



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: KRISTIN J. EVERATT )  
of Augusta, ME )  
License No. RN37139 )

CONSENT AGREEMENT  
FOR WARNING &  
PROBATION

Complaint Nos. 2011-257 & 2011-448

**INTRODUCTION**

This document is a Consent Agreement ("Agreement") regarding Kristin J. Everatt's license as a registered professional nurse ("RN") in the State of Maine. The parties to this Agreement are Kristin J. Everatt ("Licensee" or "Ms. Everatt"), the Maine State Board of Nursing ("the Board") and the Office of the Attorney General, State of Maine. The Board met with Ms. Everatt in an informal conference on December 12, 2012. The parties enter into this Agreement pursuant to 32 M.R.S. §2105-A (1-A) (B) and 10 M.R.S. §8003 (5) (B) in order to resolve the above-referenced Complaints.

**FACTS**

1. Kristin J. Everatt was first licensed as an RN in Maine on March 15, 1994. Her license lapsed on April 22, 2013.
2. In accordance with 24 M.R.S. §2506, MaineGeneral Rehabilitation & Nursing at Glenridge ("MaineGeneral") sent a Provider Report dated June 3, 2011 to the Board to report that on May 9, 2011, Ms. Everatt was terminated from employment as an RN at MaineGeneral alleging that she falsified the medical record of a patient.
3. On June 15, 2011, Board Complaint 2011-257 was initiated and sent to Ms. Everatt's address on record in the Board's files, requesting that she respond to the Complaint within 30 days, or by July 19, 2011. Ms. Everatt failed to respond by July 19, 2011; on July 28, 2011, the Board sent a Second Notice to Ms. Everatt giving her another opportunity to respond. Ms. Everatt again failed to respond and the Board then initiated Complaint 2011-448, pursuant to 32 M.R.S. §2105-A, dated September 15, 2011 because of her failure to respond to Complaint 2011-257. Ms. Everatt did eventually respond to both complaints on November 12, 2012.
4. Kristin J. Everatt admits that she made a medication error by administering the incorrect amount of normal saline to a patient. The patient's order prescribed 2L NS @ 75cc/hr.; Ms. Everatt administered 1L NS @ 275cc/hr. She also admits that she documented in the nurses' notes at the end of her shift and in her 24-hour report that she administered 2L NS @ 75cc/hr., and that it was well tolerated by the patient.
5. Kristin J. Everatt admits that her response to both Board Complaints was untimely and not in accordance with 32 M.R.S. §2105-A.



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6. Kristin J. Everatt wishes to resolve this matter by accepting this Agreement, thereby waiving her rights to an adjudicatory hearing.

#### AGREEMENT


7. Ms. Everatt acknowledges that the Board has evidence from which it could conclude there is a violation of Title 32 M.R.S. §§ (2) (A), (2) (F), (2) (H); Chapter 4, §§1.A.1, 1.A.6. and Chapter 4, §§3(F) and 3(K) of the Rules and Regulations of the Maine State Board of Nursing ("Board Rules"). Ms. Everatt acknowledges that her conduct in the above-stated facts constitutes grounds for discipline. Ms. Everatt is hereby formally **WARNED**. She further understands and agrees that her RN license will be placed on **PROBATION** of nursing practice as defined by 32 M.R.S. §2102 (2) should she return to nursing practice. Specifically, the violations are:
  - a. Pursuant to 32 M.R.S. §2105-A (2) (A) for engaging in the practice of fraud or deceit in connection with service rendered within the scope of the license issued. See also: Board Rule Chapter 4.1.A.1.
  - b. Pursuant to 32 M.R.S. §2105-A (2) (F) for engaging in unprofessional conduct that violates standards of professional behavior that have been established in the practice for which Ms. Everatt is licensed. See also: Board Rule Chapter 4.1.A.6.
  - c. Pursuant to 32 M.R.S. §2105-A (2) (H) for failing to respond to a board complaint.
  - d. Pursuant to 32 M.R.S. §2105-A (2) (H) for engaging in unprofessional conduct as specified in Board Rules Ch. 4, §3(F) by failing to take appropriate action or to follow policies and procedures in a practice situation designed to safeguard patients.
  - e. Pursuant to 32 M.R.S. §2105-A (2) (H) for engaging in unprofessional conduct as specified in Board Rules Ch. 4, §3(K) for inaccurate nursing documentation in a patient or health care provider record.
8. Should Ms. Everatt reinstate her nursing license, it will be placed on probationary status with conditions for a period of one (1) year, effective only while she is employed in nursing practice and/or enrolled in a nursing educational program. Her probationary license will be subject to the following conditions:
  - a. Ms. Everatt shall fully comply with the conditions of the probation in this Agreement. She shall inform the Board in writing within 15 days of any address change.
  - b. Ms. Everatt must successfully complete educational course(s) regarding nursing assessment, documentation and critical judgment skills in nursing before she returns to nursing practice, said course(s) to be pre-approved by the Executive Director of the Board. Ms. Everatt must also provide the Board with written documentation that she has successfully completed the above-stated educational requirements before returning to practice.
  - c. Ms. Everatt must notify any and all of her nursing employers and/or clinical faculty of the terms of this Agreement and provide them with a copy of it.

- d. Ms. Everatt must notify the Board in writing within five (5) business days after she obtains any nursing employment and/or enrolls in a nursing education program. Notice under this section shall include the place and position of employment and/or the nursing educational program.
  - e. If during the period of probation, Ms. Everatt's employment as a nurse or her educational program terminates, she must notify the Board in writing within five (5) business days after she is terminated or separated, regardless of cause, with a full explanation of the circumstances.
  - f. Ms. Everatt must arrange for and ensure the submission to the Board of quarterly reports from her nursing employer regarding her general nursing practice, including medication administration documentation and critical judgment skills in her nursing practice.
  - g. Ms. Everatt's employment is restricted during the period of probation to structured settings with on-site supervision by another registered professional nurse. Structured settings shall not include assignments from temporary employment agencies, home health, school nursing, work as a travel nurse, or within the correctional system.
9. Kristin J. Everatt agrees and understands that her license will remain on probationary status and subject to the terms of this Agreement beyond the above-referenced probationary period until and unless the Board, at her written request, votes to terminate her probation. When considering whether to terminate the probation, the Board will consider the extent to which Ms. Everatt has complied with the provisions of this Agreement.
10. 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 Board Rules. The State of Maine is Ms. Everatt'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 principal 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. Everatt understands and agrees that this Agreement is applicable to her multi-state licensure privilege, if any, to practice nursing in Compact states.
- IT IS FURTHER AGREED that while Ms. Everatt's license is subject to this Agreement, she may not work outside the State of Maine pursuant to a multi-state privilege without written permission from the Maine State Board of Nursing and the Board of Nursing in the party state in which she wishes to work.
11. 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.
  12. This Agreement constitutes a final adverse licensing action that is reportable to the National Practitioner Data Bank (NPDB) and the Healthcare Integrity and Protection Data Bank (HIPDB) pursuant to Section 1128E of the Social Security Act and 45 C.F.R. Part 61.
  13. Kristin J. Everatt understands that she does not have to execute this Agreement and has the right to consult with an attorney before entering into the Agreement.

14. Kristin J. Everatt affirms that she executes this Agreement of her own free will.
15. Modification of this Agreement must be in writing and signed by all parties.
16. This Agreement is not subject to review or appeal by Ms. Everatt.
17. This Agreement becomes effective upon the date of the last necessary signature below.


I, KRISTIN J. EVERATT, HAVE READ AND UNDERSTAND THE FOREGOING CONSENT AGREEMENT. I UNDERSTAND THE EFFECT IT WILL HAVE ON MY NURSING LICENSE. 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: 6/13-2013

  
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KRISTIN J. EVERATT


FOR THE MAINE STATE BOARD OF NURSING

DATED: 6/21/13

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

FOR THE OFFICE OF THE ATTORNEY GENERAL

DATED: 6/24/2013

  
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ANDREW BLACK for John H. Richards  
Assistant Attorney Generals