



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: KIMBERLY A. ANDERSON, RN)
 of Virginia Beach, VA)
 License No. R053135)

CONSENT AGREEMENT
 FOR
 WARNING

INTRODUCTION

This document is a Consent Agreement (“Agreement”) regarding Kimberly A. Anderson’s license to practice as a registered professional nurse (“RN”) in the State of Maine. The Parties to this Agreement are Kimberly A. Anderson (“Licensee” or “Ms. Anderson”), Maine State Board of Nursing (“Board”) and the Office of the Attorney General, State of Maine. The Parties met in an informal conference on March 3, 2011 and reached this Agreement on the basis of a Board Complaint dated February 8, 2010, with an attached Provider Report from MaineGeneral Medical Center (“MaineGeneral”) dated February 5, 2010 and supplemental information dated February 3, 2010. The Parties enter into this Agreement pursuant to 32 M.R.S. § 2105-A-(1-A) (A) and 10 M.R.S. § 8003(5) (B).

FACTS

1. Kimberly A. Anderson has been a registered professional nurse licensed to practice in Maine since November 2006.
2. On February 3, 2010, Ms. Anderson was terminated from MaineGeneral as a result of two medical errors deemed to be a threat to patient safety. Specifically: 1) On December 15, 2009, Ms. Anderson made a medication error with a high alert medication (Heparin) by not adjusting the medication because she failed to reference a changed lab value for its administration. She also failed to follow protocol by not completing the Heparin Flow Sheet and did not do a “double check” with a second RN as required by hospital policy designed to ensure patient safety; 2) On January 26, 2010, Ms. Anderson administered medication to the wrong patient, causing the patient to receive a bolus of anticoagulant that was not ordered. The error was discovered by another nurse. When asked about the error, Ms. Anderson said that she did not complete the “five rights” or “three checks” nursing standards for medication administration.
3. There was no documented patient harm in either of these medication errors. Despite this fact, Ms. Anderson acknowledges the seriousness of these errors.
4. Kimberly A. Anderson has agreed to resolve this matter by entering into this Agreement and waives her right to a hearing.

AGREEMENT

5. Kimberly A. Anderson acknowledges that the Board has evidence from which it could conclude there is a violation of Title 32 M.R.S. § 2105-A (2) (E) (2), (2) (H) and Chapter 4.1.A.5.b., 4.1.A.8. and Chapter 4.3.F of the Rules and Regulations of the Maine State Board of Nursing. She acknowledges that this conduct in the above-stated facts constitutes grounds for discipline. Ms. Anderson is hereby formally **WARNED** for these violations. Specifically, the violations are:

Title 32 M.R.S. §§:

- a. M.R.S. § 2105-A (2) (E) (2). Ms. Anderson engaged in the conduct as stated above in Paragraph 2. (See also Rule Chapter 4, Section 1.A.5.b.);
- b. M.R.S. § 2105-A (2) (H). A violation of this chapter or a rule adopted by the Board. (See also Rule Chapter 4, Section 1.A.8); and



PRINTED ON RECYCLED PAPER

Chapter 4, Section 3. Unprofessional Conduct: *Nursing behavior which fails to conform to legal standards of the nursing profession, and which could reflect adversely on the health and welfare of the public shall constitute unprofessional conduct . . . and includes*

Section 3(F). Ms. Anderson failed to follow policies and procedures designed to safeguard a patient at MaineGeneral.

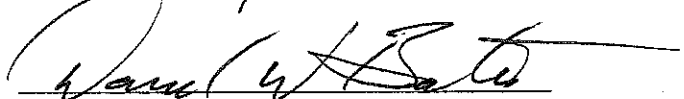
6. The State of Maine is a "Party state" that has adopted the Nurse Licensure Compact ("Compact"), which is set out in Chapter 11 of the Rules and Regulations of the Maine State Board of Nursing. The State of Maine is Ms. Anderson's "Home state" of licensure and primary state of residence, which means that she has declared the State of Maine as her fixed permanent and principle 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. Anderson understands this document is an Agreement that is subject to the Compact.
7. Kimberly A. Anderson understands that she does not have to execute this Agreement and has the right to consult with an attorney before entering into the Agreement.
8. Modification of this Agreement must be in writing and signed by all Parties.
9. This Agreement is not subject to review or appeal by Ms. Anderson.
10. 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.
11. This Agreement becomes effective upon the date of the last necessary signature below.

I, KIMBERLY A. ANDERSON, RN, HAVE READ AND UNDERSTAND THE FOREGOING CONSENT AGREEMENT. I UNDERSTAND THE EFFECT IT WILL HAVE ON MY PRACTICE AS A REGISTERED PROFESSIONAL NURSE. I UNDERSTAND THAT BY SIGNING IT, I WAIVE CERTAIN RIGHTS. I SIGN IT VOLUNTARILY, KNOWINGLY, AND INTELLIGENTLY AND AGREE TO BE BOUND BY THIS AGREEMENT. I UNDERSTAND THAT THIS CONSENT AGREEMENT CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND.

DATED: 6/11/11


KIMBERLY A. ANDERSON, RN

DATED: 6/6/11


DANIEL W. BATES, ESQ.
Attorney for Kimberly A. Anderson, RN

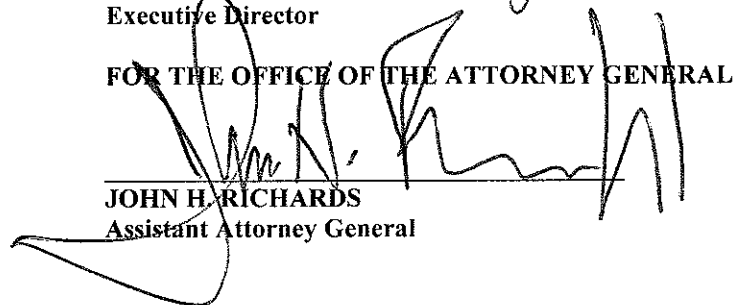
FOR THE MAINE STATE BOARD OF NURSING

DATED: 6/11/11


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

FOR THE OFFICE OF THE ATTORNEY GENERAL

DATED: 6/10/11


JOHN H. RICHARDS
Assistant Attorney General