



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: DANIELLE VAILLANCOURT FLANDERS
 of Parsonsfield, ME
 License #R050563

) CONSENT AGREEMENT FOR
) LICENSE REINSTATEMENT &
) PROBATION WITH CONDITIONS

INTRODUCTION

This document is a Consent Agreement (“Agreement”) regarding Danielle Vaillancourt Flanders’s license to practice registered professional nursing in the State of Maine. The parties to this Agreement are Danielle Vaillancourt Flanders (“Licensee” or “Ms. Flanders”), Maine State Board of Nursing (“Board”) and the Office of the Attorney General, State of Maine; the parties enter into this Agreement pursuant to 32 M.R.S.A. § 2105-A (1-A) (B) and 10 M.R.S.A. § 8003(5) (B). The Board met with Ms. Flanders on June 2, 2010 regarding her request for reinstatement of her nursing license.

FACTS

1. License History: Ms. Flanders was originally licensed to practice registered professional nursing in Maine on November 8, 2004. On July 11, 2008, Ms. Flanders (formerly Danielle M. Vaillancourt) entered into a Consent Agreement with the Board surrendering her nursing license for substandard job performance related to the administration of narcotic medications [Exhibit A].
2. Danielle Vaillancourt Flanders underwent a substance abuse evaluation in April 2010 with Stacy Morris, MA, LADC, CCS of Facing Change, PA. It was determined that Ms. Flanders did not have a substance abuse problem.
3. The Board has agreed to reinstate Ms. Flanders’s registered professional nurse license for a probationary period with conditions.

AGREEMENT WITH CONDITIONS OF PROBATION

4. Danielle Vaillancourt Flanders’s license as a registered professional nurse is reinstated on probationary status with conditions. The period of probation will commence upon her return to nursing practice and will be for a period of five years, to be effective only while she is employed in nursing practice or enrolled in a nursing education program. For purposes of this Agreement, nursing employment is any employment during which Ms. Flanders performs nursing services. Her probationary license will be subject to the following conditions:
 - a. Danielle Vaillancourt Flanders shall fully cooperate with the representatives of the Board in its monitoring and investigation of her compliance with probation. She shall inform the Board in writing within 15 days of any address change.
 - b. Danielle Vaillancourt Flanders will notify the Board in writing within five business days after she obtains any nursing employment and/or enters an educational program in the field of nursing. Notice under this section shall include the place and position of employment or the nursing educational program. If during the period of probation, Ms. Flanders’s employment as a nurse or her



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educational program in the field of nursing terminates, she shall notify the Board in writing within five business days after she is terminated or separated, regardless of cause, with a full explanation of the circumstances.

c. Danielle Vaillancourt Flanders will notify any and all of her nursing employers and faculty involved in any clinical studies of the terms of this Consent Agreement and provide them with a copy of it.

d. Danielle Vaillancourt Flanders will arrange for and ensure the submission to the Board of quarterly reports from her nursing employer and/or clinical faculty regarding her general nursing practice, which is to include clinical competency, adherence to policies and procedures relative to standards of practice, and documentation.

e. Danielle Vaillancourt Flanders understands and agrees that her license will remain on probationary status and subject to the terms of this Agreement beyond the five-year 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. Flanders has complied with the provisions of this Agreement.


f. Danielle Vaillancourt Flanders's employment is restricted during the period of probation to structured settings with on-site supervision by a 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.

5. If Ms. Flanders violates the conditions of her probation, the Board will give written notice regarding her failure to comply. The Licensee has 30 days from receipt of this notification to respond to the Board, in writing, regarding the alleged violation. The Board will review her response to determine what action, if any, it determines to take. If the Licensee fails to timely respond to the Board's notification regarding her failure to comply, her license will be immediately suspended pending a hearing at the next regularly scheduled Board meeting. If after notice and a hearing, the Board finds that the Licensee has failed to meet the conditions of probation, the Board may take any disciplinary action which it deems appropriate and impose any of the sanctions including, but not limited to, that found in Title 10 M.R.S.A. § 8003 and Title 32 M.R.S.A. § 2105-A.
6. 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. Flanders's "home state" of licensure and primary state of residence, which means 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. Flanders understands this Agreement is subject to the Compact. She agrees that during the pendency of this Agreement, her nursing practice will be limited to the State of Maine as it pertains to the Compact. If Ms. Flanders wishes to practice in any other party state within the Compact, she shall arrange to have the party state in which she intends to practice provide the Board with written authorization that she has been approved to practice in that state; the Board will then make a determination.
7. 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.

8. Danielle Vaillancourt Flanders understands she does not have to execute this Agreement and has the right to consult with an attorney before entering into the Consent Agreement.
9. Danielle Vaillancourt Flanders affirms that she executes this Agreement of her own free will.
10. Modification of this Agreement must be in writing and signed by all parties.
11. This Agreement is not subject to review or appeal by the Licensee, but may be enforced by an action in the Superior Court.
12. This Agreement becomes effective upon the date of the last necessary signature below.

I, DANIELLE VAILLANCOURT FLANDERS, HAVE READ AND UNDERSTAND THE FOREGOING CONSENT AGREEMENT. I UNDERSTAND THE EFFECT IT WILL HAVE ON MY REGISTERED PROFESSIONAL NURSE 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.

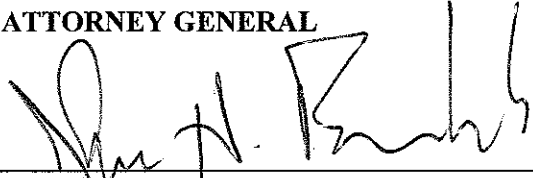
DATED: 9/1/10 
DANIELLE VAILLANCOURT FLANDERS

DATED: 9/2/10 
JANET E. MICHAEL, ESQ.
Attorney for Danielle Vaillancourt Flanders

FOR THE MAINE STATE
BOARD OF NURSING

DATED: 9/2/10 
MYRA A. BROADWAY, J.D., M.S., R.N.
Executive Director

FOR THE OFFICE OF THE
ATTORNEY GENERAL

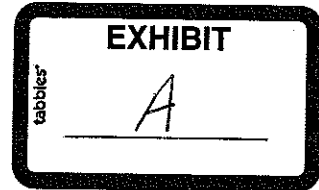
DATED: 9/9/10 
JOHN H. RICHARDS
Assistant Attorney General



JOHN ELIAS BALDACCI
GOVERNOR

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EXECUTIVE DIRECTOR



IN RE: DANIELLE M. VAILLANCOURT, R.N.)
of Parsonsfield, Maine)
License # R050563)

CONSENT AGREEMENT
FOR VOLUNTARY
SURRENDER OF LICENSE

INTRODUCTION

This document is a Consent Agreement regarding Danielle M. Vaillancourt's license to practice registered professional nursing in the State of Maine. The parties enter into this Consent Agreement pursuant to 32 M.R.S.A. § 2105-A (1-A) (C) and 10 M.R.S.A. § 8003 (5) (B), (5) (D). The parties to this Consent Agreement are Danielle M. Vaillancourt ("Ms. Vaillancourt" or "Licensee"), Maine State Board of Nursing ("Board") and the Office of the Attorney General, State of Maine. The parties reached this Agreement on the basis of 1) Notice of Complaint or Provider Report from the Board dated January 24, 2007 regarding information received from Saint Joseph's Manor dated December 26, 2006; 2) supplemental documentation from Saint Joseph's Manor dated February 26, 2008; and 3) information submitted by the Division of Licensing & Regulatory Services, Department of Health and Human Resources dated December 6, 2007.

FACTS

1. Danielle M. Vaillancourt has been licensed as a registered professional nurse to practice in Maine since November 8, 2004.
2. Danielle M. Vaillancourt was terminated from Saint Joseph's Manor ("SJM") on December 20, 2006 for substandard job performance related to the administration and documentation of narcotic medications with patterns indicative of drug diversion [Exhibit A].
3. The Division of Licensing & Regulatory Services completed an onsite complaint investigation at SJM on October 15, 2007, substantiating that Ms. Vaillancourt diverted drugs from SJM.
4. Danielle M. Vaillancourt has offered to voluntarily surrender her registered professional nurse license to resolve this complaint in lieu of an adjudicatory hearing before the Board.

AGREEMENT

5. The Maine State Board of Nursing will accept Danielle M. Vaillancourt's offer to voluntarily surrender her registered professional nurse license.



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Consent Agreement for Voluntary Surrender of License

Danielle M. Vaillancourt

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6. Danielle M. Vaillancourt neither admits nor denies the facts contained herein regarding the diversion of narcotics or other controlled substances from SJM; 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 Board's findings in this Consent Agreement.

7. Danielle M. Vaillancourt understands that, based upon the above-stated facts, this document imposes discipline regarding her license to practice registered professional nursing in the State of Maine. The grounds for discipline are for violations under 32 M.R.S.A. § 2105-A(2)(A), (2)(F), (2)(H) and Chapter 4, sections 1(A)(1), 1(A)(6), 1(A)(8) and Chapter 4, sections 3(F), 3(K) and 3(P) of the Rules and Regulations of the Maine State Board of Nursing. Specifically, the violations are:
 - a. "A. The practice of fraud or deceit in . . . connection with service rendered within the scope of the license issued." See also Chapter 4, Section 1.A.1.

 - b. "F. Unprofessional Conduct. A licensee is considered to have engaged in unprofessional conduct if the licensee violates a standard of professional behavior that has been established in the practice for which the licensee is licensed." See also Chapter 4, Section 1.A.6.

 - c. "H. A violation of this chapter or a rule adopted by the board." See also Chapter 4, Section 1.A.6.

 - d. "Unprofessional Conduct" as defined by the Rules and Regulations of the Maine State Board of Nursing in Chapter 4, Section 3 reads: "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:
 - F. Failing to take appropriate action or to follow policies and procedures in the practice situation designed to safeguard the patient.

 - K. Inaccurate recording, falsifying or altering a patient or health care provider record.

 - P. Diverting drugs, supplies or property of patients or health care provider."

Consent Agreement for Voluntary Surrender of License
Danielle M. Vaillancourt
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8. Danielle M. Vaillancourt agrees and understands that her license will remain on surrender status and subject to the terms of this Consent Agreement indefinitely until and unless the Board, at Ms. Vaillancourt's written request, votes to reinstate said license. Ms. Vaillancourt agrees and understands that if the Board reinstates her license, it will be for a period of probation to be determined by the Board.
9. Danielle M. Vaillancourt understands that this document is a Consent Agreement that affects her rights to practice professional nursing in Maine. Ms. Vaillancourt understands that she does not have to execute this Consent Agreement and has the right to consult with an attorney before entering the Agreement.
10. Danielle M. Vaillancourt 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 "RN", including in a veterinarian's office, while her nursing license is surrendered. In addition, Ms. Vaillancourt is not to seek employment where the handling or dispensing of drugs is part of the job responsibility.
11. 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. Vaillancourt's "home state" of licensure and primary state of residence, which means that Ms. Vaillancourt has declared the State of Maine as her fixed permanent and principle home for legal purposes; her domicile. Other party states that are in the Compact are referred to as "remote states," which means party states other than the home state that have adopted the Compact. Ms. Vaillancourt understands that this document is a Consent Agreement subject to the Compact.
12. This Consent 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 Consent Agreement must be in writing and signed by all parties.
14. This Consent Agreement is not subject to review or appeal by the licensee, but may be enforced by an action in the Superior Court.
15. Danielle M. Vaillancourt affirms that she executes this Consent Agreement of her own free will.
16. This Consent Agreement becomes effective upon the date of the last necessary signature below.

Consent Agreement for Voluntary Surrender of License
Danielle M. Vaillancourt
Page 4

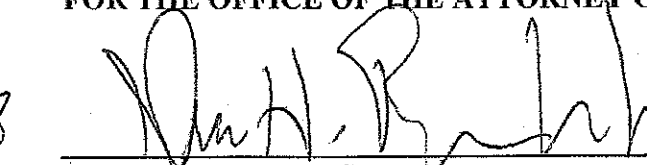
I, DANIELLE M. VAILLANCOURT, R.N., HAVE READ AND UNDERSTAND THE FOREGOING CONSENT AGREEMENT. I UNDERSTAND THAT BY SIGNING IT, I WAIVE CERTAIN RIGHTS. I SIGN IT VOLUNTARILY WITHOUT ANY THREAT OR PROMISE. I UNDERSTAND THAT THIS CONSENT AGREEMENT CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND.

DATED: 7-11-08 
DANIELLE M. VAILLANCOURT, R.N.

FOR THE MAINE STATE BOARD OF NURSING

DATED: July 14, 2008 
MYRA A. BROADWAY, J.D., M.S., R.N.
Executive Director

FOR THE OFFICE OF THE ATTORNEY GENERAL

DATED: 7/11/08 
JOHN H. RICHARDS
Assistant Attorney General