



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

JOHN ELIAS BALDACCI
 GOVERNOR

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

IN RE: **JOANNE L. HEGARTY**) **CONSENT AGREEMENT**
 of Sangerville, Maine) **FOR SUSPENSION**
 License #R040305)

INTRODUCTION

This document is a Consent Agreement regarding Joanne L. Hegarty's license to practice registered professional nursing and her approval to practice as a family nurse practitioner in the State of Maine. The parties enter into this Agreement pursuant to 32 M.R.S.A. § 2105-A(1-A) and 10 M.R.S.A. § 8003(5). The parties to this Consent Agreement are Joanne L. Hegarty ("Licensee"), Maine State Board of Nursing ("Board") and the Office of the Attorney General, State of Maine. An informal conference was held on December 9, 2004. The parties reached this Agreement on the basis of Ms. Hegarty's criminal conviction in Piscataquis County Superior Court on September 14, 2004 for Marijuana Cultivation.

FACTS

1. Joanne L. Hegarty has been a registered professional nurse licensed by the Board to practice in Maine since 1996. In addition, Ms. Hegarty has been approved to practice as a family nurse practitioner in the State of Maine since 2003.
2. On June 2, 2000, Ms. Hegarty was convicted for the criminal offense of Marijuana Cultivation, 17 M.R.S.A. §1117(1)(2)(B), Class C felony. She was convicted in Piscataquis County Superior Court, Docket # CR-04-18 and received a sentence of 45 days incarceration and was order to pay \$200.00 restitution.
3. As an advanced nurse practitioner approved to practice in the State of Maine, Ms. Hegarty is entitled to hold a DEA authorization number, which enables her to prescribe controlled medications to her patients. Her conduct leading to the criminal conviction for cultivating illegal drugs is a breach of the authority entrusted to her in rendering services to the public.

AGREEMENT

4. Joanne L. Hegarty understands and agrees that based upon the above stated facts her conduct constitutes grounds for discipline under Title 32 M.R.S.A. § 2105-A(2)(F), (2)(G) and (2)(H) and Chapter 4.1A.(6) and (7). Ms. Hegarty understands that this Consent Agreement imposes discipline regarding her license



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to practice registered professional nursing and advanced nursing practice in the State of Maine. Ms. Hegarty understands that she does not have to execute this Consent Agreement and that she has the right to consult with an attorney before entering the Consent Agreement.

5. **Suspension:** Joanne L. Hegarty's license to practice as a registered professional nurse and as an advanced nurse practitioner shall be suspended for a period of 180 days from the effective date of this Agreement. Ms. Hegarty understands and agrees that her registered professional license and her approval to practice as an advanced nurse practitioner will be reinstated the day following the expiration of her 180 day suspension.
6. Joanne L. Hegarty shall not work or volunteer, in any capacity, for a health care provider as defined by Title 24 M.R.S.A. § 2502 (2) or in any position holding herself out as a registered professional nurse or with the designation, R.N.
7. Joanne L. Hegarty understands that this document is a Consent Agreement that affects her rights to practice nursing in Maine.
8. This Consent Agreement may be amended only in writing, signed by all the parties.
9. Joanne L. Hegarty affirms that she executes this Consent Agreement of her own free will.
10. This Consent Agreement becomes effective upon the last necessary signature below.

**I, JOANNE L. HEGARTY, 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: 1/11/05



JOANNE L. HEGARTY

FOR THE MAINE STATE
BOARD OF NURSING

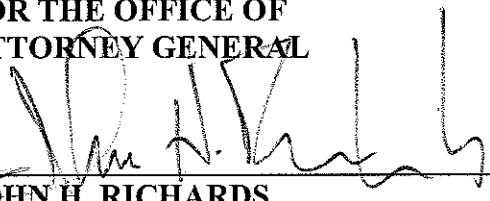
DATED: Jan 14, 2005



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

FOR THE OFFICE OF
ATTORNEY GENERAL

DATED: Jan. 19, 2005



JOHN H. RICHARDS
Assistant Attorney General