



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

PAUL R. LEPAGE

GOVERNOR  
**IN RE: RYAN BABCOCK, LPN**  
 of Portland, Maine  
 License No. LPN13577

KIM ESQUIBEL, PhD, M.S.N., R.N.  
 EXECUTIVE DIRECTOR

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**CONSENT AGREEMENT  
 FOR  
 WARNING & CIVIL PENALTY**

**Complaint No. 2018-120**

**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 Ryan Babcock’s license to practice nursing in the State of Maine. The parties to this Agreement are Ryan Babcock (“Mr. Babcock”), the Maine State Board of Nursing (“Board”) and the Office of the Attorney General, State of Maine. The parties enter into this Agreement pursuant to 32 M.R.S. § 2105-A and 10 M.R.S. § 8003(5) to resolve Complaint No. 2017-167.

**FACTS**

1. Mr. Babcock was first licensed to practice in Maine as an LPN on November 15, 2013.
2. On November 13, 2017, Mr. Babcock submitted an application for examination and licensure as a registered professional nurse.
3. Mr. Babcock answered “no” on his application when asked if he had been arrested.
4. Mr. Babcock was arrested in Connecticut in 2012 and charged with Driving Under the Influence.
5. Board staff initiated a complaint against Mr. Babcock, and docketed it as Complaint No. 2017-167.
6. At its March 28-29, 2018 meeting, the Board reviewed this complaint and voted to preliminarily deny Mr. Babcock’s application and offer him this Agreement.
7. Absent Mr. Babcock’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 May 6, 2018**, the Board may take further action. In the absence of an agreement, the Board could impose, subsequent to adjudicatory proceedings, greater adverse action on this matter including fines or the suspension or revocation of Mr. Babcock’s license.

**AGREEMENT**

8. Mr. Babcock admits to the Facts as stated above and admits that his conduct constitutes grounds for the Board to impose discipline against his Maine nursing license pursuant to:
  - 32 M.R.S. § 2105-A(2)(A) for the practice of fraud or deceit in obtaining a license under Title 32, Chapter 31 by failing to disclose an arrest.
9. As discipline for the violation admitted to in paragraph 8 above, Mr. Babcock agrees he will receive a **WARNING and pay a CIVIL PENALTY of \$150**. Payment must be by certified check or money order, made payable to “Treasurer, State of Maine,” and must be remitted to the Board, attention Amanda Garland, Probation/Compliance Officer, 158 State House Station, Augusta, Maine 04333-0158 within three (3) months of the execution of this Agreement.



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OFFICES LOCATED AT: 161 CAPITOL ST., AUGUSTA, ME  
<http://www.maine.gov/boardofnursing/>

PHONE: (207) 287-1133

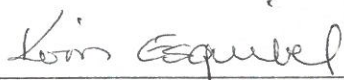
10. Upon execution by the last required signatory of this Agreement, Mr. Babcock's submission of a completed application for examination and licensure as a registered professional nurse, and his satisfaction of all of the Board's requirements, Mr. Babcock's application shall be approved by the Board.
11. This Agreement is not appealable and is effective until modified or rescinded by the parties to this Agreement. This Agreement cannot be modified orally. It can be modified only in writing and only if signed by all of the parties to the Agreement and approved by the Office of the Attorney General.
12. Mr. Babcock waives his right to an adjudicatory hearing before the Board or any court regarding all facts, terms, and conditions of this Agreement. Mr. Babcock agrees this Agreement is a final order resolving Complaint No. 2017-167.
13. The Board and Mr. Babcock agree that no further agency action will be initiated against his license by the Board based upon the specific violations admitted to herein, except or unless he fails to comply with the terms and conditions of this Agreement. The Board may however consider the conduct described above as evidence of a pattern of misconduct in the event that other allegations are brought against Mr. Babcock, and this Consent Agreement may be introduced as evidence in any future adjudicatory hearing involving Mr. Babcock. The Board may also consider the fact that discipline was imposed by this Agreement in determining appropriate discipline in any further complaints against Mr. Babcock.
14. The Board and the Attorney General may communicate and cooperate regarding Mr. Babcock's practice or any other matter relating to this Agreement.
15. This Agreement is a public record within the meaning of M.R.S. § 402 and will be available for inspection and copying by the public pursuant to 1 M.R.S. § 408-A.
16. This Agreement constitutes adverse action and is reportable to the National Practitioner Data Bank (NPDB).
17. Nothing in this Agreement shall be construed to affect any right or interest of any person not a party hereto.
18. For the purposes of this Agreement, the term "execution" means that date on which the final signature is affixed to this Agreement.
19. Mr. Babcock acknowledges by his signature hereto that he has read this Agreement, that he has had an opportunity to consult with an attorney before executing this Agreement.
20. Mr. Babcock further acknowledges that he has executed this Agreement of his own free will, and that he agrees to abide by all the terms and conditions set forth in this Agreement.

DATED: 4-13-18

  
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RYAN BABCOCK, LPN


FOR THE MAINE STATE BOARD OF NURSING

DATED: 4/17/18

  
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KIM ESQUIBEL, PhD, MSN, RN  
Executive Director

FOR THE OFFICE OF THE ATTORNEY GENERAL

DATED: 4/19/18

  
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MEGAN M. HUDSON, ESQ.