



STATE OF MAINE  
 BOARD OF NURSING  
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 AUGUSTA, MAINE  
 04333-0158

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

**IN RE: HOPE A. KERLEY, R.N.** )  
 of Baldwin, Maine )  
 License #R049884 )

**CONSENT AGREEMENT  
 FOR CENSURE**

**INTRODUCTION**

This document is a Consent Agreement regarding Hope A. Kerley's license to practice registered professional nursing in the State of Maine. The parties enter into this Agreement pursuant to 32 M.R.S.A. § 2105-A (1-A) (A), 10 M.R.S.A. § 8003(5) (A-1) (1) and § 8003(5) (B). The parties to this Consent Agreement are Hope A. Kerley ("Licensee" or "Ms. Kerley"), Maine State Board of Nursing ("Board") and the Office of the Attorney General, State of Maine. The Board met with the Licensee in an informal conference on November 20, 2007. The parties reached this Agreement on the basis of information submitted by Casa, Inc. located in Portland, Maine, dated June 23, 2006, and information from the Maine Department of Health and Human Resources, Division of Licensing & Certification in a Complaint Narrative (ME0003546), which is based on an investigation at Casa Inc. in Pine Point (Provider # 20G028) on June 28, 2006. Both are attached to a Notice of Complaint or Provider Report dated June 30, 2006.

**FACTS**

1. Hope A. Kerley has been a registered professional nurse licensed to practice in Maine since 2004.
2. Hope A. Kerley was terminated from Casa Inc., for spanking a resident on the buttocks, which was determined by Casa, Inc. to be resident abuse.
3. Hope A. Kerley admitted that she spanked the resident once lightly on the buttocks in a public area within the facility. There was no documented patient harm.

**AGREEMENT**

4. Hope A. Kerley understands that her conduct in the above-stated facts constitutes grounds for discipline under Title 32 M.R.S.A. § 2105-A (2) (F), (2) (H) and Chapter 4.1.A.6., and Chapter 4.3.F. and 4.3.I. of the Rules and Regulations of the Maine State Board of Nursing. Hope A. Kerley is hereby **CENSURED** for unprofessional conduct because she failed to follow policies and procedures in a practice situation designed to safeguard the patient.
5. 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 Rules and Regulations of the Maine State Board of Nursing. The State of Maine is Ms. Kerley's "home state" of licensure and primary state of residence, which means

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that Ms. Kerley has declared that the State of Maine is her fixed permanent and principle home for legal purposes; her domicile. Other party states that are in the Compact are referred to as a "remote state," which means a party state, other than the home state that has adopted the Compact. Ms. Kerley understands that this document is a Consent Agreement that is subject to the Compact.

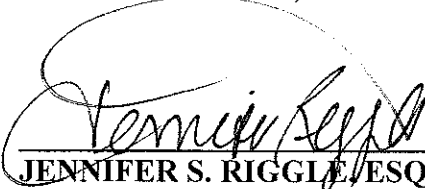
6. This Consent Agreement is a public record within the meaning of 1 M.R.S.A. § 402 and will be available for inspection and copying by the public pursuant to 1 M.R.S.A. § 408.
7. Hope A. Kerley understands that she does not have to execute this Consent Agreement and that she has the right to consult with an attorney before entering into the Consent Agreement.
8. Hope A. Kerley affirms that she executes this Consent Agreement of her own free will.
9. Modification of this Consent Agreement must be in writing and signed by all the parties.
10. This Consent Agreement is not subject to review or appeal by the Licensee.
11. This Consent Agreement becomes effective upon the date of the last necessary signature below.

**I, HOPE A. KERLEY, 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: 2.7.08


  
\_\_\_\_\_  
HOPE A. KERLEY, R.N.

DATED: 2-8-08

  
\_\_\_\_\_  
JENNIFER S. RIGGLE, ESQ.  
Attorney for Hope A. Kerley

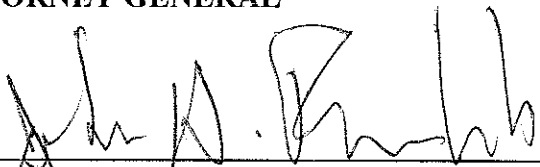
**FOR THE MAINE STATE  
BOARD OF NURSING**

**DATED:** 2/11/08

  
\_\_\_\_\_  
**MYRA A. BROADWAY, J.D., M.S., R.N.**  
**Executive Director**

**FOR THE OFFICE OF THE  
ATTORNEY GENERAL**

**DATED:** 2/15/08

  
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**JOHN H. RICHARDS**  
**Assistant Attorney General**