



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: DANIELLE M. VAILLANCOURT, R.N.) CONSENT AGREEMENT
of Parsonsfield, Maine) FOR VOLUNTARY
License # R050563) SURRENDER OF LICENSE

INTRODUCTION

This document is a Consent Agreement regarding Danielle M. Vaillancourt's license to practice registered professional nursing in the State of Maine. The parties enter into this Consent Agreement pursuant to 32 M.R.S.A. § 2105-A (1-A) (C) and 10 M.R.S.A. § 8003 (5) (B), (5) (D). The parties to this Consent Agreement are Danielle M. Vaillancourt ("Ms. Vaillancourt" or "Licensee"), Maine State Board of Nursing ("Board") and the Office of the Attorney General, State of Maine. The parties reached this Agreement on the basis of 1) Notice of Complaint or Provider Report from the Board dated January 24, 2007 regarding information received from Saint Joseph's Manor dated December 26, 2006; 2) supplemental documentation from Saint Joseph's Manor dated February 26, 2008; and 3) information submitted by the Division of Licensing & Regulatory Services, Department of Health and Human Resources dated December 6, 2007.

FACTS

1. Danielle M. Vaillancourt has been licensed as a registered professional nurse to practice in Maine since November 8, 2004.
2. Danielle M. Vaillancourt was terminated from Saint Joseph's Manor ("SJM") on December 20, 2006 for substandard job performance related to the administration and documentation of narcotic medications with patterns indicative of drug diversion [Exhibit A].
3. The Division of Licensing & Regulatory Services completed an onsite complaint investigation at SJM on October 15, 2007, substantiating that Ms. Vaillancourt diverted drugs from SJM.
4. Danielle M. Vaillancourt has offered to voluntarily surrender her registered professional nurse license to resolve this complaint in lieu of an adjudicatory hearing before the Board.

AGREEMENT

5. The Maine State Board of Nursing will accept Danielle M. Vaillancourt's offer to voluntarily surrender her registered professional nurse license.



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6. Danielle M. Vaillancourt neither admits nor denies the facts contained herein regarding the diversion of narcotics or other controlled substances from SJM; however, she acknowledges that if this matter went to a hearing before the Board it is more likely than not the above-stated facts and underlying investigative information would support the Board's findings in this Consent Agreement.

7. Danielle M. Vaillancourt understands that, based upon the above-stated facts, this document imposes discipline regarding her license to practice registered professional nursing in the State of Maine. The grounds for discipline are for violations under 32 M.R.S.A. § 2105-A(2)(A), (2)(F), (2)(H) and Chapter 4, sections 1(A)(1), 1(A)(6), 1(A)(8) and Chapter 4, sections 3(F), 3(K) and 3(P) of the Rules and Regulations of the Maine State Board of Nursing. Specifically, the violations are:
 - a. "A. The practice of fraud or deceit in . . . connection with service rendered within the scope of the license issued." See also Chapter 4, Section 1.A.1.

 - b. "F. Unprofessional Conduct. A licensee is considered to have engaged in unprofessional conduct if the licensee violates a standard of professional behavior that has been established in the practice for which the licensee is licensed." See also Chapter 4, Section 1.A.6.

 - c. "H. A violation of this chapter or a rule adopted by the board." See also Chapter 4, Section 1.A.6.

 - d. "Unprofessional Conduct" as defined by the Rules and Regulations of the Maine State Board of Nursing in Chapter 4, Section 3 reads: "Nursing Behavior which fails to conform to legal standards of the nursing profession, and which could reflect adversely on the health and welfare of the public shall constitute unprofessional conduct and shall include, but shall not be limited to, the following:

F. Failing to take appropriate action or to follow policies and procedures in the practice situation designed to safeguard the patient.

K. Inaccurate recording, falsifying or altering a patient or health care provider record.

P. Diverting drugs, supplies or property of patients or health care provider."

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8. Danielle M. Vaillancourt agrees and understands that her license will remain on surrender status and subject to the terms of this Consent Agreement indefinitely until and unless the Board, at Ms. Vaillancourt's written request, votes to reinstate said license. Ms. Vaillancourt agrees and understands that if the Board reinstates her license, it will be for a period of probation to be determined by the Board.
9. Danielle M. Vaillancourt understands that this document is a Consent Agreement that affects her rights to practice professional nursing in Maine. Ms. Vaillancourt understands that she does not have to execute this Consent Agreement and has the right to consult with an attorney before entering the Agreement.
10. Danielle M. Vaillancourt shall not work or volunteer in any capacity for a health care provider as defined by Title 24 M.R.S.A. § 2502 (2) or in any position holding herself out as a registered professional nurse or with the designation "RN", including in a veterinarian's office, while her nursing license is surrendered. In addition, Ms. Vaillancourt is not to seek employment where the handling or dispensing of drugs is part of the job responsibility.
11. 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. The State of Maine is Ms. Vaillancourt's "home state" of licensure and primary state of residence, which means that Ms. Vaillancourt has declared the State of Maine as her fixed permanent and principle home for legal purposes; her domicile. Other party states that are in the Compact are referred to as "remote states," which means party states other than the home state that have adopted the Compact. Ms. Vaillancourt understands that this document is a Consent Agreement subject to the Compact.
12. This Consent Agreement is a public record within the meaning of 1 M.R.S.A. § 402 and will be available for inspection and copying by the public pursuant to 1 M.R.S.A. § 408.
13. Modification of this Consent Agreement must be in writing and signed by all parties.
14. This Consent Agreement is not subject to review or appeal by the licensee, but may be enforced by an action in the Superior Court.
15. Danielle M. Vaillancourt affirms that she executes this Consent Agreement of her own free will.
16. This Consent Agreement becomes effective upon the date of the last necessary signature below.

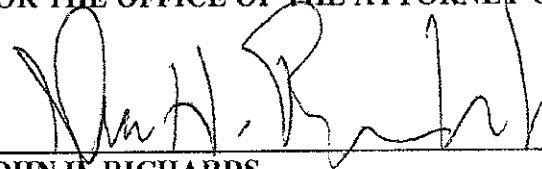
I, DANIELLE M. VAILLANCOURT, R.N., HAVE READ AND UNDERSTAND THE FOREGOING CONSENT AGREEMENT. I UNDERSTAND THAT BY SIGNING IT, I WAIVE CERTAIN RIGHTS. I SIGN IT VOLUNTARILY WITHOUT ANY THREAT OR PROMISE. I UNDERSTAND THAT THIS CONSENT AGREEMENT CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT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

DATED: 7-11-08 
DANIELLE M. VAILLANCOURT, R.N.

FOR THE MAINE STATE BOARD OF NURSING

DATED: July 14, 2008 
MYRA A. BROADWAY, J.D., M.S., R.N.
Executive Director

FOR THE OFFICE OF THE ATTORNEY GENERAL

DATED: 7/11/08 
JOHN H. RICHARDS
Assistant Attorney General