



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

JOHN ELIAS BALDACC
 GOVERNOR

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

IN RE: HEATHER L. BOISOT)
 of Buxton, Maine)
 License #R046721)

CONSENT AGREEMENT
 FOR VOLUNTARY SURRENDER
 OF LICENSE

INTRODUCTION

This document is a Consent Agreement (“Agreement”) regarding Heather L. Boisot’s license to practice registered professional nursing in the State of Maine. The parties to this Agreement are Heather L. Boisot (“Ms. Boisot” or “Licensee”), Maine State Board of Nursing (“Board”) and the Office of the Attorney General, State of Maine; they enter into this Agreement pursuant to 32 M.R.S.A. § 2105-A (1-A) (C), 10 M.R.S.A. §§ 8003 (A-1) (4), 8003 (5) (B) and 10 M.R.S.A. § 8003 (5) (D). The parties reached this Agreement on the basis of the following: 1) Board Notice of Complaint/Provider Report dated April 2, 2009, with information from Maine Medical Center (“MMC”) dated February 10 and March 4, 2009; 2) Board Notice of Complaint/Provider Report dated July 30, 2009, with information from York Hospital, York County Center for Wound Healing & Hyperbaric Medicine (“York Hospital”) dated July 17 and July 21, 2009; and 3) Ms. Boisot’s responses dated April 13 and August 26, 2009.

FACTS

1. Heather L. Boisot has been licensed as a registered professional nurse to practice in Maine since October 2001. At the time of the incidents discussed in this Agreement, Ms. Boisot held an active Maine nursing license.
2. Heather L. Boisot’s employment at MMC was terminated on February 9, 2009 for obtaining a prescription for controlled substance under false pretenses. Information describing the events, which is the basis of the Board Notice dated April 2, 2009 [Exhibit 1], is contained in an e-mail to Joy Moody and Karen Taylor from Dr. Samir Haydar, DO, dated January 29, 2009, documenting his conversation with Ms. Boisot; and a letter from Dr. Tim Sweeney, M.D., describing his recollection of this incident.
3. Heather L. Boisot’s employment at York Hospital was terminated on July 20, 2009. Information describing the events, which is the basis of the Board Notice dated July 30, 2009 [Exhibit 2], is contained in correspondence from Susan Cantara, RN, MS, CWOCN, of York Hospital, dated July 17, 2009 and July 21, 2009.
4. On May 22, 2009, Ms. Boisot voluntarily sought and received treatment for opioid dependence and addiction. She attended Mercy’s Intensive Out-Patient Program and is under the care of addictionologist Mark Publiker, MD. She also attends various self-help programs, including AA and Caduceus.

AGREEMENT

5. In lieu of a hearing before the Board, Heather L. Boisot agrees to voluntarily surrender her registered professional nurse license.




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6. Heather L. Boisot understands that based upon the above-stated facts, this document imposes discipline regarding her license to practice as a registered professional nurse in the State of Maine. The grounds for discipline for violations are under 32 M.R.S.A. § 2105-A(2)(A), (2)(B), (2)(F), (2)(H); Chapter 4, sections 1(A)(1), 1(A)(2), 1(A)(6), 1(A)(8); and Chapter 4, sections 3(K), 3(P) and 3(Q) of the Rules and Regulations of the Maine State Board of Nursing. Specifically, the violations are:
 - a. M.R.S.A. § 2105-A (2) (A). The practice of fraud and deceit in connection with service rendered within the scope of the license issued to Ms. Boisot by diverting scheduled drugs for her own personal use. (See also Rule Chapter 4, Section 1.A.1.)
 - b. M.R.S.A. § 2105-A (2) (B). Habitual substance abuse that has resulted or is foreseeably likely to result in Ms. Boisot performing services in a manner that endangers the health or safety of patients. (See also Rule Chapter 4, Section 1.A.2.)
 - c. M.R.S.A. § 2105-A (2) (F). Unprofessional Conduct. Ms. Boisot engaged in unprofessional conduct because she violated a standard of professional behavior that has been established in the practice for which she is licensed. (See also Rule Chapter 4, Section 1.A.6.)
 - d. M.R.S.A. § 2105-A (2) (H). A violation of this chapter or a rule adopted by the Board. (See also Rule Chapter 4, Section 1.A.6.)
 - e. Rule Chapter 4, Section 3. Unprofessional Conduct: *Nursing behavior which fails to conform to legal standards of the nursing profession, and which could reflect adversely on the health and welfare of the public shall constitute unprofessional conduct and shall include, but shall not be limited to, the following:*
 - 1) Chapter 4, Section 3(K). Ms. Boisot inaccurately recorded, falsified and altered a health care provider record.
 - 2) Chapter 4, Section 3(P). Ms. Boisot diverted drugs from a health care provider.
 - 3) Chapter 4, Section Q. Ms. Boisot possessed, obtained and administered prescription drugs to herself, except as directed by a person authorized by law to prescribe drugs.
7. Heather L. Boisot neither admits nor denies the facts contained herein; however, she acknowledges that if this matter went to a hearing before the Board, it is more likely than not the above-stated facts and underlying investigative information would support the licensing violations in this Agreement.
8. Heather L. Boisot understands and agrees that her license will remain on surrender status and subject to the terms of this Agreement indefinitely until and unless the Board, at her written request, votes to reinstate her license. Ms. Boisot agrees and understands that if the Board reinstates her license, it will be for a probationary period.
9. The State of Maine is a “party state” that has adopted the Nurse Licensure Compact (“Compact”), which is set out in Chapter 11 of the Rules and Regulations of the Maine State Board of Nursing. The State of Maine is Ms. Boisot’s “home state” of licensure and primary state of residence, which means that she has declared the State of Maine as her fixed permanent and principle home for legal purposes; her domicile. Other party states in the Compact are referred to as “remote states,” which means party states other than the home state that have adopted the Compact. Ms. Boisot understands this Consent Agreement is subject to the Compact.

10. Ms. Boisot understands that she does not have to execute this Agreement and has the right to consult with an attorney before entering into the Agreement.
11. Heather L. Boisot 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.", including in a veterinarian's office, while her nursing license is surrendered. In addition, Ms. Boisot is not to seek employment where the handling or dispensing of drugs is part of the job responsibility.
12. This Agreement is a public record within the meaning of 1 M.R.S.A. § 402 and will be available for inspection and copying by the public pursuant to 1 M.R.S.A. § 408.
13. Modification of this Agreement must be in writing and signed by all parties.
14. This Agreement is not subject to review or appeal by the Licensee, but may be enforced by an action in the Superior Court.
15. Heather L. Boisot affirms that she executes this Agreement of her own free will.
16. This Agreement becomes effective upon the date of the last necessary signature below.

I, HEATHER L. BOISOT, HAVE READ AND UNDERSTAND THE FOREGOING CONSENT AGREEMENT. I UNDERSTAND THAT BY SIGNING IT, I WAIVE CERTAIN RIGHTS. I SIGN IT VOLUNTARILY, KNOWINGLY, AND INTELLIGENTLY AND AGREE TO BE BOUND BY THIS AGREEMENT. I UNDERSTAND THAT THIS CONSENT AGREEMENT CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND.

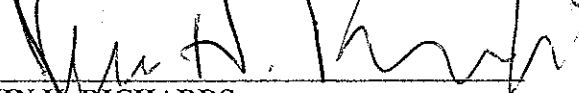
DATED: 4/1/2010 
HEATHER L. BOISOT

DATED: 4/1/10 
RONALD W. SCHNRIDER, JR., ESQ.
Attorney for Heather L. Boisot

FOR THE MAINE STATE BOARD OF NURSING

DATED: April 2, 2010 
MYRA A. BROADWAY, J.D., M.S., R.N.
Executive Director

FOR THE OFFICE OF THE ATTORNEY GENERAL

DATED: 4/5/10 
JOHN H. RICHARDS
Assistant Attorney General