



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: ANNA-LEE HIGGINS, RN)
 of St. Stephen, New Brunswick)
 License No. RN59633)

CONSENT AGREEMENT
 FOR VOLUNTARY
 SURRENDER OF LICENSE

Complaint No. 2012-158

INTRODUCTION

This document is a Consent Agreement ("Agreement") regarding Anna-Lee Higgins's license as a registered professional nurse ("RN") in the State of Maine. The parties to this Agreement are Anna-Lee Higgins ("Licensee" or "Ms. Higgins"), 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 (1-A)(C), 10 M.R.S. §§8003 (A-1)(4), 8003 (5)(B) and 10 M.R.S. §8003 (5)(D) to resolve Board Complaint 2012-158, dated August 10, 2012, which includes a Provider Report from Calais Regional Hospital ("Calais Regional") dated July 25, 2012.

FACTS

1. Anna-Lee Higgins has been licensed to practice in Maine as an RN since August 5, 2011.
2. Ms. Higgins's employment as an RN at Calais Regional began on April 19, 2011. She resigned in lieu of termination on June 29, 2012 for failing to properly assess a patient. Calais Regional reported that on July 6, 2012 at 8:50AM, Ms. Higgins admitted a patient from the Emergency Department. The patient was in street clothes and was experiencing pain when moved. A morphine drip was initiated at 11:45AM by Ms. Higgins, with no baseline vital signs and no follow-up assessment after the drip was started until 6:50PM. Although the patient was on a comfort care status, it is Calais Regional's standard of practice to assess a patient's respirations to ensure that respirations are not being depressed in response to the narcotic drip, and to check and document vital signs within a half hour of starting a drip and every four (4) hours thereafter [Board Complaint No. 2012-158, pages 1-104 are incorporated here by reference]. In addition, although the patient was never changed out of his street clothes, a nursing assessment was documented stating that "skin integrity was intact." Once the patient was disrobed by staff on the next shift, he was found to have a large ecchymosis and ulceration of the skin on his lower back.
3. Calais Regional reported Ms. Higgins's history of verbal and written counseling for performance issues including maintaining a level of professionalism, lack of critical thinking skills, failure to follow hospital policy/procedure and a HIPPA violation. [Exhibit A]
4. Anna-Lee Higgins wishes to resolve this matter by surrendering her RN license, thereby waiving her rights to an adjudicatory hearing.



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<http://www.maine.gov/boardofnursing/>

PHONE: (207) 287-1133

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AGREEMENT

5. Anna-Lee Higgins understands and agrees that should this matter go to hearing before the Board on the above-stated facts and the underlying information to support those facts, it is more likely than not they would support the Board's findings in this Agreement. Further, she understands and agrees that this document imposes discipline regarding her nursing practice in the State of Maine. Specifically, the violations are:
 - a. Pursuant to 32 M.R.S. §2105-A(2)(E)(1) for engaging in conduct that evidences a lack of ability or fitness to discharge the duty owed by the licensee to a client or patient or the general public; and
 - b. Pursuant to 32 M.R.S. §2105-A (2)(F) for engaging in unprofessional conduct that violates a standard of professional behavior that has been established in the practice for which she is licensed.
6. Anna-Lee Higgins understands and agrees that her license will remain on surrender status and subject to the terms of this Agreement indefinitely until and unless the Board, at her written request, votes to reinstate her license. Ms. Higgins understands and agrees that if the Board reinstates her license, it may be for a probationary period.
7. 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. Ms. Higgins's primary residence is New Brunswick, Canada, but she understands this Agreement is subject to the Compact.
8. Anna-Lee Higgins understands that she does not have to execute this Agreement and has the right to consult with an attorney before entering into the Agreement.
9. Anna-Lee Higgins shall not work or volunteer in any capacity for a health care provider as defined by Title 24 M.R.S. §2502(2) or in any position holding herself out as a registered professional nurse or with the designation "RN" while her nursing license is surrendered.
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 constitutes a final adverse licensing action that is reportable to the National Practitioner Data Bank (NPDB) and the Healthcare Integrity and Protection Data Bank (HIPDB) pursuant to Section 1128E of the Social Security Act and 45 C.F.R. Part 61.
12. Modification of this Agreement must be in writing and signed by all parties.
13. This Agreement is not subject to review or appeal by the Licensee, but may be enforced by an action in the Superior Court.
14. Anna-Lee Higgins affirms that she executes this Agreement of her own free will.
15. This Agreement becomes effective upon the date of the last necessary signature below.

I, ANNA-LEE HIGGINS, RN, HAVE READ AND UNDERSTAND THE FOREGOING CONSENT AGREEMENT. I UNDERSTAND THAT BY SIGNING IT, I WAIVE CERTAIN RIGHTS. I UNDERSTAND THE EFFECT IT WILL HAVE ON MY REGISTERED PROFESSIONAL NURSE LICENSE. 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: 01/14/13



ANNA-LEE HIGGINS, RN

FOR THE MAINE STATE
BOARD OF NURSING

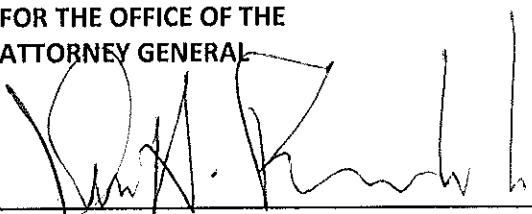
DATED: 1/22/13



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

FOR THE OFFICE OF THE
ATTORNEY GENERAL

DATED: 1/23/13



JOHN H. RICHARDS
Assistant Attorney General