



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: MICHELLE LEA BECHARD
of Jacksonville, FL
License No. RN32906

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**CONSENT AGREEMENT
FOR
A WARNING**

Complaint No. 2011-280

INTRODUCTION

This document is a Consent Agreement ("Agreement") regarding Michelle Lea Bechard's license as a registered professional nurse ("RN") in the State of Maine. The parties to this Agreement are Michelle Lea Bechard ("Ms. Bechard"), Maine State Board of Nursing ("Board") and the Office of the Attorney General, State of Maine. The Board met with Ms. Bechard in an informal conference on June 12, 2013, with Ms. Bechard participating via conference call. The parties enter into this Agreement pursuant to 32 M.R.S. § 2105-A (1-A) (A) and 10 M.R.S. § 8003(5) (B) in order to resolve Complaint No. 2011-280.

FACTS

1. Michelle Lea Bechard was first licensed to practice in Maine as an RN on August 21, 1989. Her Maine license expired on April 13, 2012 and she failed to renew this license. At the time of all relevant conduct described herein, Ms. Bechard was licensed as an RN in Maine.
2. On July 1, 2011, Board Complaint 2011-280 was initiated based upon a Provider Report from MaineGeneral Health dated June 7, 2011. The Provider Report informed the Board that Ms. Bechard had been terminated from her position for breaching patient confidentiality by accessing a patient record without a work-related reason. MaineGeneral computer records confirmed that Ms. Bechard had accessed the record of a patient whom she was not treating on March 4, 2011 and on March 7, 2011.
3. Ms. Bechard admits that she accessed the patient's records on two separate occasions in March 2011 for a non-work-related reason. In her response to the Board, Ms. Bechard explained that this patient was an acquaintance and that she accessed the patient's record both times to obtain the patient's phone number.
4. Ms. Bechard admits that she exercised poor judgment by accessing confidential patient information for personal use.
5. On June 4, 2008, the Board issued Ms. Bechard a letter of concern "regarding the importance of maintaining patient confidentiality" following an incident in which Ms. Bechard admits that she accessed confidential patient healthcare information for personal reasons. The letter of concern was placed in Ms. Bechard's licensing file for a period of five years and was still in her file at the time of the conduct forming the basis of Board Complaint 2011-280.



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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

6. Ms. Bechard has agreed to resolve this matter by entering into this Agreement and waives her rights to an adjudicatory hearing.

AGREEMENT

7. Michelle Lea Bechard acknowledges that the Board has evidence from which it could conclude that her conduct violates the Maine Board of Nursing Statutes and the Rules and Regulations of the Maine State Board of Nursing ("Board Rules"). Ms. Bechard acknowledges that her conduct constitutes grounds for discipline. Ms. Bechard is hereby formally **WARNED** for her unprofessional conduct, which violates the following statutes and rules:

- a. 32 M.R.S. § 2105-A (2) (E). Ms. Bechard demonstrated incompetent practice by engaging in conduct that evidences a lack of ability or fitness to discharge the duty owed by her to a client or patient or the general public;
- b. 32 M.R.S. § 2105-A (2) (F). Ms. Bechard engaged in unprofessional conduct that violates standards of professional behavior that have been established in the practice for which she is licensed. See also: Board Rule Chapter 4, §1.A.6.;
- c. 32 M.R.S. § 2105-A (2) (H). Ms. Bechard engaged in unprofessional conduct as specified in Board Rules Ch. 4, §3(F) by failing to take appropriate action or to follow policies and procedures in a practice situation designed to safeguard patients;
- d. 32 M.R.S. § 2105-A (2) (H). Ms. Bechard engaged in unprofessional conduct as specified in Board Rules Ch. 4, §3(J) by violating the confidentiality of information or knowledge concerning patients; and
- e. 32 M.R.S. § 2105-A (2) (H). Ms. Bechard engaged in unprofessional conduct as specified in Board Rules Ch. 4, §3(U) by engaging in behavior that exceeds professional boundaries.

8. 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.

This Agreement constitutes a final adverse licensing action that is reportable to the National Practitioner Data Bank (NPDB) and the Healthcare Integrity and Protection Data Bank (HIPDB) pursuant to Section 1128E of the Social Security Act and 45 C.F.R. Part 61.

10. Ms. Bechard understands that she does not have to execute this Agreement and that she has the right to consult with an attorney before entering into the Agreement.

11. Ms. Bechard affirms that she executes this Agreement of her own free will.

12. Modification of this Agreement must be in writing and signed by all parties.

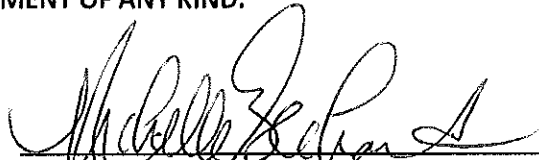
13. This Agreement is not subject to review or appeal by Ms. Bechard.

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


As per my testimony, myself as well as the other woman named in the complaint are victims of this act of Domestic Abuse and have Protection from Abuse orders against the nurse that initiated this original complaint to my employer. I request Confidential access for this "public record" due to the sensitivity of it's Domestic Abuse Nature. Thank you, Michelle Bechard

I, MICHELLE LEA BECHARD, HAVE READ AND UNDERSTAND THE FOREGOING CONSENT AGREEMENT. I UNDERSTAND THE EFFECT IT WILL HAVE ON MY NURSING LICENSE. 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: 8/14/13


MICHELLE L. BECHARD


DATED: 7/31/2013


JANET E. MICHAEL, RN, MS, JD
Attorney for Michelle L. Bechard
FOR THE MAINE STATE BOARD OF NURSING

DATED: 8/20/13


MYRA A. BROADWAY, JD, MS, RN
Executive Director
FOR THE OFFICE OF THE ATTORNEY GENERAL

DATED: 9-23-13


LAUREN F. LAROCHELLE
Assistant Attorney General