



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: HEIDI G. MONTAGNE, R.N.)
 of New Gloucester, Maine)
 License #R039916)

**CONSENT AGREEMENT
 FOR WARNING**

INTRODUCTION

This document is a Consent Agreement regarding Heidi G. Montagne'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)(A-1)(1), § 8003(5)(B) and 32 M.R.S.A. § 2105-A(1-A)(A). The parties to this Consent Agreement are Heidi G. Montagne ("Licensee"), Maine State Board of Nursing ("Board") and the Department of Attorney General, State of Maine. An informal conference was held on October 18, 2001. The parties reached this Agreement on the basis of information submitted by Fresenius Medical Care - Casco Bay Dialysis Center, Westbrook, Maine by letter dated November 3, 2000.

FACTS

1. Heidi G. Montagne has been a registered professional nurse licensed by the Board to practice in Maine since 1996.
2. Heidi G. Montagne admits that she knowingly failed to follow a doctor's order for patient care. The doctor's order was for a special mode of dialysis (tandem dialysis). Ms. Montagne failed to properly supervise persons to whom the nursing functions were delegated in carrying out the doctor's order. In addition, Ms. Montagne failed to document that the initiation of the doctor's order was delayed and she failed to inform the doctor or discuss the deviation from the order with the Director of Nursing.
3. There is no documented patient harm.

AGREEMENT

4. Heidi G. Montagne agrees and understands that her conduct constitutes grounds for discipline under Title 32 M.R.S.A. § 2105-A(2)(F) and (2)(H) and Chapter 4 1.A.6. and 4.3.E. Heidi G. Montagne is hereby **WARNED** because she engaged in unprofessional conduct in the practice for which she is licensed by failing to supervise persons to whom nursing functions have been delegated.
5. Heidi G. Montagne understands that this Consent Agreement imposes discipline regarding her license to practice professional nursing in the State of Maine. Ms. Montagne understands that she does not have to execute this Consent Agreement



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and that she has the right to consult with an attorney before entering into this Consent Agreement.

6. Heidi G. Montagne affirms that she executes this Consent Agreement of her own free will.
7. Modification of this Consent Agreement must be in writing and signed by all the parties.
8. This Consent Agreement is not subject to review or appeal by the Licensee, but may be enforced by an action in the Superior Court.
9. This Consent Agreement becomes effective upon the date of the last necessary signature below.

I, HEIDI G. MONTAGNE, 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: 11.12.01

Heidi G. Montagne RN
HEIDI G. MONTAGNE, R.N.

DATED: 11/19/01

J. Peter Thompson
J. PETER THOMPSON, ESQ.
Attorney for Ms. Montagne

FOR THE MAINE STATE
BOARD OF NURSING

DATED: Nov. 28, 2001

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

FOR THE DEPARTMENT OF
ATTORNEY GENERAL

DATED: 11/29/01

John H. Richards
JOHN H. RICHARDS
Assistant Attorney General