



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

BEFORE THE MAINE STATE BOARD OF NURSING

IN THE MATTER OF LICENSE NO.)
R025768 ISSUED TO:)

Roxanne E. Lavigne)

 To practice registered professional)
 nursing in the State of Maine)

**ORDER TERMINATING
 PROBATION**

WHEREAS, on **October 5, 2000**, License No. **R025768** issued to **Roxanne E. Lavigne** was placed on "probation" pursuant to 32 M.R.S.A. Section 2105-A (1-A); and

WHEREAS, on **February 12, 2003**, the Board of Nursing duly considered all evidence presented to it concerning **Roxanne E. Lavigne's** compliance with the conditions of said probation; and

WHEREAS, the Board found that **Roxanne E. Lavigne** has completed all of the Order;

NOW, THEREFORE, it is ordered that the Order of Probation executed on **November 16, 2000** is hereby terminated.

DATED this **14th day of March 2003**.

MAINE STATE BOARD OF NURSING

BY: *Myra Broadway*
 Myra A. Broadway, J.D., M.S., R.N.
 Executive Director



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

TDD: (207) 287-1151

PHONE: (207) 287-1133

FAX: (207) 287-1149

<http://www.maine.gov/boardofnursing/>



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ANGUS S. KING, JR.
 GOVERNOR

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

IN RE: **ROXANNE E. LAVIGNE, R.N.**) **CONSENT AGREEMENT**
 of Cape Elizabeth, Maine) **FOR REINSTATEMENT WITH**
 License # R025768) **PROBATION AND CONDITIONS**

INTRODUCTION

The document is a Consent Agreement regarding Roxanne E. Lavigne's license to practice professional nursing in the State of Maine. The parties enter into the Agreement pursuant to 10 M.R.S.A. § 8003(5)(A-1)(4), 10 M.R.S.A. § 8003(5)(B) and 32 M.R.S.A. § 2105-A(1-A)(B). The parties to the Consent Agreement are Roxanne E. Lavigne ("Licensee"), Maine State Board of Nursing ("Board") and the Department of Attorney General, State of Maine. The parties reached the Agreement on as a result of Ms. Lavigne's request for reinstatement of her registered nursing license.

FACTS

1. On November 22, 1999 Roxanne E. Lavigne entered into a Consent Agreement for Voluntary Surrender of her license as a result of an allegation of drug diversion and her admission of substance abuse. The reinstatement of Ms. Lavigne's license was dependent on her petition to the Board for reinstatement.
2. On October 5, 2000 Ms. Lavigne appeared before the Board requesting the reinstatement of her license. As a result of that meeting the Board found that Ms. Lavigne has accomplished 18 months of sobriety.
3. The parties agreed to enter into the Consent Agreement to reinstate Ms. Lavigne's license with the imposition of a period of probation with conditions.

REINSTATEMENT WITH CONDITIONS OF PROBATION

4. Roxanne E. Lavigne's license to practice professional nursing in the State of Maine is reinstated on a probationary status with conditions. The period of probation will commence on Ms. Lavigne's return to nursing practice, either through employment or pursuant to an educational program. The period of probation will be for a period of 24 months of nursing practice and will be subject to the following conditions:
5. Roxanne E. Lavigne will abstain completely from the use of alcohol or drugs, with the exception of substances used in accordance with a valid prescription from a physician who is aware of Ms. Lavigne's substance abuse history.
6. Roxanne E. Lavigne will continue in her aftercare treatment program.
7. Roxanne E. Lavigne will arrange for and ensure the submission of quarterly reports to the Board by her treatment provider.
8. Roxanne E. Lavigne will immediately notify the Board in writing should she return to employment or an educational program in the field of nursing. Notice under this section shall include the place and position of employment or the educational program and any change in employment or educational programs.



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9. Roxanne E. Lavigne will notify any and all of her nursing employers and notify faculty involved in any clinical studies of the terms of the Consent Agreement and shall provide them with a copy of it. For purposes of the Consent Agreement, nursing employment is any employment during which Ms. Lavigne performs nursing services.
10. Roxanne E. Lavigne will arrange for and ensure the submission to the Board of quarterly reports from her nursing employer or clinical faculty.
11. Roxanne E. Lavigne agrees and understands that the Board and the Department of Attorney General shall have access to any and all medical records and all otherwise confidential or medically privileged information pertaining to her treatment for substance abuse which the Board deems necessary to evaluate Ms. Lavigne's compliance with the Consent Agreement and her continued recovery. Ms. Lavigne shall provide such information, shall authorize the release of such records and information, and shall authorize any such discussions and communications with any and all persons involved in her care, counseling and employment as may be requested by the Board for the purpose of evaluating Ms. Lavigne's compliance with the Consent Agreement and her continued recovery.
12. Roxanne E. Lavigne agrees and understands that if any member of the Board or the Board's Executive Director receives reasonably reliable information suggesting that Ms. Lavigne has not remained substance free in accordance with the Consent Agreement, Ms. Lavigne's license will be immediately and automatically suspended pending further review by the Board. In the event any member of the Board or its Executive Director receives such information, the information will be immediately forwarded to Ms. Lavigne for a response. Ms. Lavigne agrees and understands that in such event, her license shall remain suspended pending a hearing. The Board shall hold a hearing within sixty (60) days of the automatic suspension unless both the Licensee and the Board agree to hold the hearing later, or the Executive Director and/or the Department of the Attorney General earlier determine that such information is without merit. If the information received is proven to be inaccurate or incorrect, either through hearing or determination by the Executive Director and/or the Department of the Attorney General, Ms. Lavigne's license will be immediately reinstated retroactive to the date of suspension.
13. Roxanne E. Lavigne agrees and understands that her license will remain on probationary status and subject to the terms of the Agreement indefinitely beyond the 24-month probationary period of nursing practice, until and unless the Board, at Ms. Lavigne's written request, votes to terminate Ms. Lavigne's probation. When considering whether to terminate the probation, the Board will consider the extent to which Ms. Lavigne has complied with the provisions of the Agreement.
14. The Consent Agreement modifies and replaces the November 22, 1999 Consent Agreement entered into by and between Ms. Lavigne, the Board and the Department of Attorney General. Ms. Lavigne understands that this document is a Consent Agreement that affects her rights to practice nursing in Maine. Ms. Lavigne understands that she does not have to execute this Consent Agreement and that she has the right to consult with an attorney before entering into the Consent Agreement.
15. Roxanne E. Lavigne affirms that she executes this Consent Agreement of her own free will.
16. Modification of this Consent Agreement must be in writing and signed by all parties.
17. This Consent Agreement is not subject to review or appeal by the Licensee, but may be enforced by an action in the Superior Court.

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

I, ROXANNE E. LAVIGNE, 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: 11-13-00


ROXANNE E. LAVIGNE, R.N.

Dated: 11/13/00


DEBORAH SHELLES CAMERON, Esq.
Attorney for Roxanne E. Lavigne, R.N.

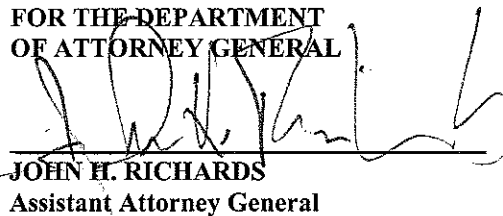
**FOR THE MAINE STATE
BOARD OF NURSING**

Dated: 11/15/00


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

**FOR THE DEPARTMENT
OF ATTORNEY GENERAL**

Dated: 11/16/00


JOHN H. RICHARDS
Assistant Attorney General