



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

PAUL R. LePAGE
 GOVERNOR

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

IN RE: ROXANNE E. LAVIGNE, RN)
 of Cape Elizabeth)
 License # R025768)

CONSENT AGREEMENT
 FOR VOLUNTARY
 SURRENDER OF LICENSE

INTRODUCTION

This document is a Consent Agreement ("Agreement") regarding Roxanne E. Lavigne's license as a registered professional nurse in the State of Maine. The parties to this Agreement are Roxanne E. Lavigne ("Licensee" or "Ms. Lavigne"), 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. § 2105-A (1-A) (C), 10 M.R.S. §§ 8003 (5) (A-1) (4) and 8003 (5) (B). The parties met in an informal conference on January 7, 2011 and reached this Agreement on the basis of a Board Complaint dated December 7, 2009.

FACTS

1. Roxanne E. Lavigne has been licensed to practice in Maine as a registered professional nurse since September 1982.
2. On January 21, 2010, Ms. Lavigne was convicted of several Class E misdemeanor crimes, i.e., Misuse of E-9-1-1 System, Disorderly Conduct and Violating Condition of Release. She received concurrent sentences on all three cases of 45 days incarceration.
3. Roxanne E. Lavigne has recently been diagnosed with a mental health disorder and is currently in treatment. Ms. Lavigne admits that she is not prepared to return to nursing practice and the Board has determined that she is currently not safe to practice nursing.
4. Roxanne E. Lavigne wishes to resolve this matter by entering into this Agreement and offers to surrender her registered professional nurse license, thereby waiving her right to an adjudicatory hearing.

AGREEMENT

5. The Board will accept Roxanne E. Lavigne's offer to voluntarily surrender her registered professional nurse license for at least one year. Roxanne E. Lavigne understands and agrees that should this matter go to a hearing before the Board on the above-stated facts and the underlying information to support those facts, it is more likely than not they would support the Board's findings in this Agreement. Further, she understands and agrees that this document imposes discipline regarding her nursing practice in the State of Maine. The grounds for discipline are found under Title 32 M.R.S. §§ 2105-A (2) (C), (2) (H) and Chapter 4.1.A.3 and 4.1.A.8, of the Rules and Regulations of the Maine State Board of Nursing. Specifically, the grounds for the voluntary surrender of her license are:
 - a. 32 M.R.S. § 2105-A (2) (C). The Board has determined that Roxanne E. Lavigne has been given a professional diagnosis of a mental health condition that is foreseeably likely to result in her performing services in a manner that endangers the health or safety of patients. (See also Rule Chapter 4, Section 4.1.A.3.)
 - b. 32 M.R.S. § 2105-A (2) (H). A violation of this chapter or a rule adopted by the Board. (See also Rule Chapter 4, Section 4.1.A.8.)
6. Roxanne E. Lavigne understands and agrees that her license will remain on surrender status for at least one year and is subject to the terms of this Agreement indefinitely until and unless the Board, at her written




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request, votes to reinstate her license. Ms. Lavigne understands and agrees that if the Board reinstates her license, it will be for a probationary period.

7. 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. Lavigne'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. Lavigne understands this Consent Agreement is subject to the Compact.
8. Roxanne E. Lavigne understands that she does not have to execute this Agreement and has the right to consult with an attorney before entering into the Agreement.
9. Roxanne E. Lavigne shall not work or volunteer in any capacity for a health care provider as defined by Title 24 M.R.S. § 2502 (2) or in any position holding herself out as a registered professional nurse or with the designation "RN" while her nursing license is surrendered.
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.
11. Modification of this Agreement must be in writing and signed by all parties.
12. This Agreement is not subject to review or appeal by the Licensee, but may be enforced by an action in the Superior Court.
13. Roxanne E. Lavigne affirms that she executes this Agreement of her own free will.
14. This Agreement becomes effective upon the date of the last necessary signature below.

I, ROXANNE E. LAVIGNE, RN, 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: 3-5-11



ROXANNE E. LAVIGNE, RN

FOR THE MAINE STATE
BOARD OF NURSING

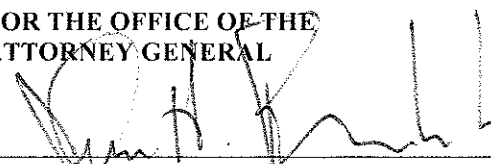
DATED: March 7, 2011



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

FOR THE OFFICE OF THE
ATTORNEY GENERAL

DATED: 3/9/11



JOHN H. RICHARDS
Assistant Attorney General