



Paul R. LePage  
GOVERNOR

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

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

IN RE: KARI M. VANCE, RN  
of Westbrook, ME  
License No. RN58806

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CONSENT AGREEMENT  
FOR  
WARNING

**Complaint 2012-253**

**INTRODUCTION**

Pursuant to Title 32 Chapter 31, the Maine State Legislature endowed the Board with the power and duty to regulate the practice of nurses licensed by the Board, including issuing licenses and investigating complaints. Pursuant to 10 M.R.S. §8008, the Legislature provided that the sole purpose of the Board is to "protect the public health and welfare" and that "other goals or objectives may not supersede this purpose."

This document is a Consent Agreement ("Agreement") regarding Kari M. Vance's license as a registered professional nurse ("RN") in the State of Maine. The parties to this Agreement are Kari M. Vance ("Licensee"), the Maine State Board of Nursing ("the Board"), and the Office of the Attorney General, State of Maine. A subcommittee of the Board met with the Licensee in an informal conference on October 23, 2013. The parties enter into this Agreement pursuant to 32 M.R.S. §2105-A (1-A)(A), 10 M.R.S. §§8003 (5)(A-1)(1) and 8003 (5)(B) in order to resolve Complaint 2012-253.

**FACTS**

1. Licensee has been licensed to practice as an RN in Maine since February 18, 2011.
2. On December 6, 2012, the Board received notification from CAP QUALITY CARE ("CAP") that the Licensee had resigned while she was under investigation for engaging in an inappropriate encounter with a patient. As a result of receiving this information, the Board initiated a complaint against the Licensee's Maine nursing license. Board staff docketed the Complaint as 2012-253.
3. On December 20, 2012, the Board issued a Notice of Complaint to Licensee relating to Complaint 2012-253.
4. On January 3, 2013, the Board received the Licensee's written response to the Notice of Complaint.
5. On October 23, 2013, the subcommittee of the Board held an informal conference with the Licensee regarding Complaint 2012-253 to review whether she had violated the following statutes:
 

32 M.R.S. §2105-A (2)(F). The licensee engaged in unprofessional conduct which violates a standard of professional behavior that has been established in the practice for which she is licensed.

32 M.R.S. §2105-A (2)(H). A violation of a Maine Revised Statute, Title 32, Chapter 31 and rules adopted by the Board.
6. During the informal conference, the subcommittee of the Board considered the documents provided by CAP, as well as the Licensee's explanation of the event.



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OFFICES LOCATED AT: 161 CAPITOL ST., AUGUSTA, ME  
<http://www.maine.gov/boardofnursing/>

PHONE: (207) 287-1133

FAX: (207) 287-1149

7. Evidence which was presented to the Board as to the inappropriate encounter:
  - a) A (male) patient requested to have a meeting with the (female) Licensee.
  - b) The request was made via a note containing the patient's telephone number.
  - c) The Licensee called the patient and agreed to meet with him.
  - d) The meeting occurred outside of the provider's facility.
  - e) The intended purpose of the meeting was to discuss an "issue" that he had as a patient.
  - f) The patient was being treated for clinical issues by staff of the provider.
  - g) The Licensee was not involved in the treatment of the patient's clinical issues.
  - h) The Licensee and the patient met in a public place to discuss the issue.
  - i) The patient exceeded the scope of the anticipated discussion.
  - j) The Licensee immediately broke off the discussion once the scope was exceeded.
  - k) The patient perceived, as a result of the contacts, that he and the Licensee had developed a personal relationship.
  - l) The Licensee admitted that she used poor judgment in making the telephone contact as well as agreeing to the meeting outside of the provider's facility.
  - m) The Licensee sought out the advice of peers and other medical professionals as a result of her self-described "transgression."
  - n) The Licensee admits that her behavior exceeded professional boundaries.
8. Following the informal conference, the subcommittee voted to offer the Licensee a Consent Agreement which would include a **WARNING** and require her to obtain additional education related to professional boundaries.
9. Absent Licensee's acceptance of this Agreement by signing, dating and returning it to the Maine State Board of Nursing, 158 State House Station, Augusta, Maine 04333-0158 on or before January 9, 2014, the Board will take further action. In the absence of an agreement, the Board could impose, subsequent to adjudicatory proceedings, findings beyond those contained above and also impose greater adverse action including fines, suspension or probation of Licensee's license.

#### AGREEMENT

10. Licensee admits to the Facts as stated above and admits that such conduct constitutes grounds for the Board to impose discipline against her Maine nursing license under the following laws and regulations:

32 M.R.S. §2105-A (2)(F) and Board Rules Chapter 4 §1.A.6 for engaging in conduct that violates any standard of professional behavior which has been established in the practice for which the licensee is licensed; and

Board Rule Chapter 4 §3 (U) for engaging in behavior that exceeds professional boundaries.
11. As discipline for the violations admitted to in paragraph 10 above, Licensee agrees that she will receive a **WARNING** related to the above-stated conduct.

IT IS FURTHER AGREED that Licensee will enroll in and successfully complete, within 60 days of final execution of this Agreement, a course related to professional boundaries between nurses and their patients. Licensee shall obtain prior approval from the Board for any course intended to satisfy the requirements of this paragraph.
12. Licensee waives her right to an adjudicatory hearing before the Board or any court regarding all facts, terms and conditions of this Agreement. Licensee agrees that this Agreement is a final order resolving Complaint 2012-253.

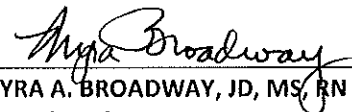
13. The Board and the Attorney General may communicate and cooperate regarding Licensee's practice or any other matter relating to this Agreement.
14. This Agreement is a public record within the meaning of 1 M.R.S. §402 and will be available for inspection and copying by the public pursuant to 1 M.R.S. §408-A.
15. This Agreement constitutes adverse action and is reportable to the National Practitioner Data Bank (NPDB) and the Healthcare Integrity and Protection Data Bank (HIPDB).
16. Nothing in this Agreement shall be construed to affect any right or interest of any person not a party hereto.
17. For the purposes of this Agreement, the term "execution" means that date on which the final signature is affixed to this Agreement.
18. Licensee understands that she does not have to execute this Agreement and may consult with an attorney before entering into the Agreement.
19. Licensee acknowledges by her signature hereto that she has read this Agreement, that she has executed this Agreement of her own free will, and that she agrees to abide by all the terms and conditions set forth in this Agreement.

DATED: 12.20.13

  
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LICENSEE KARI M. VANCE, RN

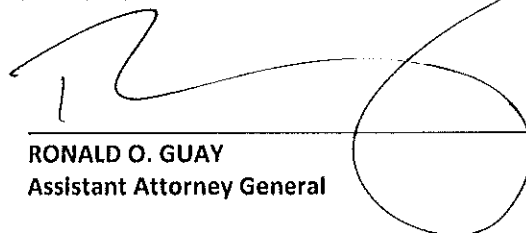
FOR THE MAINE STATE BOARD OF NURSING

DATED: 12/23/13

  
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MYRA A. BROADWAY, JD, MS, RN  
Executive Director

FOR THE OFFICE OF THE ATTORNEY GENERAL

DATED: 1/3/14

  
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RONALD O. GUAY  
Assistant Attorney General

Effective Date: 1/3/14