



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

ANGUS S. KING, JR.  
 GOVERNOR

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

IN RE: **DARYL G. LAVIGNE** )  
 of Westbrook, Maine )  
 License #R023919 ) **CONSENT AGREEMENT FOR**  
**VOLUNTARY SURRENDER**  
**OF LICENSE**

**INTRODUCTION**

This document is a Consent Agreement regarding Daryl G. Lavigne's license to practice professional nursing in the State of Maine. The parties enter into this Agreement pursuant to 10 M.R.S.A. § 8003(5)(B) and 32 M.R.S.A. § 2105-A(1-A)(C). The parties to this Consent Agreement are Daryl G. Lavigne ("Licensee"), Maine State Board of Nursing ("Board") and the Department of Attorney General, State of Maine. The parties reached this Agreement on the basis of information submitted by Maine Medical Center ("MMC") by letter dated October 2, 2000, attached as Exhibit A and by information in a letter from the Licensee dated October 2, 2000, attached as Exhibit B.

**FACTS**

1. Daryl G. Lavigne has been a registered professional nurse licensed by the Board to practice in Maine since August 27, 1980.
2. The Board disciplined Daryl G. Lavigne on October 5, 1999 for drug diversion, the details of which are more specifically stated in a Consent Agreement of even date, attached as Exhibit C.
3. Daryl G. Lavigne's employment at MMC was terminated on September 29, 2000 because Mr. Lavigne "relapsed in his use of fentanyl." See Exhibit A.
4. Daryl G. Lavigne admits that he relapsed in his use of controlled substances, acknowledging his violation of the prior Consent Agreement with the Board (Exhibit C) and has requested that the Board accept the voluntary surrender of his professional nursing license.

**AGREEMENT**

5. The Maine State Board of Nursing will accept Daryl G. Lavigne's voluntary surrender of his license.
6. Daryl G. Lavigne shall not work, in any capacity, in the health care field, including in a veterinarian's office, while his nursing license is surrendered. In addition, Mr. Lavigne is not to seek employment where the handling or dispensing of drugs is part of the job responsibility.
7. Daryl G. Lavigne may petition the Board for reinstatement of his license. Mr. Lavigne agrees and understands that his license will not be reinstated until and unless the Board, upon Mr. Lavigne's written request, votes to reinstate Mr. Lavigne's license.
8. Daryl G. Lavigne understands that this document imposes discipline regarding his license to practice practical nursing in the State of Maine for violations under 32 M.R.S.A. § 2105-A(2)(E) and A(2)(F).



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**Daryl G. Lavigne, R.N.**  
**Consent Agreement for Voluntary Surrender of License**  
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9. Daryl G. Lavigne understands that he does not have to execute this Consent Agreement and that he has the right to consult with an attorney before entering into this Consent Agreement.
10. Daryl G. Lavigne affirms that he executes this Consent Agreement of his own free will.
11. Modification of this Consent Agreement must be in writing and signed by all parties.
12. This Consent Agreement is not subject to review or appeal by the Licensee, but may be enforced by an action in the Superior Court.
13. This Consent Agreement becomes effective upon the date of the last necessary signature below.

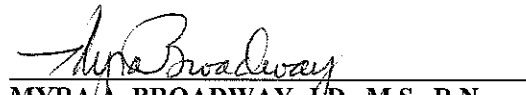
**I, DARYL G. LAVIGNE HAVE READ AND UNDERSTAND THE FOREGOING CONSENT AGREEMENT. I UNDERSTAND THAT BY SIGNING IT, I WAIVE CERTAIN RIGHTS. I SIGN IT VOLUNTARILY, WITHOUT ANY THREAT OR PROMISE. I UNDERSTAND THAT THIS CONSENT AGREEMENT CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND.**

DATED: 12-1-00

  
DARYL G. LAVIGNE

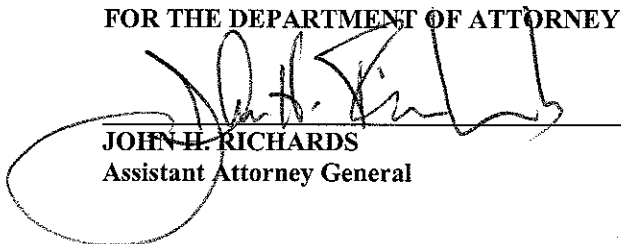
FOR THE MAINE STATE BOARD OF NURSING

DATED: 12/4/00

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

FOR THE DEPARTMENT OF ATTORNEY GENERAL

DATED: 12/5/00

  
JOHN H. RICHARDS  
Assistant Attorney General