



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

JOHN ELIAS BALDACCI
 GOVERNOR

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

IN RE: **SUE-ELLEN LAFAVE, R.N.**) **CONSENT AGREEMENT**
 of Bangor, Maine) **FOR PROBATION**
 License #R044374) **WITH CONDITIONS**

INTRODUCTION

This document is a Consent Agreement regarding Sue-Ellen Lafave’s license to practice registered professional nursing in the State of Maine. The parties enter into this Consent Agreement pursuant to 10 M.R.S.A. § 8003(5)(A-1)(4), 10 M.R.S.A. § 8003(5)(B), and 32 M.R.S.A. § 2105-A(1-A)(B). The parties to this Consent Agreement are Sue-Ellen Lafave (“Licensee”), Maine State Board of Nursing (“Board”) and the Office of the Attorney General, State of Maine. The parties reached this Consent Agreement in lieu of an adjudicatory hearing scheduled for March 11, 2003 and based on information submitted by Eastern Maine Medical Center dated March 12, 2002.

FACTS

1. Sue-Ellen Lafave has been a registered professional nurse for approximately 10 years and was licensed by the Board to practice in Maine in December 1999.
2. Sue-Ellen Lafave was employed at Eastern Maine Medical Center in the Neonatal Intensive Care Unit. The Board finds that Sue-Ellen Lafave was involved in repeated instances of jeopardizing patient safety by inhibiting the ability for nurses to hear cardiac/respiratory alarms. Ms. Lafave was counseled on numerous occasions and asked not to close the doors between patient’s rooms. The closing of the doors prevented other staff nurses from hearing the alarms of various pieces of equipment being utilized in the care of the patients.
3. Sue-Ellen Lafave failed to perform an assigned job in accordance with approved standards of performance in a nursing technique used to handle intubated infants during procedures. The incident involved the extubation of two infants in the Neonatal Intensive Care Unit.
4. Sue-Ellen Lafave administered 100% oxygen to an infant without a physician’s order.
5. Sue-Ellen Lafave failed to report to a Neonatal Nurse Practitioner a significant change in an infant’s medical status, which consisted of laboratory electrolyte values.



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6. Sue-Ellen Lafave was involved in repeated occurrences of promoting poor relationships with nursing staff, which compromised delivering safe patient care.
7. The Board has concerns regarding reports of interactions and behaviors by Ms. Lafave toward nursing staff which raises a question about her mental and/or physical health which if confirmed may require treatment to ensure the health and safety of the Licensee and her patients.


AGREEMENT WITH CONDITIONS OF PROBATION

8. Sue-Ellen Lafave agrees and understands that this document imposes discipline regarding her license to practice registered professional nursing and the above-described conduct constitutes grounds for discipline under 32 M.R.S.A. § 2105-A(2)(E), (2)(F) and (2)(H) and Chapter, 4(1)(A)(5), 4(1)(A)(6), (4)(3)(F) and (4)(H) of the Rules and Regulations of the Maine State Board of Nursing.
9. Sue-Ellen Lafave's license to practice registered professional nursing in the State of Maine will be placed on a probationary status with conditions. The period of probation will be for a period of three years, to be effective only while she is employed in nursing practice or enrolled in a nursing education program. For purposes of this Consent Agreement, nursing employment is any employment during which Ms. Sue-Ellen Lafave performs nursing services. Ms. Sue-Ellen Lafave's probationary license will be subject to the following conditions:
 - a. Sue-Ellen Lafave will arrange for a psychiatric and or psychological evaluation at her expense. The Board shall approve the psychiatrist or psychologist. The evaluation shall be submitted to the Board.
 - b. If as a result of the psychiatric and or psychological evaluation it is determined that Ms. Lafave will require treatment she will continue in a treatment to such an extent and for as long as her treatment providers recommend. She will notify the Board if she has changes in her treatment providers. Ms. Sue-Ellen Lafave will arrange for and ensure the submission of quarterly reports to the Board by her treatment providers.
 - c. During Ms. Lafave's probationary period of nursing employment or enrollment in a nursing education program, Ms. Lafave's employment is restricted to structured settings, which shall not include assignments from temporary employment agencies.
 - d. Sue-Ellen Lafave will immediately notify the Board in writing regarding any change in her nursing employment or entry into an educational program in the field of nursing. Notification under this section shall include the place and position of employment or the educational program and the same notification shall apply to any subsequent change in employment or change in educational program.

- e. Sue-Ellen Lafave will notify any and all of her nursing employers and notify faculty involved in any clinical studies of the terms of this Consent Agreement and shall provide them with a copy of it.
 - f. Sue-Ellen Lafave will arrange for and ensure the submission to the Board of quarterly reports from her nursing employer or clinical faculty regarding her nursing practice.
 - g. Sue-Ellen Lafave agrees and understands that the Board and the Office of the Attorney General shall have access to any and all medical records and all otherwise confidential or medically privileged information pertaining to her treatment that the Board deems necessary to evaluate Ms. Lafave's compliance with the Consent Agreement. Ms. Lafave shall provide such information, shall authorize the release of such records and information, and shall authorize any such discussions and communications with any and all persons involved in her care, counseling and employment as may be requested by the Board for the purpose of evaluating Ms. Lafave's compliance with the Consent Agreement. Any and all medical records shall remain confidential and not be released to any third-party.
10. Sue-Ellen Lafave agrees and understands that her license will remain on probationary status and subject to the terms of this Agreement indefinitely beyond the three year probationary period, until and unless the Board, at Ms. Lafave's written request, votes to terminate Ms. Lafave's probation. When considering whether to terminate the probation, the Board will consider the extent to which Ms. Lafave has complied with the provisions of this Consent Agreement.
 11. Sue-Ellen Lafave understands that this document is a Consent Agreement that affects her rights to practice nursing in Maine. Ms. Lafave 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.
 12. If Ms. Lafave fails to meet any of the obligations of this Consent Agreement, the Board may take any disciplinary action, which it deems appropriate and impose any of the sanctions, including but not limited to that found in Title 10 M.R.S.A. § 8003 and Title 32 M.R.S.A. § 2105-A.
 13. Sue-Ellen Lafave affirms that she executes this Consent Agreement of her own free will.
 14. Modification of this Consent Agreement must in writing and signed by all the parties.
 15. This Consent Agreement is not subject to appeal or review by the Licensee but may be enforced by an action in the Superior Court.
 16. This Consent Agreement becomes effective upon the date of the last necessary signature below.

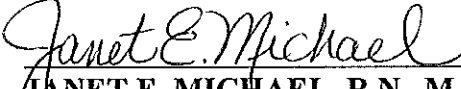
I, SUE-ELLEN LAFAVE, R.N., HAVE READ AND UNDERSTAND THE FOREGOING CONSENT AGREEMENT. I UNDERSTAND THAT BY SIGNING IT, I WAIVE CERTAIN RIGHTS. I SIGN IT VOLUNTARILY, WITHOUT ANY THREAT OR PROMISE. I UNDERSTAND THAT THIS CONSENT AGREEMENT CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND.

DATED: 3.14.03



SUE-ELLEN LAFAVE, R.N.


DATED: 3/10/03



JANET E. MICHAEL, R.N., M.S., J.D.
Attorney for Sue-Ellen Lafave

FOR THE MAINE STATE
BOARD OF NURSING

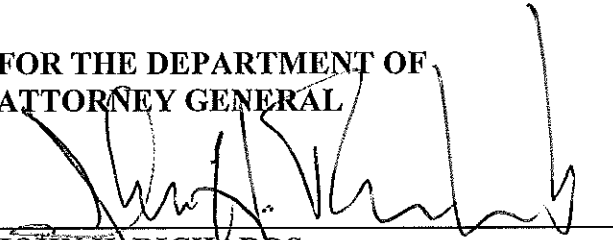
DATED: 3/31/03



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

FOR THE DEPARTMENT OF
ATTORNEY GENERAL

DATED: 4/2/03



JOHN H. RICHARDS
Assistant Attorney General