



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: MARGARET A. CAREY )  
of Kittery, ME )  
License No. LPN12469 )

CONSENT AGREEMENT  
FOR  
VOLUNTARY SURRENDER

**Complaint 2012-23**

**INTRODUCTION**

This document is a Consent Agreement ("Agreement") regarding Margaret A. Carey's license as a licensed practical nurse ("LPN") in the State of Maine. The parties to this Agreement are Margaret A. Carey ("Ms. Carey" or "Licensee"), the Maine State Board of Nursing ("Board") and the Office of the Attorney General, State of Maine. The Board met with Ms. Carey in an informal conference on October 24, 2012. The parties enter into this Agreement pursuant to 32 M.R.S. §2105-A (1-A) and 10 M.R.S. §8003 (5)(B) in order to resolve the above-referenced Complaint.

**FACTS**

1. Margaret A. Carey was first licensed to practice as an LPN in Maine on March 22, 2006; said license lapsed on June 12, 2013.
2. Margaret A. Carey provided home health services for Amedisys Home Health ("Amedisys") from September 2008 until her termination on October 10, 2011 for continued failure to comply with requirements of her job responsibilities and giving patients improper medical advice. Amedisys issued multiple warnings to Ms. Carey during 2010 and 2011 regarding poor/inaccurate documentation, patient complaints, and working outside her scope of practice. Action Plans for Improvement were implemented, with the understanding that failure to comply would result in further disciplinary action, up to and including termination.
3. On February 14, 2013, the Board offered the Licensee a Consent Agreement for Probation; rather than meet the probationary obligations, Ms. Carey wishes to resolve this matter by surrendering her LPN license and thereby waives her rights to an adjudicatory hearing.

**AGREEMENT**

4. Margaret A. Carey understands and agrees that should this matter go to hearing before the Board on the above-stated facts and the information underlying those facts, there is sufficient evidence on which the Board could conclude, by a preponderance of the evidence, that she violated Maine State Board of Nursing statutes and the Rules and Regulations of the Maine State Board of Nursing (Board Rules). Further, she understands and agrees that this document imposes discipline against her nursing license in the State of Maine. Specifically, the violations are:



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

- a. 32 M.R.S. §2105-A (2)(F), engaging in unprofessional conduct that violates a standard of professional behavior that has been established in the practice for which she is licensed. See also: Board Rule Chapter 4.1.A.6; and
  - b. 32 M.R.S. §2105-A(2)(H), engaging 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.
5. Margaret Carey understands and agrees that her license will remain on surrender status and subject to the terms of this Agreement indefinitely until and unless the Board, at her written request, votes to reinstate her license. Ms. Carey understands and agrees that if the Board reinstates her license, it may be for a probationary period.
6. The State of Maine is a “party state” that has adopted the Nurse Licensure Compact (“Compact”), which is set out in Chapter 11 of the Board Rules. The State of Maine is Ms. Carey’s “home state” of licensure and primary state of residence, which means that she has declared the State of Maine as her fixed permanent and principal home for legal purposes; her domicile. Ms. Carey understands and agrees that this Agreement is applicable to her multi-state licensure privilege, if any, to practice nursing in Compact states.
7. Margaret A. Carey understands that she does not have to execute this Agreement and has the right to consult with an attorney before entering into the Consent Agreement.
8. Margaret A. Carey shall not work or volunteer in any capacity for a Maine health care provider as defined by Title 24 M.R.S. §2502 (2) or in any position holding herself out as a Licensed Practical Nurse or with the designation “LPN” while her nursing license is surrendered.
9. 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.
10. 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.
11. Modification of this Agreement must be in writing and signed by all parties.
12. This Agreement is not subject to review or appeal by the Licensee, but may be enforced by an action in the Superior Court.
13. Margaret A. Carey affirms that she executes this Agreement of her own free will.
14. This Agreement becomes effective upon the date of the last necessary signature below.

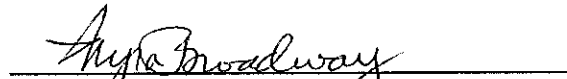
I, MARGARET ANN CAREY, HAVE READ AND UNDERSTAND THE FOREGOING CONSENT AGREEMENT. I UNDERSTAND THE EFFECT IT WILL HAVE ON MY NURSING LICENSE. I UNDERSTAND THAT BY SIGNING IT, I WAIVE CERTAIN RIGHTS. I SIGN IT VOLUNTARILY, KNOWINGLY, AND INTELLIGENTLY AND AGREE TO BE BOUND BY THIS AGREEMENT. I UNDERSTAND THAT THIS CONSENT AGREEMENT CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND.

DATED: 11/13/13

  
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LICENSEE MARGARET A. CAREY

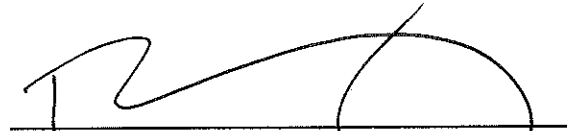
FOR THE MAINE STATE BOARD OF NURSING

DATED: 11/24/13

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

FOR THE OFFICE OF THE ATTORNEY GENERAL

DATED: 11/26/13

  
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RONALD O. GUAY, Assistant Attorney General

EFFECTIVE DATE: 11/26/13