



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: VANESSA LEAVITT, LPN  
of Saco, ME  
License LPN13294

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CONSENT AGREEMENT  
FOR  
WARNING

Complaint 2013-187

**INTRODUCTION**

Pursuant to Title 32, Chapter 31, the Maine State Legislature endowed the Board with the power and duty to regulate the practice of nurses licensed by the Board, including issuing licenses and investigating complaints. Pursuant to 10 M.R.S. §8008, the Legislature provided that the sole purpose of the Board is to "protect the public health and welfare" and that "other goals or objectives may not supersede this purpose."

This document is a Consent Agreement ("Agreement") regarding Vanessa Leavitt's license as a licensed practical nurse ("LPN") in the State of Maine. The parties to this Agreement are Vanessa Leavitt ("Licensee"), the Maine State Board of Nursing ("the Board"), and the Office of the Attorney General, State of Maine. The Board considered this complaint during its regularly scheduled meeting of December 4, 2013. The parties enter into this Agreement pursuant to 32 M.R.S. §2105-A (1-A) (A), 10 M.R.S. §§8003 (5) (A-1) (1) and 8003 (5) (B) in order to resolve Complaint 2013-187.

**FACTS**

1. Licensee was first licensed to practice as an LPN in Maine on January 6, 2012.
2. Licensee was hired as a nurse at Scarborough Terrace ("Scarborough") on June 18, 2013.
3. Licensee had tendered her resignation on September 23, 2013, to be effective on October 11, 2013. Licensee was scheduled to work on September 25, 2013.
4. Licensee arrived and punched in for her shift at 2:30 pm on September 25, 2013; Licensee punched out at 6:55 pm. Licensee had three and one half hours remaining on her shift when she punched out. She did not return to work to work the remaining hours, nor did she inform other staff that she would not be returning to work to cover her shift.
5. On September 27, 2013, the Board received notification from Scarborough of the Licensee's conduct. As a result of receiving this information, the Board initiated a complaint against Licensee's Maine nursing license. Board staff docketed the Complaint as 2013-187.
6. On September 30, 2013, the Board issued a Notice of Complaint to Licensee relating to Complaint 2013-187.
7. On October 4, 2013, the Board received Licensee's written response to the Notice of Complaint in which she admitted that she had left in the middle of her shift, that there was no excuse for the behavior, and that she was willing to accept responsibility for her conduct
8. On December 4, 2013, the Board reviewed the complaint and the Licensee's response. Following deliberations, the Board voted to offer Licensee a consent agreement.



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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

9. This Agreement is being offered in order to resolve Complaint 2013-187 without further proceedings. Absent Licensee's acceptance of this Agreement by signing, dating, and returning it to the Maine State Board of Nursing, 158 State House Station, Augusta, Maine 04333-0158 on or before March 25, 2014, the Board may take further action. In the absence of an agreement on Complaint 2013-187 the Board could impose, subsequent to adjudicatory proceedings, greater adverse action on this matter including fines, suspension or revocation of Licensee's license.

**AGREEMENT**

10. Licensee admits to the Facts as stated above and admits that such conduct constitutes grounds for the Board to impose discipline against her Maine nursing license under the following laws and regulations:

32 M.R.S. §2105-A (2) (F) and Board Rules Chapter 4 §1.A.6 for engaging in conduct that violates any standard of professional behavior which has been established in the practice for which the licensee is licensed; and

Board Rule Chapter 4 §3(G) for failing to make arrangements for the continued care of patients.

11. As discipline for the violations admitted to in paragraph 10 above, Licensee agrees that she will receive a **WARNING** related to the above-stated conduct.
12. Licensee waives her right to an adjudicatory hearing before the Board or any court regarding all facts, terms and conditions of this Agreement. Licensee agrees that this Agreement is a final order resolving Complaint 2013-187.
13. The Board and the Attorney General may communicate and cooperate regarding Licensee's practice or any other matter relating to this Agreement.
14. 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-A.
15. Nothing in this Agreement shall be construed to affect any right or interest of any person not a party hereto.
16. For the purposes of this Agreement, the term "execution" means that date on which the final signature is affixed to this Agreement.
17. Licensee 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 has executed this Agreement of her own free will and that she agrees to abide by all the terms and conditions set forth in this Agreement.

DATED:

3/17/14

Vanessa Leavitt LPN  
LICENSEE VANESSA LEAVITT, LPN

FOR THE MAINE STATE BOARD OF NURSING

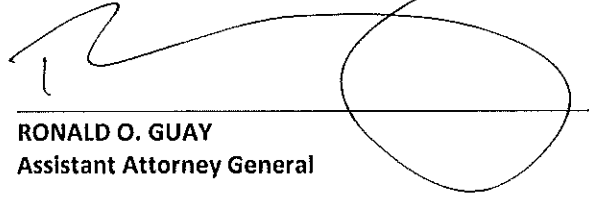
DATED:

3/19/14

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

FOR THE OFFICE OF THE ATTORNEY GENERAL

DATED: 3/31/14



RONALD O. GUAY  
Assistant Attorney General

Effective Date: 3/31/14