



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: JEFFREY D. LEMOINE** ) **DECISION AND ORDER**  
 of Bath, Maine ) **OF**  
 Maine License #R053467 ) **REVOCATION**

**INTRODUCTION**

On March 18, 2009, the Maine State Board of Nursing (“ME Board”) met at the Board office located at 161 Capitol Street in Augusta, Maine. The Board reviewed the certified copies of criminal record information in “THE PEOPLE OF THE STATE OF CALIFORNIA VS JEFFREY DEAN LEMOINE,” Docket No. M000398799 in the State of California, San Luis Obispo County Superior Court, San Luis Branch, dated March 1, 2007 for the crimes of Unauthorized Practice of Medicine and Grand Theft by False Pretense. In addition, the Board reviewed documentary information from the State of California, California Board of Registered Nursing (“CA-RN Board”) regarding disciplinary action taken by the California Board against Jeffrey LeMoine, DOB 05/23/1967, Citation Order RN 2006-609, issued on April 29, 2008 for the unlicensed practice of nursing. Both the criminal and CA-RN Board information is incorporated herein and attached hereto as Exhibit A.

**FACTS**

1. Jeffrey D. LeMoine was originally licensed by the ME Board as a registered professional nurse on March 23, 2007. He renewed his license on-line March 24, 2008.
2. On Mr. LeMoine’s March 24, 2008 renewal application for licensure as a registered professional nurse in the State of Maine, he answered “No” to Question 1, *Have you been convicted of a crime, other than a minor traffic violation(s) since the last renewal of your Maine license?* He also answered “No” to Question 3, *Is there any complaint pending against your license in any state or jurisdiction?*
3. Jeffrey D. LeMoine’s history of criminal convictions in the State of California is as follows:
  - a. March 1, 2007 – Unauthorized Practice of Medicine (misdemeanor)  
Sentence: 60 days in jail, three years probation and a \$10,000 order of restitution
  - b. March 1, 2007 – Grand Theft by False Pretense (misdemeanor)  
Sentence: 60 days in jail, three years probation.
4. On April 29, 2008, the CA-RN Board sanctioned Mr. LeMoine for unlicensed practice as a registered nurse and imposed a fine in the amount of \$2,500.
5. Jeffrey D. LeMoine’s California criminal convictions, the CA-RN Board’s discipline and his failure to disclose this information on his renewal application as a registered



PRINTED ON RECYCLED PAPER

professional nurse with the ME Board are substantially related to the qualification, functions or duties of a registered professional nurse because they evidence, to a substantial degree, Mr. LeMoine's 1) present and potential unfitness to practice in a manner consistent with the public health, safety or welfare of patients and the general public; and 2) unprofessional conduct by engaging in the practice of fraud, deceit, misrepresentation or subterfuge as evidenced by the California criminal convictions and unlicensed practice as a registered nurse in the State of California [Exhibit A].

6. Pursuant to 5 M.R.S.A. § 5302, the Board concluded, based upon the recent convictions and serious nature of the underlying criminal conduct and CA-RN Board discipline, that Mr. LeMoine's behavior fails to conform to legal and accepted standards of the nursing profession and are substantially related to the qualifications, functions or duties of a registered professional nurse, and that such conduct reflects adversely on the health and welfare of the public.

#### APPLICABLE LAW

1. Pursuant to 32 M.R.S.A. § 2105-A (2), "The Board may suspend or revoke a license pursuant to Title 5, section 10004."
2. Pursuant to 5 M.R.S.A. § 10004(1), "An agency may revoke, suspend or refuse to renew any license without proceedings in conformity with subchapters IV or VI, when the decision to take that action rests solely upon a finding or conviction in a court of any violation which by statute is expressly made grounds for revocation." The grounds for revocation are:
  - a. "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."
  - b. "Subject to the limitations of Title 5, chapter 341, conviction of a crime that involves dishonesty or false statement or that relates directly to the practice for which the licensee is licensed or conviction of a crime for which incarceration for one year or more may be imposed."

#### CONCLUSIONS OF LAW

The Board has the authority to suspend or revoke Jeffrey D. LeMoine's registered professional nurse license Pursuant to 5 M.R.S.A. § 10004 (1), 32 M.R.S.A. § 2105-A(2)(E)(1), (2)(F), (2)(G) and (2)(H).

The criminal convictions described in the above-stated facts are grounds for discipline because Mr. LeMoine was convicted of a crime that is a criminal conviction for which incarceration for one year or more could have been imposed.

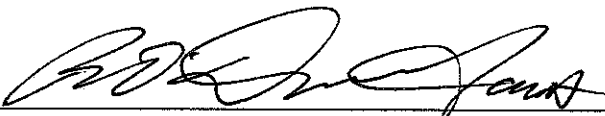
**DECISION AND ORDER**

A motion was made by Bruce R. O'Donnell and seconded by Lynn F. Turnbull to immediately revoke Jeffrey D. LeMoine's registered professional nurse license. By a unanimous vote of the Board, Jeffrey D. LeMoine's registered professional nurse license is revoked, effective immediately.

**RECORD VOTE**

CARMEN CHRISTENSEN	Affirmative
SUSAN BRUME	Affirmative
DOROTHY MELANSON	Affirmative
MARGARET HOURIGAN	Affirmative
LYNN F. TURNBULL	Affirmative
BRUCE R. O'DONNELL	Affirmative
ROBIN BROOKS	Affirmative

DATED: 25 MARCH 2009



**BRUCE R. O'DONNELL, Chair**  
**MAINE STATE BOARD OF NURSING**

**NOTICE OF APPEAL RIGHTS**

Jeffrey D. LeMoine may appeal this Decision and Order to summarily revoke his license by filing a petition for review of final agency action in the Superior Court pursuant to 5 M.R.S.A. §§ 11001, *et seq.* within thirty (30) days after receipt of notice of this Decision and Order. Any other person aggrieved by this Decision and Order may seek judicial review in like manner by filing a petition for review in Superior Court within forty (40) days after the date of this Decision and Order.

CRIMINAL DOCKET - MISDEMEANOR  
SAN LUIS OBISPO COUNTY SUPERIOR COURT  
STATE OF CALIFORNIA

THE PEOPLE OF THE STATE OF CALIFORNIA, )  
PLAINTIFF, ) MISDEMEANOR CHARGE(S) )  
001 BP2052 ) M NOLO/NOLO  
002 PC487(A) ) M NOLO/NOLO

LEMOINE, JEFFREY DEAN / 001

DEFENDANT, )

DA CASE NO=060006921 ID=0000364616/001

AGENCY: CALIFORNIA DEPARTMENT OF CONSUMER  
CASE= 200605532 CT= M1  
ATTY: STEIN, JEFFREY R-RETAINED  
PROB OFFICER: TRUJILLO, MARIA  
INTERPRETER REQUIRED:  
REV=CO25  
DATE ACTION FILED WITH COURT 02/07/07  
VIOLATION DATE: 01/08/04

DATE	PROCEEDINGS	SYS
08/19/06	** ALL PURPOSE ASSIGNMENT: JUDGE REC'D: STIPULATION TO RESET ARRN; ACKNOWLEDGEMENT OF DUTY TO APPEAR- STEIN	
08/29/06	##### BAIL BOND # A15-2113510; \$10000; SLO BB	
09/11/06	JUDGE HARMAN; CLK GALLAGHER; DDA DOBROTH BY R. ABRAMS; ATTNY STEIN PRES FOR DEFT @ NO FILING. DEFTS COUNSEL TO FILE STIP FOR DEFT TO APPEAR ON DATE SET FORTH BELOW; DEFT ORDERED TO APPEAR ON DATES SET FORTH.	
10/23/06	JUDGE DUFFY; CLK VANMEEL; DDA DOBROTH; ATTNY STEIN PRES FOR DEFT @ NO FILING.	
11/20/06	JUDGE DUFFY; CLK O'DONNELL; DDA K. GREY; RETAINED ATTNY STEIN PRES FOR DEFT @ NO FILING.	
12/20/06	JUDGE DUFFY; CLK COLLINS; DDA LUONG; ATTNY STEIN PRES FOR DEFT @ NO FILING.	
01/26/07	JUDGE DUFFY; CLK VANMEEL; DDA DOBROTH; ATTNY STEIN PRES FOR DEFT @ NO FILING	
02/07/07	ARRN 02/08/2007 0831 DEPARTMENT 7	
02/08/07	JUDGE CRAWFORD; CLK CARDWELL; DDA DOBROTH; DEFT NOT PRES; ATTY STEIN PRES FOR DEFT @ ARRN; ARRN HELD; WTT FURTHER ARRN 03/01/2007 0830 DEPARTMENT 7	
03/01/07	##### BAIL BOND # JUDGE CRAWFORD, CLK DUMOUCHELLE, DDA DOBROTH, ATTY STEIN, DEFT PRES @ F ARRN, GP CT1 & CT2, THE COURT ADVISES THE PATRIES THAT HE DOES KNOW JURY REMAINS IN A PROFESSION BASIS, HARVEY WAVIER TO ALL CLAIMS FOR RESTITUTION. FILED: TAHL WAIVER SENT: 001 SAN LUIS OBISPO BY JUDGE CRAWFORD CT 001 M BP2052 NOLO 03/01/2007 CT 002 M PC487(A) NOLO 03/01/2007 PROBATION BENCH 3 YR ENDS 03/01/2010 JAIL: 60 DA SURRENDER:04-12-07 8 AM FOR A TOTAL OF 20 DAYS REMANING ON 04-24-08 AT 8AM, COMMENCE SERVING C/S 48 HR PERIODS, FOR A TOTAL OF 20 DAYS REMAINING TIME STAYCED UNTIL UNTIL 2009 ON 04-23-09 AT 8AM COMMENCE SERVING C/S 48 HR PERIODS FOR 20 DAYS DEF ORDERED TO PAY RESTITUTION MAKE RESTITUTION PAYABLE THROUGH PROBATION DEPT. 03-07-07 \$10,000 TO BE POSTED IN ATTORNEY'S TRUST ACCT FOR RESTITUTION AND WORK W/PROB FOR PAYMENTS CC DEFT CC PROBATION, NO INVIGATED REPORT SENT TO PROB, TOO LARGE IF PROBATION REQUIRES A COPY OF REPORT THE SHOULD GO TO THE DA'S OFFICE. #####BB EXONERATED, # A15-2113510	
03/02/07	NOTIFIED: CDCA	
03/08/07	REC'D: REQ FOR COPIES FROM BD OF REG NURSING, SACTO CA	
04/30/07	CERTIFIED COPIES MAILED TO: BD OF REG NURSING, SACTO CA	
07/16/07	REC'D: COPY REQUEST FROM BOARD OF VOCATIONAL NURSING & PSYCHIATRIC TECHNICIANS	
09/12/07	MAILED: CERT COPYS AS REQ FROM BOARD OF VOCATIONAL NURSING	
09/22/08	REC'D: CERTIFIED COPY REQ FROM BOARD OF NURSING	

CONTINUED ON PAGE: 2

LSL114-M169

DATE	** ALL PURPOSE ASSIGNMENT: JUDGE PROCEEDINGS	SYS CLERK
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LSL114-M169 H26

This is a true copy of the electronic record of case M398799 as of 9-29-08 at 8:30  
(case #) (date) (time)

I certify that this is a correct copy of the original on file with the Clerk of the Superior Court of California, County of San Luis Obispo. Attest my hand and seal of said court on

(Date) 9-29-08 Zogs

*Susan Matherly* 13

SUSAN MATHERLY, Court Executive Officer



Certification must be in purple ink to be a CERTIFIED COPY

SUPERIOR COURT OF CALIFORNIA COUNTY OF SAN LUIS OBISPO  
ENTRY OF GUILTY/NO CONTEST PLEA - CASE NUMBER: M000398799

THE PEOPLE OF THE STATE OF CALIFORNIA, | EVENT:  
VS | COURT: SLO BRANCH - DEPT 7  
LEMOINE, JEFFREY DEAN / 001 | DATE: 3/1/07 TIME:  
ID NUMBER: 0000364616 | DA CASE NO: 050006921

001 BP2052 002 PC487(A)

JUDGE: J. CRAWFORD CLERK: Dunneville  
PROSECUTOR: Robroth DEFENDANT PRESENT  
DEFENSE COUNSEL: J Stein, RT < > DEFENDANT NOT PRESENT  
ATTORNEY TYPE:  
COURT REPORTER: \NONE\WAIVED < > INT TYPE: NAME:  
< > STIPULATION TO COMMISSIONER FINDLEY / SEFTON / PERRY  
REV=CO25 GDCA CASE=200605532 CT=D7

DEFENDANT RELEASE STATUS: BAIL BOND *The Court advises the parties that he does know Jerry Lemoine via a professional basis*  
D.A. MOVES AND COURT ORDERS COMPLAINT AMENDED TO ADD COUNTS  
DEFENDANT WAIVES FORMAL ARRAIGNMENT AND READING OF AMENDED CHARGE(S).  
DEFENDANT MOVES TO WITHDRAW PREVIOUS PLEA AND/OR PLEADS GUILTY.  
NO CONTEST TO: (Ct 1) BP2052 and (Ct 2) PC487(A)  
COUNTS DISMISSED ON MOTION OF THE DA ON GROUNDS *Harvey univ as to all claims for restitution*  
PRIOR ALLEGED OFFENSES ADMITTED STRICKEN ON GROUNDS  
DEFENDANT ADMITS VIOLATION OF PROBATION/DEFERRED JUDGMENT AND WAIVES HEARING.  
DEFENDANT ADVISED RE VC SECT. 23103.5 CONSEQUENCES. COURT FINDS VC23103 ALCOHOL RELATED. DISTRICT ATTORNEY FILES FORM TO SUBSTITUTE CHARGES.

FINDINGS AND PROBATION REFERRAL  
PLEA OF GUILTY AND WAIVER OF RIGHTS AND ORDERS FORM FILED.  
DEFENDANT ADVISED OF AND WAIVES RIGHT TO JURY TRIAL, CONFRONTATION, AND SELF INCRIMINATION AS MORE FULLY SET FORTH ON PRE-SENTENCE VOIR DIRE AND FINDINGS ATTACHED AND INCORPORATED HEREIN BY REFERENCE.  
DEFENDANT DOES NOT WANT COUNSEL. AFTER INQUIRY, COURT FINDS DEFENDANT KNOWINGLY AND VOLUNTARILY WAIVES RIGHT TO COUNSEL, HAVING BEEN ADVISED OF DANGERS, PITFALLS, AND DISADVANTAGES OF SELF REPRESENTATION, AND RIGHT TO APPOINTED COUNSEL IF INDIGENT.  
COURT FINDS FACTUAL BASIS FOR PLEA(S) GUILTY ON PLEA OF NO CONTEST.  
COURT FINDS DEFENDANT IN VIOLATION OF PROBATION/DEFERRED JUDGMENT. *Quincy Post*  
MATTER REFERRED TO PROBATION PRE-SENTENCE/PRE PLEA CONTACT PROBATION WITHIN 1 BUSINESS DAY.  
COURT FINDS DEFENDANT ABLE TO PAY \$ JAIL FEES PER DAY.  
DEFENDANT/COUNSEL WAIVES STATUTORY TIME FOR PRONOUNCEMENT OF JUDGMENT.  
COURT AND DEFENDANT HAVE READ AND CONSIDERED THE PROBATION REPORT.  
DEFENDANT/COUNSEL STATES THERE IS NO LEGAL CAUSE WHY JUDGMENT SHOULD NOT NOW BE PRONOUNCED. DEFENDANT WAIVES ARRAIGNMENT FOR JUDGMENT.  
DEFENDANT ORDERED TO PAY BOOKING FEES.  
THE COURT FINDS THE DEFENDANT ELIGIBLE FOR DEFERRED JUDGMENT. CRIMINAL PROCEEDINGS ARE SUSPENDED FOR YEARS.  
IMPOSITION OF SENTENCE SUSPENDED AND DEFENDANT PLACED ON PROBATION ON THE TERMS AND CONDITIONS AS STATED IN THE PROBATION ORDER ATTACHED.

FINE  
\$ FINE (C/T/S) DAYS @ \$50/DAY) SUSPENDED.  
\*10 OF FINE SUSPENDED FOR EACH HOUR OF COMMUNITY SERVICE SHOWN.  
\$ DUE BY OR IF ACCOUNTING FEE \$15/\*30  
IS PAID BY PAYMENTS OF \$ PER MONTH  
BEGINNING UNTIL PAID IN FULL.  
AS DIRECTED BY PROBATION, CONTACT PROBATION WITHIN 10 DAYS.  
FORTHWITH OR SERVE ONE DAY FOR EACH \$50 CONSECUTIVE/CONCURRENT  
DEFENDANT TO SERVE TIME IN LIEU OF FINE, CS / CC WITH JAIL TIME.  
PAY OR REAPPEAR BY AT M DEPARTMENT.

PROBATION GRANT / COMMITMENT  
PROBATION REINSTATED MODIFIED TERMINATED EXTENDED TO  
IMPOSITION OF SENTENCE SUSPENDED FOR 3 YEARS MONTHS  
CONDITIONAL SENTENCE FORMAL SUPERVISED PROBATION.  
DAYS IN CUSTODY SUSPENDED.  
SENTENCED TO 60 DAYS COUNTY JAIL (C/T/S) DAYS).  
JAIL SENTENCE TO BE SERVED ON CONSECUTIVE 48 HOUR PERIODS IN CUSTODY.  
STAY OF EXECUTION UNTIL 4-12-07 AT 8 A M. FORTHWITH.  
SENTENCES TO RUN CONSECUTIVELY.

*Time stayed to 2008 and \*\*\* for a total of 20 days remaining on 4-24-08 at 8 AM commence serving consecutive 48 hr periods for a total of 20 days remaining time. Stayed until 2009*

THE PEOPLE OF THE STATE OF CALIFORNIA,  
VS  
LEMOINE, JEFFREY DEAN / 001  
ID NUMBER: 0000364616

EVENT:  
COURT: SLD BRANCH - DEPT 7  
DATE: 3/1/07 TIME:  
DA CASE NO: 060006921

CONDITIONS OF PROBATION:

- XX BE OF GOOD BEHAVIOR AND OBEY ALL LAWS: CITY, COUNTY, STATE AND FEDERAL.
- NOT DRIVE UNLESS PROPERLY LICENSED TO DO SO / AND INSURED.
- NOT DRIVE W/B.A. OVER .00%.
- SUBMIT TO CHEMICAL TESTING ON DEMAND OF PEACE OFFICER OR PROBATION OFFICER
- PAY FINE IN AMOUNT AND MANNER INDICATED ABOVE.
- SERVE DAYS IN COUNTY JAIL INDICATED ABOVE.

- DO NOT DRIVE ANY VEHICLE WITHOUT IGNITION INTERLOCK DEVICE FOR \_\_\_ YEARS
- DEF TO SHOW PROOF OF INSTALLATION OF IGNITION DEVICE IN ANY VEHICLE DEF OWNS OR OPERATES WITHIN 30 DAYS.
- COURT FINDS DEF DOES NOT OWN OR OPERATE A MOTOR VEHICLE; IID NOT ORDERED.
- DEFENDANT DESIGNATED AN HABITUAL TRAFFIC OFFENDER.

- ATTEND \_\_\_ DWI 1ST OFFENDER \_\_\_ 3/9 MONTH PROGRAM \_\_\_ WET RECKLESS PROGRAM
- \_\_\_ DDP 2ND OFFENDER PROGRAM, MAY DO IN ANY CALIFORNIA COUNTY.
- \_\_\_ 52 WEEK BATTERERS TREATMENT PROGRAM \_\_\_ ASSAULTIVE BEHAVIOR PROGRAM
- \_\_\_ CHECK PROGRAM
- \_\_\_ ATTEND ALCOHOLICS/NARCOTIC ANONYMOUS MEETING
- \_\_\_ SUBMIT PROOF OF ENROLLMENT WITHIN \_\_\_ DAYS.
- \_\_\_ SUBMIT PROOF OF COMPLETION WITHIN \_\_\_ DAYS/MONTHS, BY \_\_\_

- DRIVING PRIVILEGE SUSPENDED \_\_\_ MO/YR. PER \_\_\_ VC13202.5
- DRIVER'S LICENSE RESTRICTED \_\_\_ DAYS/MONTHS/YEARS TO DRIVING ONLY
- \_\_\_ TO/FROM WORK \_\_\_ IN COURSE OF EMPLOYMENT
- \_\_\_ TO/FROM SCHOOL \_\_\_ TO AND FROM TREATMENT PROGRAM
- DRIVER'S LICENSE RESTRICTED FOR 90 DAYS CONSECUTIVE TO DMV SUSPENSION

- MAKE RESTITUTION (+10% INTEREST/YR +10% COLLECTION FEE) AS DIRECTED BY PROBATION. CONTACT PROBATION DEPARTMENT WITHIN 10 DAYS OF RELEASE
- PERFORM \_\_\_ HOURS OF COMMUNITY SERVICE
- SHOW PROOF OF COMPLETION WITHIN \_\_\_ DAYS.

*3/1/07*  
*\$10,000 to be posted in*  
*attorney's trust acct for*  
*restitution and work*  
*w/ Prob*  
*for payment*

- REPORT TO PROBATION OFFICER AS DIRECTED.
- NOT CHANGE EMPLOYMENT, RESIDENCE OR LEAVE COUNTY OF SAN LOUIS OBISPO OR STATE OF CALIFORNIA WITHOUT FIRST OBTAINING PERMISSION OF THE PROBATION OFFICER.
- SEEK AND MAINTAIN EMPLOYMENT, OR ENROLLMENT IN SCHOOL.
- COOPERATE WITH THE PROBATION OFFICER IN PLAN FOR TREATMENT.
- CONTACT PROBATION OFFICER WITHIN \_\_\_ DAYS.
- NOT MAINTAIN CHECKING ACCOUNT OR POSSESS CHECKS EXCEPT PAYROLL.

- NOT USE ALCOHOLIC BEVERAGES OR FREQUENT PLACE WHERE SALE OF SAME IS PRINCIPAL BUSINESS. NOT USE OR POSSESS ANY CONTROLLED SUBSTANCES.
- OR ASSOCIATE WITH PERSONS OR BE IN PLACE WHERE ILLEGAL DRUGS ARE PRESENT.

- NOT OWN/POSSESS ANY WEAPONS/FIREARMS. PURS. PC12021(D)(2) FORM GIVEN.
- SUBMIT UPON DEMAND OF ANY PEACE/PROBATION OFFICER TO SEARCH OF PERSON, PERSONAL PROPERTY, RESIDENCE AND/OR VEHICLE OWNED OR BEING OPERATED BY DEFENDANT WITHOUT WARRANT, WITH OR WITHOUT PROBABLE CAUSE, ANY TIME OF DAY OR NIGHT.
- DO NOT HARASS, MOLEST, ANNOY, STRIKE OR DISTURB THE PEACE OF \_\_\_
- DO NOT COME WITHIN \_\_\_ YARDS OF \_\_\_
- REGISTER PURSUANT TO HS 11590 PC 290 PC 457.1.
- ALL TERMS AND CONDITIONS TO REMAIN IN FULL FORCE AND EFFECT.
- OTHER

I CONSENT TO AND ACCEPT THE ABOVE TERMS AND CONDITIONS AND AGREE TO ABIDE BY SAME.  
 DEFENDANT AND/OR COUNSEL ARE SERVED WITH A COPY OF THIS MINUTE ORDER IN OPEN COURT THIS DATE AND AGREE TO ABIDE BY ALL TERMS AND CONDITIONS THEREIN

NEXT EVENT:

DATE:

TIME:

COURT:

FILED

FEB 07 2007

SAN LUIS OBISPO SUPERIOR COURT  
BY: Kristen Carlson  
Kristen Carlson, Deputy Clerk

GERALD T. SHEA  
DISTRICT ATTORNEY  
STATE BAR #62745  
COUNTY OF SAN LUIS OBISPO  
COURTHOUSE ANNEX, 4TH FLOOR  
SAN LUIS OBISPO, CA 93408  
TELEPHONE: (805) 781-5800

- Court copy
- DA copy
- Defendant copy
- Restitution
- Sub Fel/Iss Misd

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SAN LUIS OBISPO  
DEPARTMENT 5

THE PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiff,

vs

JEFFREY DEAN LEMOINE  
DOB: 05/23/67 ID#: 364616  
Defendant(s).

) DA CASE NO: 06-6921

) COURT NO: 1398799

) COMPLAINT

) APPEARANCE DATE: 02/08/2007

The District Attorney of the San Luis Obispo County, California, hereby accuses the above named defendant(s) of the following criminal offenses:

Count 1

On or about JANUARY 8, 2004 THROUGH AUGUST 25, 2006, in the County of San Luis Obispo, the crime of UNAUTHORIZED PRACTICE OF MEDICINE, in violation of Business And Profession Code section 2052, a MISDEMEANOR, was committed by JEFFREY DEAN LEMOINE, who was a person without a valid, unrevoked and unsuspended certificate as provided in Business and Professions Code Chapter 5 and without being authorized to perform the act pursuant to a certificate obtained in accordance with some other provision of law, who did willfully and unlawfully practice and attempt to practice and who did advertise and hold himself or herself out as practicing, any system or mode of treating the sick and afflicted in this state, and who did diagnose, treat, operate for, and prescribe for any ailment, blemish, deformity, disease, disfigurement, disorder, injury and other physical or mental condition of any person.



Count 2

On or about JANUARY 8, 2004 THROUGH AUGUST 25, 2006, in the County of San Luis Obispo, the crime of GRAND THEFT BY FALSE PRETENSE, in violation of Penal Code section 487(A), a MISDEMEANOR, was committed by JEFFREY DEAN LEMOINE, who did willfully and unlawfully, and with the intent to deprive the owner of his property, take the property of PATRONS OF CENTRAL COAST LASER CENTER by means of a false pretense or representation which was relied upon by the owner in parting with his property of a value exceeding \$400.00.

All of which is contrary to the statute in such cases made and provided, and against the peace and dignity of the People of the State of California.

I declare that an investigation has been conducted to determine if said Defendant(s) did commit the stated crime, which reports are attached hereto and incorporated herein by reference, and that the facts therein show probable cause that the said Defendant(s) did commit the crime. Your declarant requests the issuance of a Warrant of Arrest if said Defendant(s) do not appear voluntarily in response to an appearance letter.

Discovery Request: Pursuant to Penal Code Section 1054.5(b), the People are hereby informally requesting that defense counsel provide discovery to the people as required by Penal Code Section 1054.3.

On this day February 7, 2007, in the County of San Luis Obispo, I certify and declare under penalty of perjury that the foregoing is true and correct. This Complaint consists of 2 count(s).

GERALD T. SHEA  
DISTRICT ATTORNEY

By: \_\_\_\_\_

ERIC DOBROTH  
Deputy District Attorney

Upon review of the reports attached and incorporated herein by reference, I find sufficient probable cause to warrant the defendant(s) continued detention.

DATED: \_\_\_\_\_

\_\_\_\_\_  
Judge of the Superior Court

Q40

# SUMMARY PAGE

Cnt	Charge	Range	Defendant(s)	Special Allegation	Effect
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001	BP2052	1yr/16-2-3	Lemoine, Jeffrey D.		
002	PC487(A)		Lemoine, Jeffrey D.		



CERTIFIED COPY  
 Certification must be in blue or black ink  
 SHARIN MATHRELY, Court Executive Officer  
 (Date) \_\_\_\_\_  
 I, the undersigned, Clerk of the Court, do hereby certify that the enclosed is a true and correct copy of the original on file with the Clerk of the Superior Court of California, County of San Luis Obispo. All in my hand and seal of said court on \_\_\_\_\_

**BOARD OF REGISTERED NURSING**  
P.O. Box 944210, Sacramento, CA, 94244-2100  
P (916) 322-3350 | www.rn.ca.gov  
**Ruth Ann Terry, MPH, RN, Executive Officer**



September 2, 2008

Maine State Board of Nursing  
158 State House Station  
Augusta, ME 04333

**RE: Jeffrey LeMoine, DOB 05/23/1967**

To Whom It May Concern:

It has come to the California Board of Registered Nursing's (BRN) attention that Jeffrey LeMoine is licensed as a registered nurse in your state and may be currently working in the state of Arizona.

The BRN received a complaint on February 24, 2006, alleging that Mr. LeMoine was representing himself as a registered nurse and performing laser hair removal on patients at Central Coast Laser Center. The complaint was substantiated and the BRN issued a Citation Order on April 29, 2008. Mr. LeMoine was also convicted on or about March 1, 2007, by the Superior Court of California, County of San Luis Obispo for unauthorized practice of medicine and grand theft by false pretense.

If you deem necessary, you may obtain criminal records by writing to the following courthouse and referencing Case No. M398799:

Superior Court of California  
County of San Luis Obispo  
Attn: Criminal Records  
1050 Monterey St., Rm220  
San Luis Obispo, CA 93408-2510

Attached for your review is the Citation Order dated April 29, 2008. If you have questions or would like to discuss the matter further, please don't hesitate to contact me at (916) 574-7625.

Sincerely,  
**Board of Registered Nursing**

A handwritten signature in black ink, appearing to read "D. Kammerer", with a long horizontal flourish extending to the right.

Dawn Kammerer  
Case Management Analyst  
Enforcement Program

Cc: Arizona State Board of Nursing

**RECEIVED**

SEP 05 2008

**MAINE STATE  
BOARD OF NURSING**

**BOARD OF REGISTERED NURSING**  
P.O. Box 944210, Sacramento, CA 94244-2100  
P (916) 322-3350 / www.rn.ca.gov  
Ruth Ann Terry, MPH, RN, Executive Officer



## CITATION ORDER

DATE OF ISSUANCE: April 29, 2008

Name: <b>Jeffrey Dean LeMoine</b>	Citation No: <b>RN 2006-609</b>
Address: <b>P. O. Box 981</b> <b>San Luis Obispo, CA 93406</b>	

RUTH ANN TERRY, MPH, RN, issues this citation in her official capacity as Executive Officer of the Board of Registered Nursing (hereinafter referred to as the "Board").

### Citation

In accordance with Sections 125.9 and 148 of the Business and Professions Code and 1435.3 Of the California Code of regulations, this citation is hereby issued to you for violation of Sections 2732, 2795(a) and (b), and 2796 of the Business and Professions Code.

### Licensing History

The Board shows that a diligent search of the records has been made and no record of a registered nurse (RN) license has been issued to the subject.

### Cause for Citation

An investigation conducted by the Board of Registered Nursing revealed that you represented yourself as registered nurse (RN) to patients and staff at Central Coast Laser Center, in San Luis Obispo, California. On or about July 6, 2006, during a consultation for services, you stated that you were a nurse to an undercover investigator. The business cards on display at Central Coast Laser Center on or about July 6, 2006, stated "Jeff LeMoine, C.E.O., Registered Nurse, Cosmetic Laser Specialist."

Patient records indicate that from October 30, 2002 through July 1, 2005 you performed Intense Pulsed Light (IPL) and/or laser hair removal on patients at Central Coast Laser Center.

In 2004 you represented yourself, as an RN to enter into an agreement with Dr. Philip Barr in that Dr. Barr would provide services as your medical director at Central Coast Laser Center.

The investigation also revealed that you were issued the following Certificates of Attendance under the name and title, "Jeff LeMoine, R.N.":

- ❖ Completion of the Introductory Workshop for Intense Pulsed Light and Laser Applications, dated October 4, 2003
- ❖ IPL Quantum SR, dated October 5, 2002

- ❖ Light Sheer for Hair Removal, dated October 5, 2002
- ❖ Clear Light, dated November 19, 2005
- ❖ Jan Marini Skin Research, Inc. official National Continuing Education Class, dated January 9, 2006

This act is in violation of Section 2732 of the Business and Professions Code, which reads as follows:

No person shall engage in the practice of nursing, as defined in Section 2725, without holding a license which is in an active status issued under this chapter except as otherwise provided in this act.

Every licensee may be known as a registered nurse and may place the letters "R.N." after his name.

This act is also in violation of Section 2795(a) and (b) of the Business and Professions Code, which reads as follows:

Except as provided in this chapter, it is unlawful for any person to do any of the following:

- (a) To practice or to offer to practice nursing in this state unless the person holds a license in an active status.
- (b) To use any title, sign, card, or device to indicate that he or she is qualified to practice or is practicing nursing, unless the person has been duly licensed or certified under this chapter.

In addition, this act is in violation of Section 2796 of the Business and Professions Code, which reads as follows:

It is unlawful for any person or persons not licensed or certified as provided in this chapter to use the title "registered nurse," the letters "R.N.," or the words "graduate nurse," "trained nurse," or "nurse anesthetist."

It is unlawful for any person or persons not licensed or certified as provided in this chapter to impersonate a professional nurse or pretend to be licensed to practice professional nursing as provided in this chapter.

### Fine

In accordance with Section 1435.2 of the California Code of Regulations, the administrative fine for the above listed violations shall be in the \$0-\$2500 range. **You must pay a fine in the amount of \$2,500.00, within thirty (30) days from the date this citation is served. The service date of the citation is the date the citation is mailed from the Board.** Payment of the fine should be made to the Board of Registered Nursing, 1625 North Market Blvd Ste N217, Sacramento, CA 95834. **Please note your citation number on the cashier's check and/or money order.**

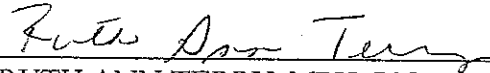
Order of Abatement

You are required to stop using any title, sign, card, or device to indicate that you are qualified to practice as a registered nurse effective date of service of Citation Order.

Attachments Include:

- Statement of Rights;
- Payment of Fine – Waiver of Appeal Rights
- Notice of Appeal

If you have any questions, please contact Shannan Borton, Cite and Fine Coordinator, at (916) 574-7623.

  
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RUTH ANN TERRY, MPH, RN  
Executive Officer

4/29/08  
Date

## Record of Online Renewal

Log In Attempt	Successful -	'LeMoine', 'Jeffrey'	SSN: '1713' DOB: '1967-5-23'	03/24/2008 10:55:07 AM
Log In Attempt	Successful -	'LeMoine', 'Jeffrey'	SSN: '1713' DOB: '1967-5-23'	03/24/2008 11:48:17 AM
Renewal	Successful R053467	LeMoine, Jeffrey	Fee: '40.00' Confirmation ID: '19750' Renewal State: ME	03/24/2008 11:51:30 AM
Log In Attempt	Successful -	'LeMoine', 'Jeffrey'	SSN: '1713' DOB: '1967-05-23'	03/24/2008 11:51:30 AM