

STATE OF MAINE
STATE BOARD OF NURSING

In Re:)
HARVEY COURSER, R.N., L.P.N.,)
of Sabattus, Maine)

CONSENT AGREEMENT PURSUANT
TO 32 M.R.S.A. § 2105-A(1-A)

This document is a Consent Agreement entered into by and among Harvey Courser, R.N., L.P.N., the Maine State Board of Nursing (the "Board") and the Department of the Attorney General.

This Consent Agreement is entered into pursuant to 32 M.R.S.A. § 2105-A(1-A).

RECITALS

A. Mr. Courser is a registered nurse and a practical nurse, licensed in both capacities to practice in Maine.

B. The Board received a complaint against Mr. Courser submitted by a woman, who for the purposes of this Consent Agreement shall be denominated Mrs. L.

C. Subsequent to the complaint being served upon Mr. Courser and to receiving his response, the Board held an informal conference regarding this matter.

D. At the informal conference, the Board was presented with information regarding the allegations against Mr. Courser. This information was presented by the complainant, Mrs. L, and by Assistant Attorney General Kenneth W. Lehman.

Mr. Courser and his counsel, Steven Silin, Esq. of Berman, Simmons and Goldberg, responded to the allegations. The Board then discussed the matter at length with Mr. Courser and Mrs. L.

E. The Board determined that further licensure action against Mr. Courser was warranted, given the Board's factual findings, which follow:

1. While Mr. Courser was a nurse at Togus V.A. Hospital, he was assigned the responsibility to provide nursing care for Mr. L and for his family;
2. In the course of Mr. Courser's work, he in fact established and maintained a professional nursing relationship with Mrs. L;
3. In this professional nursing relationship, Mrs. L looked to Mr. Courser to help her resolve many of the problems which she was experiencing regarding having husband return home to live with her, and Mr. Courser counseled her regarding these matters;
4. In the course of Mr. Courser's counseling Mrs. L, he engaged in sexual conduct with Mrs. L, including without limitation, sexual intercourse;
5. By engaging in sexual conduct with Mrs. L, Mr. Courser acted unprofessionally and violated his professional responsibilities as a nurse to both Mr. L and Mrs. L.
6. In addition, Mr. Courser's conduct evidences incompetence in the nursing practices for which he is

licensed.

COVENANTS

A. In reliance upon and in consideration of Mr. Courser's execution of this Consent Agreement, the Board and the Department of the Attorney General agree to terminate their ongoing investigations of the allegations raised against Mr. Courser by Mrs. L.

B. In a Board motion passed unanimously on April 9, 1987, the Board authorized the Department of the Attorney General to seek revocation of Mr. Courser's registered nursing and practical nursing licenses. The Board also authorized the Department of the Attorney General to negotiate a settlement and enter a Consent Agreement with Mr. Courser consistent with its directive for revocation.

C. Mr. Courser has been represented by counsel throughout this matter, and he represents that he has consulted with counsel prior to signing this Consent Agreement.

D. Mr. Courser hereby surrenders his R.N. and L.P.N. licenses. He understands and agrees that this surrender constitutes revocations of these licenses.

E. By entering into this Consent Agreement, Mr. Courser does not admit to the Board's findings. Mr. Courser wishes to state that he enters into this Agreement solely to settle this

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disputed action.

F. This Consent Agreement cannot be modified orally. This Consent Agreement is final and cannot be appealed.

DATED: 11/30/87

Harvey Courser
HARVEY COURSER

STATE OF MAINE
COUNTY OF Androscoggin, SS.

Before me this 30th day of November, 1987, appeared Harvey Courser, known to me, who, first being duly sworn, executed the foregoing Consent Agreement revoking his R.N. and L.P.N. licenses in my presence or he affirmed that the signature above is his own.

Victoria L. Donovan
~~ATTORNEY AT LAW/NOTARY PUBLIC~~
My Commission Expires:
MY COMMISSION EXPIRES
SEPTEMBER 11, 1988

DATED: 11/30/87

Steven D. Schli
BERMAN, SIMMONS & GOLDBERG
Counsel to Mr. Courser

DATED: 12/10/87

Jean C. Caron
MAINE STATE BOARD OF NURSING
By Jean C. Caron, R.N., M.S.,
Executive Director

DATED: September 30, 1987

Kenneth W. Lehman
KENNETH W. LEHMAN
Assistant Attorney General