



Paul R. LePage
GOVERNOR

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

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

IN RE: SUZANNE M. SANBORN
of East Waterboro, ME
License No. RN17529

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CONSENT AGREEMENT
FOR
VOLUNTARY SURRENDER

Complaint 2013-85

INTRODUCTION

Pursuant to Title 32 Chapter 31, the Maine State Legislature endowed the Board with the power and duty to regulate the practice of nurses licensed by the Board, including issuing licenses and investigating complaints. Pursuant to 10 M.R.S. §8008, the Legislature provided that the sole purpose of the Board is to "protect the public health and welfare" and that "other goals or objectives may not supersede this purpose."

This document is a Consent Agreement ("Agreement") regarding Suzanne Sanborn's license as a registered professional nurse ("RN") in the State of Maine. The parties to this Agreement are Suzanne M. Sanborn ("Licensee" or "Ms. Sanborn"), the Maine State Board of Nursing ("the Board"), and the Office of the Attorney General, State of Maine. A subcommittee of the Board met with Licensee in an informal conference on October 9, 2013. The parties enter into this Agreement pursuant to 32 M.R.S. §2105-A (1-A)(B) and 10 M.R.S. §8003 (5)(B) in order to resolve Complaint 2013-85.

FACTS

1. Licensee was first licensed to practice in Maine as an RN on August 23, 1973; said license lapsed on August 11, 2013.
2. At all times relevant to this matter, Licensee was employed as an RN in the Bonny Eagle School District.
3. On April 29, 2013, the Board received notification from Bonny Eagle School District ("Bonny Eagle") that the Licensee had been administratively suspended pending investigation of potential negligent nursing practice. The report by Bonny Eagle indicated that on April 21, 2013 a kindergarten student with a history of seizure disorders experienced a prolonged episode of seizure activity and that the Licensee did not administer available medication within the time protocol necessary to protect the life and health of the student. The medication was administered by the parent of the student who fortunately was a staff member of the school and thus nearby. In addition to failing to adequately respond to the incident, the medication that was administered was found to have expired; said medication was in custody of the clinic which the Licensee managed for the school district.
4. As a result of receiving this information, the Board initiated a complaint against Licensee's Maine nursing license. Board staff docketed the Complaint as 2013-85.
5. On May 2, 2013, the Board issued a Notice of Complaint to Licensee relating to Complaint 2013-85.
6. On June 17, 2013, the Board received the Licensee's written response to the Notice of Complaint.
7. On September 5, 2013, following review of the case, the Board advised the Licensee that she would be scheduled for an informal conference.



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8. During the October 9, 2013 informal conference, the Licensee demonstrated significant difficulty in understanding and answering questions posed to her by the Board. The subcommittee of the Board expressed concern about the Licensee's competency and fitness to practice based on her demonstrated mental state.
9. During the October 9, 2013 informal conference, the Board indicated that, based on the concerns around Licensee's current competency and the serious risk of harm that had occurred during the incident, the subcommittee would recommend that the complaint be referred to the full Board for an immediate emergency adjudicatory suspension of Ms. Sanborn's license.
10. During the October 9, 2013 informal conference, Licensee indicated that subsequent to the incident she has not practiced nursing and that she had not renewed her RN license. Licensee offered to surrender her RN license, thereby waiving her rights to an adjudicatory hearing.

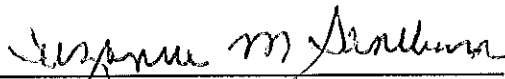
AGREEMENT

11. Licensee understands and agrees that should this matter go to a hearing before the Board on the above-stated facts it is more likely than not that they would support the Board's findings in this Agreement. Further, she understands and agrees that her conduct in the above-stated facts constitutes grounds for discipline regarding her nursing practice in the State of Maine. Specifically, the violations are:
 - a. 32 M.R.S. §2105-A (2)(E)(1) for 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. 32 M.R.S. §2105-A (2)(H) for engaging in unprofessional conduct as specified in Board Rule Ch. 4, §3(F) by failing to take appropriate action or follow policies and procedures in the practice situation designed to safeguard patients.
12. As discipline for the conduct admitted in Paragraph No. 11 above, Licensee agrees to **SURRENDER** her Maine RN license, effective on the date of the final execution of this Agreement. Licensee understands and agrees that as a result of surrendering her license, she no longer has a nursing license and is subject to the terms of this Agreement until and unless the Board, at her written request, votes to reinstate her license. Licensee understands and agrees that upon receiving a request from her to reinstate her Maine RN license, the Board shall have the sole discretion to grant or deny such a request or to grant her a license with probation and conditions as it determines appropriate to protect the public.
13. The State of Maine is a "party state" that has adopted the Nurse Licensure Compact ("the Compact"), which is set out in Chapter 11 of the Rules of the Maine State Board of Nursing. The State of Maine is Licensee's "home state" of licensure under the Compact. Licensee understands this Agreement is subject to the Compact.
14. Licensee understands that she does not have to execute this Agreement and has the right to consult with an attorney before entering into the Agreement.
15. Licensee 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 she does not hold a nursing license. She shall not seek any employment where the handling or dispensing of drugs is part of the job responsibility.
16. 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.

17. 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.
18. Modification of this Agreement must be in writing and signed by all parties.
19. This Agreement is not subject to review or appeal by Licensee, but may be enforced by an action in the Superior Court.
20. Licensee affirms that she executes this Agreement of her own free will.
21. This Agreement becomes effective upon the date of the last necessary signature below.

I, SUZANNE M. SANBORN, 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 NURSING LICENSE. I SIGN IT VOLUNTARILY, KNOWINGLY, 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.

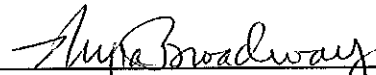
Dated: 10/30/13



LICENSEE SUZANNE M. SANBORN

FOR THE MAINE STATE BOARD OF NURSING

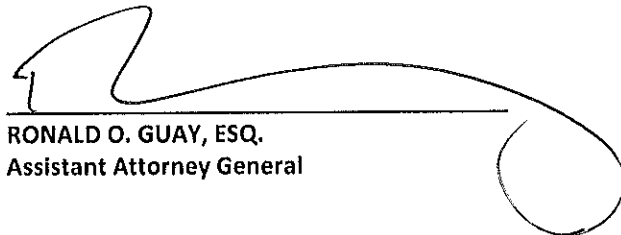
Dated: 11/12/13



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

FOR THE OFFICE OF THE ATTORNEY GENERAL

Dated: 11/13/13



RONALD O. GUAY, ESQ.
Assistant Attorney General

Effective Date 11/13/13