

IN RE: **DEBORAH S. LAVINE, R.N.**) **CONSENT AGREEMENT**
of South Paris, Maine) **FOR VOLUNTARY**
License #R035511) **SURRENDER OF LICENSE**

INTRODUCTION

This document is a Consent Agreement regarding Deborah S. Lavine'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), (5)(D) and 32 M.R.S.A. § 2105-A(1-A)(C). The parties to this Consent Agreement are Deborah S. Lavine, Maine State Board of Nursing ("Board") and the Office of the Attorney General, State of Maine. An informal conference was on July 30, 2003. The parties reached this Agreement based on information submitted by Stephens Memorial Hospital by letter dated July 2, 2003.

FACTS

1. Deborah S. Lavine has been licensed by the Board to practice professional nursing in Maine since 1992.
2. Deborah S. Lavine admits that she diverted morphine for her own use from a home care patient over a period of four-4 months. Ms. Lavine admitted that she abused a prescribed medication (darvocet) for a period of 10-years and more recently admitted to abusing Xanax.
3. Deborah S. Lavine has been substance free since July 1, 2003. She has completed a 30-day outpatient detox program at St. Mary's Hospital, attends A.A. 3 to 4 times per week and currently has a sponsor.
4. Deborah S. Lavine has offered to voluntarily surrender her license as a registered professional nurse.

AGREEMENT

5. The Maine State Board of Nursing will accept Deborah S. Lavine's voluntary surrender of her license, license #035511, and Ms. Lavine agrees and understands that the voluntary surrender of her license will be for a period of one-1 year, effective beginning July, 2003.
6. Deborah S. Lavine understands that this document imposes discipline regarding her license to practice professional nursing in the State of Maine under 32 M.R.S.A. § 2105-A(2)A), (2)(B), (2)(F), (2)(H) and Chapter 4, sections 1(A)(1), 1(A)(2), (A)(6) and Chapter 4, sections 3(P) and 3(Q) of the Nursing Board Rules.

7. Ms. Lavine agrees and understands that her license will remain on surrender status and subject to the terms of this Consent Agreement indefinitely beyond the one-1 year surrender period, until and unless the Board, at Ms. Lavine's written request, votes to reinstate Ms. Lavine's license. When considering whether to reinstate Ms. Lavine's license, the Board will consider the extent to which Ms. Lavine has complied with the provisions of this Consent Agreement.
8. Ms. Lavine understands that this document is a Consent Agreement that affects her rights to practice professional nursing in Maine. Ms. Lavine understands that she does not have to execute this Consent Agreement and that she has the right to consult with an attorney before entering the Consent Agreement.
9. If Ms. Lavine fails to meet any of the obligations of this Consent Agreement, 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.
10. Ms. Lavine agrees and understands that when she petitions the Board for reinstatement of her license, it will be for a probationary period.
11. Ms. Lavine understands and agrees that as a condition of reinstatement of her registered professional nursing license she will continue treatment and counseling for substance abuse to such an extent and for as long as recommended by her treatment providers. Ms. Lavine will arrange for and ensure the submission to the Board of quarterly reports from her treatment providers. In addition, Ms. Lavine agrees and understands that the Board shall have access to any and all medical records and all otherwise confidential or medically privileged information pertaining to her treatment and therapy which the Board deems necessary to evaluate Ms. Lavine's compliance with this Consent Agreement and her continued recovery. Ms. Lavine shall notify her health care physician of her substance abuse problem.

Ms. Lavine shall provide such information, shall authorize any release of such records and information, and shall authorize any such discussions and communications with any and all persons involved in her care as may be requested by the Board for the purpose of evaluating Ms. Lavine's compliance with this Consent Agreement.

12. Deborah S. Lavine 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. Lavine is not to seek employment where the handling or dispensing of drugs is part of the job responsibility.
13. Modification of this Consent Agreement must be in writing and signed by all parties.
14. Deborah S. Lavine affirms that she executes this Consent Agreement of her own free will.

15. This Consent Agreement becomes effective upon the date of the last necessary signature below.

I, DEBORAH S. LEVINE, 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: 3-15-04



DEBORAH S. LAVINE, R.N.

DATED: 3-17-04



ROBYN G. MARCH, ESQ.
Attorney for Deborah S. Lavine

FOR THE MAINE STATE BOARD OF NURSING

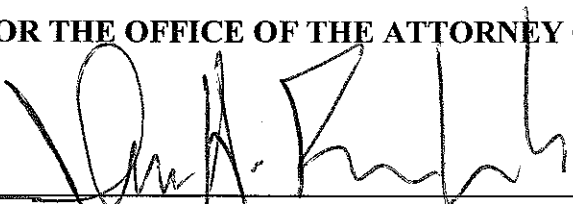
DATED: 3/18/04



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

FOR THE OFFICE OF THE ATTORNEY GENERAL

DATED: 3/19/04



JOHN H. RICHARDS
Assistant Attorney General