



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

PAUL R. LEPAGE
 GOVERNOR

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

IN RE: ANN E. FRAZIER, RN
 of Dresden, ME
 License No. RN23341

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**CONSENT AGREEMENT
 FOR INACTIVE LICENSE**

Complaint No. 2011-268

INTRODUCTION

This document is a Consent Agreement ("Agreement") regarding Ann E. Frazier's license as a registered professional nurse ("RN") in the State of Maine. The parties to this Agreement are Ann E. Frazier ("Ms. Frazier"), the Maine State Board of Nursing ("the Board"), and the Office of the Attorney General, State of Maine. The parties enter into this Agreement pursuant to 10 M.R.S. §8003 (5)(B) in order to resolve Complaint 2011-268.

FACTS

1. Ms. Frazier was first licensed to practice in Maine as an RN on January 14, 1980.
2. At all times relevant to this matter, Ms. Frazier was employed as an RN by Lincoln County Healthcare at St. Andrews Village ("St. Andrews") in Boothbay Harbor, Maine.
3. On May 31, 2011, the Board received a Provider Report from St. Andrews notifying the Board that Ms. Frazier had been terminated on May 25, 2011 due to several incidents of verbal abuse of residents. Ms. Frazier admitted to St. Andrews' Executive Director and the Director of Nursing that she had slipped and lost her temper. The Board docketed the complaint as Complaint 2011-268 and sent it to Ms. Frazier for response.
4. On July 6, 2011, the Board received a written response from Ms. Frazier in which she admitted there have been times that she was not "on her game" and "we all have bad days and nights."
5. On September 1, 2011, the Board notified Ms. Frazier that she would be scheduled for an informal conference to further discuss her response. Ms. Frazier wishes to place her RN license on Inactive status.
6. Absent Ms. Frazier's acceptance of this Agreement by signing, dating, and returning it to Jayne Winters, Maine State Board of Nursing, 158 State House Station, Augusta, Maine 04333-0158, **on or before January 11, 2013**, this matter will be brought back to the Board for further action.

AGREEMENT

7. Ms. Frazier admits to the Facts as stated above and understands that such conduct constitutes grounds for the Board to impose discipline against her as follows:



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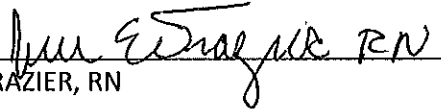
OFFICES LOCATED AT: 161 CAPITOL ST., AUGUSTA, ME
<http://www.maine.gov/boardofnursing/>

PHONE: (207) 287-1133

FAX: (207) 287-1149

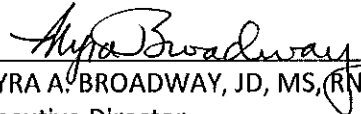
- a. Pursuant to 32 M.R.S. §2105-A (2)(F) for engaging in unprofessional conduct that violates a standard of professional behavior that has been established in the practice for which she is licensed;
 - b. Pursuant to 32 M.R.S. §2105-A (2)(H) for engaging in unprofessional conduct as specified in Board Rules Ch. 4, §3(F) by failing to take appropriate action or to follow policies and procedures in the practice situation designed to safeguard the patient; and
 - c. Pursuant to 32 M.R.S. § 2105-A (2)(H) for engaging in unprofessional conduct as specified in Board Rules Ch. 4, §3(H) by intentionally or negligently causing emotional injury to a patient.
8. Ms. Frazier agrees to place her Maine RN license on **INACTIVE** status, effective upon the date of the final execution of this Agreement. Ms. Frazier understands and agrees that should she wish to reactivate her nursing license, she will need to submit a written request to meet with the Board to resolve the issue at St. Andrews.
 9. The State of Maine is a “Party state” that has adopted the Nurse Licensure Compact (“the Compact”), which is set out in Chapter 11 of the Rules of the Maine State Board of Nursing. The State of Maine is Ms. Frazier’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. Other Party states in the Compact are referred to as “Remote states,” which means Party states other than the Home state that have adopted the Compact. Ms. Frazier understands this Agreement is subject to the Compact.
 10. Ms. Frazier shall not work or volunteer in any capacity for a health care provider as defined by Title 24 M.R.S. §2502(2) or in any position holding herself out as a registered professional nurse or with the designation “RN” while she does not hold a nursing license.
 11. 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.
 12. 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.
 13. This Agreement represents a final, non-appealable, and binding agreement that cannot be amended orally. This Agreement may only be amended in writing and by the agreement of all parties hereto.
 14. This Agreement is not subject to review or appeal by Ms. Frazier, but may be enforced by an action in the Superior Court by the Board.
 15. Ms. Frazier acknowledges by her signature hereto that she has read this Agreement, that she has had an opportunity to consult with an attorney before executing this Agreement, that she executed this Agreement of her own free will, and that she agrees to abide by all terms and conditions set forth herein.

Dated: 12/13/2012


ANN E. FRAZIER, RN

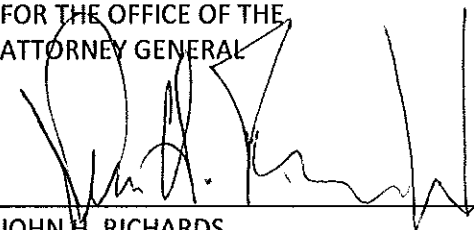
FOR THE MAINE STATE
BOARD OF NURSING

Dated: 12/14/12


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

FOR THE OFFICE OF THE
ATTORNEY GENERAL

Dated: 12/14/12


JOHN H. RICHARDS
Assistant Attorney General