



Paul R. LePage
GOVERNOR

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

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

IN RE: JOSEPH AQUILINA, APRN-CNP)
of Lincoln, ME)
Licenses #CNP81577 & RN49476)

CONSENT AGREEMENT
FOR
WARNING

Complaint 2014-262

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 Joseph Aquilina's licenses as a Certified Nurse Practitioner ("CNP") and Registered Professional Nurse ("RN") in the State of Maine. The parties to this Agreement are Joseph Aquilina ("Licensee"), the Maine State Board of Nursing ("the Board"), and the Office of the Attorney General, State of Maine. The Board met on March 11-12, 2015 and voted to offer the Licensee a consent agreement. 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 2014-262.

FACTS

1. Joseph Aquilina was licensed to practice in Maine as a registered professional nurse ("RN") by endorsement and approved to practice as a Certified Family Nurse Practitioner January 28, 2004; "approval" was converted to "licensed" September 1, 2008.
2. On November 21, 2014, the Board received notification from Millinocket Regional Hospital of the Licensee's November 19, 2014 resignation following its investigation of his romantic relationship with a medical assistant who not only worked under his direction, but was also his patient. As a result of receiving this information, the Board initiated and docketed Complaint 2014-262.
3. On December 5, 2014, the Board issued a Notice of Complaint/Provider Report to Licensee regarding Complaint 2014-262.
4. On January 2, 2015, the Board received the Licensee's written response to the Notice of Complaint/Provider Report in which he acknowledged that he made a "serious error in judgment – both personal and professional."
5. This Agreement is offered to resolve Complaint 2014-262 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 May 22, 2015**, the Board may take further action. In the absence of an agreement, the Board could impose, subsequent to adjudicatory proceedings, greater adverse action on this matter including fines, suspension or revocation of license.



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

PHONE: (207) 287-1133

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AGREEMENT

6. Licensee admits to the Facts as stated above and admits that such conduct constitutes grounds for the Board to impose discipline against his Maine CNP and RN licenses under the following laws and regulations:

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

Board Rules Ch. 4, §3(U) by engaging in behavior that exceeds professional boundaries including, but not limited to, sexual misconduct.

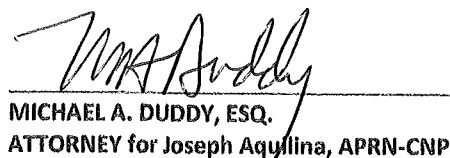
Board Rules Ch. 4, §4(A) by engaging in sexual or romantic behavior with or towards a patient.

7. As discipline for the violations, Licensee agrees that he will receive a **WARNING** related to the above-stated conduct.
8. Licensee waives his 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 2014-262.
9. The Board and the Attorney General may communicate and cooperate regarding Licensee's practice or any other matter related to this Agreement.
10. 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.
11. This Agreement constitutes adverse action and is reportable to the National Practitioner Data Bank (NPDB) and the Healthcare Integrity and Protection Data Bank (HIPDB).
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 his signature hereto that he has read this Agreement, that he has had an opportunity to consult with an attorney before executing this Agreement, that he has executed this Agreement of his own free will and that he agrees to abide by all the terms and conditions set forth in this Agreement.

DATED: 5/16/15



LICENSEE JOSEPH AQUILINA APRN-CNP

DATED: 5/19/15


MICHAEL A. DUDDY, ESQ.
ATTORNEY for Joseph Aquilina, APRN-CNP

FOR THE MAINE STATE BOARD OF NURSING


DATED: 5/22/15



MYRA A. BROADWAY, JD, MS, RN
Executive Director

FOR THE OFFICE OF THE ATTORNEY GENERAL

DATED: 6/3/15



RONALD O. GUAY
Assistant Attorney General