



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

ANGUS S. KING, JR.
 GOVERNOR

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

IN RE: **DARYL G. LAVIGNE, C.R.N.A.) **CONSENT AGREEMENT**
 of Westbrook, Maine) **FOR PROBATION WITH**
 License #R023919) **CONDITIONS****

INTRODUCTION

This document is a Consent Agreement regarding Daryl G. Lavigne's license to practice registered professional nursing in the State of Maine. The parties enter into this Agreement pursuant to 10 M.R.S.A. § 8003(5)(B) and 32 M.R.S.A. § 2105-A(1-A). The parties to this Consent Agreement are Daryl G. Lavigne, Maine State Board of Nursing ("Board") and the Department of Attorney General, State of Maine. The parties reached this Agreement following an informal conference on August 25, 1999 regarding information submitted by Central Maine Medical Center by letter dated November 23, 1998 .

FACTS

1. Daryl G. Lavigne has been a registered professional nurse, licensed by the Board to practice in Maine since August 27, 1980.
2. Daryl G. Lavigne admits that he diverted narcotics for his own use on two occasions; once in July 1998 and in November 1998.
3. Daryl G. Lavigne stated that his drug use and drug diversion that occurred in July 1998 and November 1998 are indicative of a short-term addiction.
4. Daryl G. Lavigne entered the Talbott Recovery Campus for an extended residential rehabilitation period on November 23, 1998. He successfully completed treatment and was discharged on February 27, 1999.
5. Daryl G. Lavigne is involved in a continuing aftercare program.
6. The Board finds that Mr. Lavigne has a good support system in place to assist him in his recovery. In addition, he has clinical support personnel to assist him in his recovery and his return to work.



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OFFICES LOCATED AT: 24 STONE ST., AUGUSTA, ME
 PHONE: (207) 287-1133

AGREEMENT


7. Daryl G. Lavigne's conduct constitutes grounds for discipline under 32 M.R.S.A. § 2105-A (2)(A), (2)(B), (2)(F) and (2)(H).
8. Daryl G. Lavigne's license to practice registered professional nursing is placed on a probationary status with conditions for a period of two years. The conditions of probation are as follows:
 - A. Daryl G. Lavigne will remain substance free from the use of illicit substances; and
 - B. Daryl G. Lavigne will arrange for and ensure that quarterly reports are submitted to the Board from his employer when he resumes the practice of nursing.
 - C. Daryl G. Lavigne is to inform any employer, where he will be involved in the practice of nursing of the conditions of his license and he will further notify the Board on any change of employment.
 - D. After two years from the effective date of this Agreement, Mr. Lavigne may petition the Board to terminate the probationary status of his license. Mr. Lavigne agrees and understands that his license will not be removed from probationary status until and unless the Board, upon Mr. Lavigne's written request, votes to terminate the probationary status of Mr. Lavigne's license. When considering whether to terminate Mr. Lavigne's license from probationary status, the Board will consider the extent to which Mr. Lavigne has complied with these conditions.
9. The Board agrees to take no further disciplinary action upon these facts so long as Mr. Lavigne fully complies with these conditions.
10. Daryl G. Lavigne understands that this document imposes discipline regarding his license to practice registered professional nursing in the State of Maine. Mr. Lavigne understands that he does not have to execute this Consent Agreement and that he has the right to consult with an attorney before entering the Consent Agreement.
11. Modification of this Consent Agreement must be in writing and signed by all parties.
12. Daryl G. Lavigne affirms that he executes this Consent Agreement of his own free will.
13. This Consent Agreement is not subject to review or appeal by the Licensee but may be enforced by an action in the Superior Court.

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

DATED: 10-1-99



DARYL G. LAVIGNE, C.R.N.A.

DATED: 10/4/99


KENNETH W. LEHMAN, ESQ.
Attorney for Mr. Lavigne

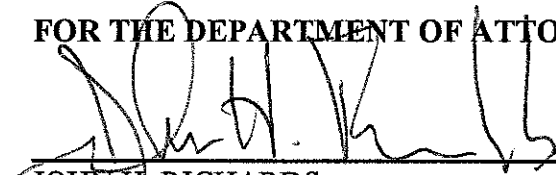
FOR THE MAINE STATE BOARD OF NURSING:

DATED: 10/5/99


VIRGINIA E. deLORIMIER, M.S.N., R.N.
Assistant Executive Director

FOR THE DEPARTMENT OF ATTORNEY GENERAL:

DATED: 10/5/99


JOHN H. RICHARDS
Assistant Attorney General