



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

ANGUS S. KING, JR.  
GOVERNOR

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

BEFORE THE MAINE STATE BOARD OF NURSING

IN THE MATTER OF LICENSE NO. )  
R020039 ISSUED TO: )  
JOY A. LAGASSE )  
To practice registered professional nursing )  
in the State of Maine )

ORDER TERMINATING  
PROBATION

WHEREAS, on ~~June 7, 2000~~, License No. ~~R020039~~ issued to Joy A. Lagasse was placed on "probation" pursuant to 32 M.R.S.A. Section 2105-A (1-A); and

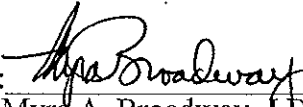
WHEREAS, on February 6, 2002, the Board of Nursing duly considered all evidence presented to it concerning Joy A. Lagasse's compliance with the conditions of said probation; and

WHEREAS, the Board found that Joy A. Lagasse has completed all of the Order;

NOW, THEREFORE, it is ordered that the Order of Probation executed on July 31, 2000 is hereby terminated.

DATED this 13th day of February 2002.

MAINE STATE BOARD OF NURSING

BY:   
Myra A. Broadway, J.D., M.S., R.N.  
Executive Director



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

IN RE: **JOY A. LAGASSE, R.N.** ) **CONSENT AGREEMENT**  
 of So. Casco, Maine ) **FOR PROBATION WITH**  
 License #R020039 ) **CONDITIONS**

**INTRODUCTION**

This document is a Consent Agreement regarding Joy A. Lagasse's license to practice professional nursing in the State of Maine. The parties enter into this Agreement pursuant to 10 M.R.S.A. § 8003(5)(A-1)(4), 10 M.R.S.A. § 8003(5)(B) and 32 M.R.S.A. § 2105-A(1-A)(B). The parties to this Consent Agreement are Joy A. Lagasse ("Licensee"), Maine State Board of Nursing ("Board") and the Department of Attorney General, State of Maine. The parties reached this Agreement following an informal conference held on June 7, 2000 on the basis of information submitted by Seaside Rehabilitation & Health Care Center ("Seaside") by letter dated February 8, 2000 and information submitted by State of Maine, Department of Human Services, Bureau of Medical Services, Division of Licensing and Certification by letter dated January 3, 2000 and supporting documentation in Complaint No. 00PMF143.

**FACTS**

1. Joy A. Lagasse has been a registered professional nurse for 24 years and licensed by the Board to practice in Maine since August 1976.
2. Joy A. Lagasse's employment as a registered nurse was terminated by Seaside Rehabilitation & Health Care Center on January 24, 2000 as a result of drug diversion while Ms. Lagasse was working at Ledgewood Manor.
3. Joy A. Lagasse admitted that she diverted the drug Darvocet-N 100. Ms. Lagasse admitted that she diverted these drugs for her own use and that she failed to follow the policies and procedures of Ledgewood manor for the destruction of discontinued medication.
4. There is no finding of actual patient harm.
5. Joy A. Lagasse is currently undergoing treatment with a physician for pain control.

**AGREEMENT**

6. Joy A. Lagasse's conduct constitutes grounds for discipline under 32 M.R.S.A. § 2105-A(2)(E)(1), (2)(F) and (2)(H).
7. Joy A. Lagasse's license to practice registered professional nursing is placed on a probationary status with conditions for a period of one year of nursing employment. The conditions of probation are as follows:



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- a. Joy A. Lagasse will notify any and all of her nursing employers of the terms of this Consent Agreement and shall provide them with a copy of it. For purposes of this Consent Agreement, nursing employment is any employment during which Ms. Lagasse performs nursing services or holds herself out as a nurse such as through the designation "R.N."
  - b. Joy A. Lagasse will immediately notify the Board in writing of any employment in the field of nursing, including the place and position of employment and of any change in nursing employment.
  - c. Joy A. Lagasse will arrange for and ensure the submission to the Board of quarterly reports addressing her job performance from her nursing employer(s).
  - d. Joy A. Lagasse understands and agrees that her license will remain on probationary status and subject to the terms of this Agreement indefinitely beyond the one year probationary period, until and unless the Board, at Ms. Lagasse's request, votes to terminate Ms. Lagasse's probation. When considering whether to terminate probation, the Board will consider Ms. Lagasse's compliance with the terms and conditions of this Consent Agreement.
  - e. Joy A. Lagasse understands and agrees that she will not seek employment in a home health care setting during the period of probation and further, that her nursing employment will be restricted to supervised facilities.
8. Joy A. Lagasse understands and agrees that the Board may suspend Ms. Lagasse's license without further proceedings if it determines that Ms. Lagasse has engaged in further conduct that evidences the lack of knowledge or ability to apply the principles or skills necessary to safely carry out the practice of professional nursing. Ms. Lagasse further understands and agrees, in such event, that her license will remain suspended unless and until Ms. Lagasse can prove to the satisfaction of the Board that her license may be reinstated consistent with the public health and welfare in the area of nursing service.
  9. The Board agrees to take no further disciplinary action upon these facts so long as Ms. Lagasse fully complies with the terms and conditions of this Consent Agreement.
  10. Joy A. Lagasse understands and agrees that this document imposes discipline regarding her license to practice professional nursing in the State of Maine. Ms. Lagasse understands that she does not have to execute this Consent Agreement and that she has the right to consult with an attorney before entering into this Consent Agreement.
  11. Joy A. Lagasse affirms that she executes this Consent Agreement of her own free will.
  12. Modification of this Consent Agreement must in writing and signed by all the parties.
  13. This Consent Agreement is not subject to appeal or review by the Licensee but may be enforced by an action in the Superior Court.

14. This Consent Agreement becomes effective upon the date of the last necessary signature below.

**I, JOY A. LAGASSE, 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: 7-17-00

Joy A. Lagasse R.N.  
JOY A. LAGASSE, R.N.

DATED: 7/18/00

Stephen S. Whiting  
STEPHEN S. WHITING, ESQ.  
Attorney for Ms. Lagasse

FOR THE MAINE STATE BOARD OF NURSING

DATED: 7/31/00

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

FOR THE DEPARTMENT OF ATTORNEY GENERAL

DATED: 7/31/00

John H. Richards  
JOHN H. RICHARDS, ESQ.  
Assistant Attorney General