



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

JOHN ELIAS BALDACCI
 GOVERNOR

MYRA A. BROADWAY, J.D., M.S., R.N.
 EXECUTIVE DIRECTOR

IN RE: ANDREW L. PRATT, R.N., L.P.N.) **CONSENT AGREEMENT**
 of Windsor, Maine) **FOR PROBATION**
 License #R024004)
 License #P006408)

INTRODUCTION

This document is a Consent Agreement regarding Andrew L. Pratt's license to practice registered professional nursing and practical nursing in the State of Maine. The parties enter into this Agreement pursuant to 32 M.R.S.A. §§ 2105-A(1-A)(B), 10 M.R.S.A. §§ 8003(5)(A-1)(4) and 8003(5)(B). The parties to this Consent Agreement are Andrew L. Pratt ("Licensee"), Maine State Board of Nursing ("Board") and the Office of the Attorney General, State of Maine. The Board met with Mr. Pratt on October 7, 2004. The parties reached this Agreement on the basis of information submitted by St. Mary's Regional Medical Center, Lewiston, Maine, in two provider reports dated June 10 and June 12 of 2003 and on the basis of information submitted by Redington Fairview General Hospital, Skowhegan, Maine, in a provider report dated August 28, 2003.

FACTS

1. Andrew L. Pratt has been a registered professional nurse licensed in Maine since 1980. Mr. Pratt has also been licensed as a practical nurse since 1979.
2. Andrew L. Pratt was assigned to the Adult Psychiatric Unit at St. Mary's Regional Medical Center on March 16, 2003 and was found sleeping on duty. Mr. Pratt was the only RN on the unit at this time.
3. Andrew L. Pratt was employed by Diversified Staffing Group as an agency nurse. On August 24, 2003, Mr. Pratt was assigned to Redington Fairview General Hospital to work the night shift in SCU. While on that shift he was found sleeping on duty.
4. Andrew L. Pratt filed an application for the renewal of his registered professional nurse license, which was preliminarily denied by the Board pursuant to 10 M.R.S.A. §8003(5)(C)(3), because Mr. Pratt was not in compliance with the Funeral Board's Consent Agreement dated April 11, 2002. On June 30, 2004, Mr. Pratt entered into a Consent Agreement with the Maine State Board of Nursing for a Warning and Voluntary Surrender of his registered professional nurse license and practical nurse license. Mr. Pratt voluntarily surrendered his nursing license because of his non-compliance with the Funeral Board Consent Agreement. Mr. Pratt met with the Board on October 7, 2004



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OFFICES LOCATED AT: 24 STONE ST., AUGUSTA, ME.

PHONE: (207) 287-1133

FAX: (207) 287-1149

TDD: (207) 287-1151

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

regarding a resolution of the compliance issues with the Funeral Board pursuant to an amended Consent Agreement with the Funeral Board. The Board agreed to reinstate Mr. Pratt's registered professional nurse license and practical nurse license on October 7, 2004, on probationary status with conditions, which would address the practice issues referred to in Paragraph No. 2 and 3.

AGREEMENT

5. Andrew L. Pratt's license to practice registered professional nursing in the State of Maine will be placed on a probationary status with conditions contingent upon compliance with the Amended Consent Agreement signed by Mr. Pratt; Chair, Board of Funeral Service; Executive Director, Maine State Board of Nursing; and Assistant Attorney General, Judith M. Peters, and executed October 7, 2004. The period of probation will be for a period concurrent with the aforementioned Consent Agreement to be effective only while he is employed in nursing practice or enrolled in a nursing education program. For purposes of this Consent Agreement, nursing employment is any employment during which Mr. Pratt performs nursing services. Mr. Pratt's probationary license will be subject to the following conditions:
 - a. Andrew L. Pratt will immediately notify the Board in writing regarding any change in his nursing employment or entry into an educational program in the field of nursing. Notification under this section shall include the place and position of employment or the educational program and the same notification shall apply to any subsequent change in employment or change in educational program.
 - b. Andrew L. Pratt will notify any and all of his nursing employer(s) and notify faculty involved in any clinical studies of the terms of this Consent Agreement and shall provide them with a copy of it.
 - c. Andrew L. Pratt will arrange for and ensure the submission to the Board of quarterly reports from his direct nursing supervisor or clinical faculty regarding his general nursing practice until his probation is terminated.
 - d. Andrew L. Pratt will comply with the Funeral Board Consent Agreement executed October 7, 2004.
6. Andrew L. Pratt agrees and understands that his license will remain on probationary status and subject to the terms of this Agreement indefinitely beyond the probationary period, until and unless the Board, at Andrew L. Pratt's written request, votes to terminate Andrew L. Pratt's probation. When considering whether to terminate the probation, the Board will consider the extent to which Andrew L. Pratt has complied with the provisions of this Consent Agreement.
7. Andrew L. Pratt shall not be entitled to utilize his multistate nursing privileges under his Maine registered professional nurse license or practical nurse license during the period of probation imposed by this Consent Agreement.

8. Andrew L. Pratt understands that this document is a Consent Agreement that affects his rights to practice nursing in Maine. Andrew L. Pratt understands that he does not have to execute this Consent Agreement and that he has the right to consult with an attorney before entering into the Consent Agreement.
9. If Andrew L. Pratt fails to meet any of the obligations of this Consent Agreement, the Board may take any disciplinary action, which it deems appropriate and impose any of the sanctions, including but not limited to that found in Title 10 M.R.S.A. § 8003 and Title 32 M.R.S.A. § 2105-A.
10. Andrew L. Pratt affirms that he executes this Consent Agreement of his own free will.
11. Modification of this Consent Agreement must in writing and signed by all the parties.
12. This Consent Agreement is not subject to appeal or review by the Licensee but may be enforced by an action in the Superior Court.
13. This Consent Agreement becomes effective upon the date of the last necessary signature below.

I, ANDREW L. PRATT, R.N., HAVE READ AND UNDERSTAND THE FOREGOING CONSENT AGREEMENT. I UNDERSTAND THAT BY SIGNING IT, I WAIVE CERTAIN RIGHTS. I SIGN IT VOLUNTARILY, WITHOUT ANY THREAT OR PROMISE. I UNDERSTAND THAT THIS CONSENT AGREEMENT CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND.


DATED: 10/23/04



ANDREW L. PRATT, R.N.

**FOR THE MAINE STATE
BOARD OF NURSING**

DATED: 11/2/04



MYRA A. BROADWAY J.D., M.S., R.N.
Executive Director

**FOR THE OFFICE OF THE
ATTORNEY GENERAL**

DATED: Nov. 3, 2004



JOHN H. RICHARDS
Assistant Attorney General