to practice as an LPN in Maine by examination on April 30, 2009.
2. On May 27, 2014, the Board received notification from Crisis & Counseling Centers that Ms. Bellavance’s contractual employment to provide LPN services at the Kennebec County Correctional Facility (“KCCF”) was terminated on April 24, 2014 due to a report received from the Kennebec County Sheriff’s Office.

On June 27, 2014 the Board received documentation from KCCF that Licensee was prohibited from being in its facility following her admission of a personal and physical relationship with an inmate under her care. As a result of receiving this information, the Board initiated and docketed Complaint 2014-143.

3. On August 26, 2014, the Board received Licensee’s written response to the Notice of Complaint in which Licensee admitted “much to my better judgment” that she had grown fond of an inmate and participated in mutual correspondence. She further admitted that she acted “outside the scope of my medical duties” and states she had sought counseling in order to create personal boundaries.
4. Following review at its September 24-25, 2014 meeting, the Board notified licensee through letter dated October 2, 2014 that she would be scheduled for an informal conference.
5. On May 8, 2015 the Board met with the Licensee in an informal conference at which time it voted to offer Licensee a Consent Agreement.
6. This Agreement is being offered in order to resolve Complaint 2014-143 without further proceedings. Absent Licensee’s acceptance of this Agreement by signing, dating, and returning it to the Maine State Board of Nursing, 158 State House Station, Augusta, Maine 04333-0158 **on or before August 24, 2015**, the Board may take further action. In the absence of an agreement on Complaint 2014-143 the Board could impose, subsequent to adjudicatory proceedings, greater adverse action on this matter including fines, suspension or revocation of Licensee’s license.



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OFFICES LOCATED AT: 161 CAPITOL ST., AUGUSTA, ME
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PHONE: (207) 287-1133

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AGREEMENT

7. Licensee admits to the Facts as stated above and admits that such conduct constitutes grounds for the Board to impose discipline against her Maine nursing license under the following laws and regulations:

32 M.R.S. §2105-A (2)(F) for engaging in conduct that violates any standard of professional behavior which has been established in the practice for which the licensee is licensed.

Board Rule Chapter 4 §3(U) for engaging in behavior that exceeds professional boundaries including, but not limited to, sexual misconduct.

8. As discipline for the violations admitted to in paragraph 7 above, Licensee agrees that she will receive a **WARNING** related to the above-stated conduct. Licensee further agrees that her license will be subject to the following conditions:

Licensee must successfully complete an educational course that addresses professional boundaries, to be pre-approved by the Board's Executive Director. Licensee agrees and understands that she must provide documentation of her successful completion of this course within 6 months of the execution of this agreement or she will be in violation of this Consent Agreement.

9. Licensee waives her right to an adjudicatory hearing before the Board or any court regarding all facts, terms and conditions of this Agreement. Licensee agrees that this Agreement is a final order resolving Complaint 2014-143.
10. The Board and the Attorney General may communicate and cooperate regarding Licensee's practice or any other matter relating to this Agreement.
11. 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-A.
12. Nothing in this Agreement shall be construed to affect any right or interest of any person not a party hereto.
13. For the purposes of this Agreement, the term "execution" means that date on which the final signature is affixed to this Agreement.
14. Licensee acknowledges by her signature hereto that she has read this Agreement, that she has had an opportunity to consult with an attorney before executing this Agreement, that she has executed this Agreement of her own free will and that she agrees to abide by all the terms and conditions set forth in this Agreement.

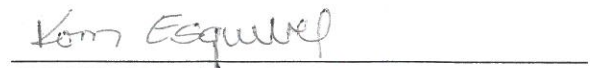
DATED: 8/2/15



LICENSEE ABIGAIL BELLAVANCE, LPN

FOR THE MAINE STATE BOARD OF NURSING


DATED: 8/10/15



KIM ESQUIBEL, PhD, MSN, RN
Executive Director

FOR THE OFFICE OF THE ATTORNEY GENERAL

DATED: 8/28/15



RONALD O. GUAY
Assistant Attorney General