



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: ROBERT F. SKEFFINGTON, RN)
 Peru, Maine)
 License RN28372)

**INTERIM
 CONSENT AGREEMENT**

Case No. 2012-191

INTRODUCTION

This document is an Interim Consent Agreement, effective when signed by all parties, pertaining to a complaint filed against Robert F. Skeffington's license to practice registered professional nursing in the State of Maine. The parties to this Interim Consent Agreement are Robert F. Skeffington, RN ("Mr. Skeffington"), the Maine State Board of Nursing ("the Board") and the Maine Office of the Attorney General ("the Attorney General"). This Consent Agreement is entered into pursuant to 10 M.R.S. §8003(5) (B).

FACTS

1. Mr. Skeffington is licensed by the Board as a registered professional nurse, License No. RN28372.
2. On September 26, 2012, a Board Complaint was issued by the Executive Director of the Board against Mr. Skeffington alleging that Mr. Skeffington committed professional misconduct by engaging in unprofessional or inappropriate sexual contact with a minor.
3. On September 21, 2012, Robert F. Skeffington was arrested for Gross Sexual Assault and Unlawful Sexual Contact.
4. On September 24, 2012, Mr. Skeffington was charged with the following criminal offenses:
 - A. Count 1: Gross Sexual Assault (17-A M.R.S. §253(1) (C)), Class A felony. On or about June 1, 2009, in Peru, Oxford County, Maine, Robert F. Skeffington did engage in a sexual act with person A, not his spouse, who had not attained the age of 12 years.
 - B. Count 2: Unlawful Sexual Contact (17-A M.R.S. §255-A (1) (E-1)), Class B felony. On or about June 1, 2009, in Peru, Oxford County, Maine, Robert F. Skeffington, being at least three years older than person B, not his spouse, did intentionally subject person B, who was in fact less than 12 years of age, to sexual contact.
5. As a result of these allegations and other evidence, Mr. Skeffington is the subject of a criminal investigation.
6. The Board is now prepared to set this matter for an initial presentation and consideration of whether it should impose an immediate suspension against Mr. Skeffington's nursing license.



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

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7. Mr. Skeffington acknowledges that if this Board Complaint was presented to the Board, existing evidence could provide a basis for the Board to conclude that the continued licensure of Mr. Skeffington as a nurse would place the health and physical safety of the public in immediate jeopardy and that waiting for a full hearing to adjudicate the matter would fail to adequately respond to this known risk. Accordingly, the Board would have justification to summarily suspend Mr. Skeffington's nursing license and set the matter for an adjudicatory hearing pursuant to 5 M.R.S. § 10004(3).
8. Mr. Skeffington desires to avoid testifying before the Board at a hearing to adjudicate the Board Complaint in this matter prior to the completion of the criminal investigation and the resolution of any criminal charges that may result from that investigation. Accordingly, Mr. Skeffington requests that the Board postpone any presentation or adjudication of this matter pending the outcome of the criminal investigation.
9. This Interim Consent Agreement has been negotiated by legal counsel for Mr. Skeffington and legal counsel for the Board in order to both postpone the initial complaint presentation of this matter and ensure the protection of the public. Absent acceptance of this Interim Consent Agreement by signing and dating it and returning it to Jayne Winters, Compliance Officer, at the Maine State Board of Nursing, 158 State House Station, Augusta, Maine 04333-0158 **on or before October 31, 2012**, this matter will be brought back to the Board for further attention.
10. The Board will conduct an initial presentation of this matter on November 6, 2012, or at such earlier time that a quorum of the Board can convene.
11. By signing this Interim Consent Agreement, Mr. Skeffington waives, in his personal capacity and through legal counsel, any and all objections to, and hereby consents to the presentation of this proposed Interim Consent Agreement to the Board for possible ratification. Mr. Skeffington waives, in his personal capacity and through legal counsel, any arguments of bias or otherwise against any of the Board members in the event that the Board ratifies or fails to ratify this proposed Interim Consent Agreement.

COVENANTS

12. Mr. Skeffington acknowledges the facts as stated above and agrees to the **IMMEDIATE SUSPENSION** of his license to practice nursing in the State of Maine effective upon final execution of this Consent Agreement, which suspension shall remain in effect until such time as the Board takes final action regarding this complaint.
13. 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 Board Rules. The State of Maine is Mr. Skeffington's "Home state" of licensure and primary state of residence, which means that he has declared the State of Maine as his fixed permanent and principal home for legal purposes; his 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. Mr. Skeffington understands this Agreement is subject to the Compact.

14. Robert F. Skeffington understands and agrees he shall not work or volunteer in any capacity for a health care provider as defined by 24 M.R.S. § 2502(2) or in any position holding himself out as a registered professional nurse or with the designation "RN," nor will he practice nursing or render any nursing services to any person in the State of Maine during the term of this Interim Consent Agreement.
15. As consideration for Mr. Skeffington's acceptance of this immediate license suspension, the Board agrees to postpone the initial presentation of this matter until the sooner of the following eventualities: (a) the date the criminal proceedings involving the allegations of this complaint are resolved; or (b) in accordance with the provisions of paragraph 165 of this Interim Consent Agreement.
16. Upon the request of any party to this Interim Consent Agreement and notice to the other parties, the Board shall set this matter for initial presentation and consideration of whether the Board should set the matter for an adjudicatory hearing and/or whether it should impose a summary suspension pursuant to 5 M.R.S. § 10004. The Board will not set the matter for initial presentation less than thirty (30) days after notice to the other parties of the request for presentation. The Board shall make reasonable efforts to ensure that the initial presentation occurs within sixty (60) days after notice to the other parties.
17. 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.
18. This Agreement is subject to the federal reporting requirements pursuant to Section 1128E of the Social Security Act and 45 CFR Part 61 and any other interstate/national reporting requirements.
19. Any modification of this Agreement must be in writing and signed by all the parties.
20. This Interim Consent Agreement is not appealable, constitutes interim disciplinary action, and is effective until modified or rescinded by the parties hereto or until the Board takes final action regarding this complaint.
21. The Board and the Office of the Attorney General may communicate and cooperate regarding any matter related to this Interim Consent Agreement.
22. Nothing in this Interim Consent Agreement shall restrict in any way the Board's or the Attorney General's authority or ability to investigate this matter further.
23. Nothing in this Interim Consent Agreement shall be construed to affect any right or interest of any person not a party hereto.
24. Nothing in this Interim Consent Agreement shall be construed to prevent the Board from taking further disciplinary action against Mr. Skeffington in the event that the allegations underlying the complaint are substantiated.

- 25. Violation of any of the terms or conditions of this Interim Consent Agreement by Mr. Skeffington shall constitute unprofessional conduct and grounds for discipline.
- 26. Mr. Skeffington acknowledges by his signature hereto that he has read this Interim Consent Agreement, that he has had an opportunity to consult with an attorney before executing this Interim Consent Agreement, that he executed this Interim Consent Agreement of his own free will, and that he agrees to abide by all terms and conditions set forth herein.
- 27. This Agreement becomes effective upon the date of the last necessary signature below.


I, ROBERT F. SKEFFINGTON, RN, HAVE READ AND UNDERSTAND THE FORE GOING AGREEMENT. I UNDERSTAND THAT BY SIGNING IT, I WAIVE CERTAIN RIGHTS. I UNDERSTAND THE EFFECT IT WILL HAVE ON MY NURSING LICENSE. I SIGN IT VOLUNTARILY, KNOWINGLY, AND INTELLIGENTLY AND AGREE TO BE BOUND BY THIS AGREEMENT. I UNDERSTAND THAT THIS AGREEMENT CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND.

DATED: 11/6/12




ROBERT F. SKEFFINGTON, RN

DATED: 11/6/12



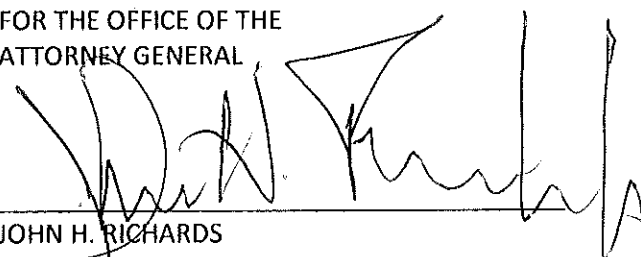
CHRIS A. NIELSEN, ESQ.
Attorney for Robert F. Skeffington, RN

DATED: 11/9/12



MARGARET HOURIGAN, RN, EdD
Chair, Maine State Board of Nursing

DATED: 11/13/12

FOR THE OFFICE OF THE
ATTORNEY GENERAL


JOHN H. RICHARDS
Assistant Attorney General