



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

ANGUS S. KING, JR.
 GOVERNOR

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

IN RE: JOHN S. CHEVALIER, R.N.)
 of Dexter, Maine) **CONSENT AGREEMENT**
 License #R034493) **FOR CENSURE**

INTRODUCTION

This document is a Consent Agreement regarding John S. Chevalier's license to practice registered professional nursing in the State of Maine. The parties enter into this Agreement pursuant to 10 M.R.S.A. § 8003(5)(A-1)(1), § 8003(5)(B) and 32 M.R.S.A. § 2105A(1A)(A). The parties to this Consent Agreement are John S. Chevalier ("Licensee"), Maine State Board of Nursing ("Board") and the Department of Attorney General, State of Maine. An informal conference was held on February 6, 2002. The parties reached this Agreement on the basis of information submitted by Dexter Health Care, Dexter, Maine by letters dated August 10, 2001 and August 16, 2001, and by information submitted by the State of Maine Department of Human Services, Division of Licensing and Certification in Complaint # 01 BNF 840.

FACTS

1. John S. Chevalier has been a registered professional nurse licensed by the Board to practice in Maine since 1991.
2. John S. Chevalier admits that he performed a procedure called " abdominal colon massage" on several patients at Dexter Health Care and that his supervisor was aware of this practice.
3. John S. Chevalier states that he learned this procedure from registered professional nurses while he was employed at Togus V.A. Hospital in Augusta, Maine.
4. John S. Chevalier now understands that this procedure is not an accepted standard of practice for a licensed nurse.
5. John S. Chevalier admits that he pinched the nares of a resident at Dexter Health Care while attempting to administer medication to the resident.

AGREEMENT

6. John S. Chevalier agrees and understands that his conduct constitutes grounds for unprofessional conduct and discipline under Title 32 M.R.S.A. § 2105-A(2)(F) and (2)(H) and Chapter 4 1.A.6. and 4.3.F. John S. Chevalier is hereby CENSURED because



PRINTED ON RECYCLED PAPER

OFFICES LOCATED AT: 24 STONE ST., AUGUSTA, ME

TDD: (207) 287-1151

PHONE: (207) 287-1133

FAX: (207) 287-1149

he failed to take appropriate action or to follow policies or procedures in the practice situation designed to safeguard the patient.

- 7. John S. Chevalier understands that this Consent Agreement imposes discipline regarding his license to practice registered professional nursing in the State of Maine. Mr. Chevalier understands that he does not have to execute this Consent Agreement and that he has the right to consult with an attorney before entering into this Consent Agreement.
- 8. John S. Chevalier affirms that he executes this Consent Agreement of his own free will.
- 9. Modification of this Consent Agreement must be in writing and signed by all the parties.
- 10. This Consent Agreement is not subject to review or appeal by the Licensee, but may be enforced by an action in the Superior Court.
- 11. This Consent Agreement becomes effective upon the date of the last necessary signature below.

I, JOHN S. CHEVALIER, R.N., HAVE READ AND UNDERSTAND THE FOREGOING CONSENT AGREEMENT. I UNDERSTAND THAT BY SIGNING IT, I WAIVE CERTAIN RIGHTS. I SIGN IT VOLUNTARILY, WITHOUT ANY THREAT OR PROMISE. I UNDERSTAND THAT THIS CONSENT AGREEMENT CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND.

DATED: 2-14-02

John S. Chevalier RN
JOHN S. CHEVALIER, R.N.

FOR THE MAINE STATE
BOARD OF NURSING

DATED: 2/19/02

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

FOR THE DEPARTMENT OF
ATTORNEY GENERAL

DATED: 2/21/02

John H. Richards
JOHN H. RICHARDS
Assistant Attorney General

APPROVED
RECEIVED

RECEIVED
FEB 21 2002
MAED