



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: ANDREA B. SAVITZ, APRN-CNS)
of Andover, ME)
License Nos. RN40834 & CNS84071)

CONSENT AGREEMENT
FOR
VOLUNTARY SURRENDER

Complaint 2013-149

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 Andrea Savitz's licenses as a registered professional nurse ("RN") and Clinical Nurse Specialist ("CNS") in the State of Maine. The parties to this Agreement are Andrea Savitz ("Ms. Savitz" or "Licensee"), the Maine State Board of Nursing ("the Board"), and the Office of the Attorney General, State of Maine. The parties enter into this Agreement pursuant to 32 M.R.S. §2105-A (1-A)(C), 10 M.R.S. §§8003 (5)(B) and 8003(5)(D) in order to resolve Complaint 2013-149.

FACTS

1. Licensee has been licensed to practice as an RN in Maine since March 24, 1997. She was initially approved by the Board to practice as a CNS on March 24, 1997; this "approval" was converted to licensure on September 1, 2008.
2. On July 29, 2013, the Board received a copy of a pre-trial diversion agreement from the Maine District of the U.S. Department of Justice regarding the Licensee's submission of false claims for payment to defraud MaineCare and Medicare. There will be no further prosecution for this conduct if Licensee abides by the terms of the agreement, which includes \$64,277.05 in restitution and non-renewal of her nursing licenses, due in October 2014. Board staff docketed the Complaint as 2013-149.
3. On August 1, 2013, the Board issued a Notice of Complaint to Licensee relating to Complaint 2013-149.
4. On September 5, 2013, the Board received the Licensee's written response to the Notice of Complaint in which she stated that while she did not know her billing practices were unacceptable, she was responsible for knowing. Further, she stated she has accepted all conditions delineated in the pre-trial diversion agreement and has retired from nursing practice as of December 2012.
5. Following review of the case on December 4, 2013, the Board voted to offer the Licensee a Consent Agreement for voluntary surrender of her Maine nursing licenses.
6. Absent Licensee's acceptance of this Agreement by signing and returning it to the Maine State Board of Nursing, 158 State House Station, Augusta, Maine 04333-0158 **on or before January 27, 2014**, the Board will take further action. In the absence of an agreement, the Board could impose, subsequent to adjudicatory proceedings, findings beyond those contained above and also impose greater adverse action including costs of a hearing, suspension or revocation of Licensee's license.



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

AGREEMENT

7. Licensee admits to the Facts as stated above and that such conduct constitutes grounds for the Board to impose discipline against her Maine nursing licenses under the following laws and regulations:
 - a. Pursuant to 32 M.R.S. §2105-A (2)(A) for the practice of fraud or deceit in obtaining a license under this chapter or in connection with service rendered within the scope of the license issued;
 - b. Pursuant to 32 M.R.S. §2105-A (2)(F) and Board Rules Chapter 4 §1.A.6 for engaging in conduct that violates any standard of professional behavior which has been established in the practice for which the licensee is licensed;
 - c. Board Rule Chapter 4 §3(K) for inaccurate recording, falsifying or altering a patient or health care provider record.
8. As discipline for the conduct cited in Paragraph 7 above, Licensee agrees to **SURRENDER** her Maine RN and APRN licenses, effective on the date of the final execution of this Agreement. Licensee understands and agrees that as a result of surrendering her licenses, 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 licenses. Licensee understands and agrees that upon receiving her request to reinstate her Maine RN and/or APRN licenses, the Board shall have the sole discretion to grant or deny such a request or to grant her licensure with probation and conditions as it determines appropriate to protect the public.
9. This Agreement is not appealable. This Agreement cannot be modified orally. It can only be modified by writing and only if signed by all of the parties to the Agreement and approved by the Office of the Attorney General. Any decision by the Board as a result of Licensee's request to modify this Agreement need not be made pursuant to a hearing.
10. 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-A.
11. This Agreement constitutes adverse action and is reportable to the National Practitioner Data Bank (NPDB) and the Healthcare Integrity and Protection Data Bank (HIPDB).
12. Nothing in this Agreement shall be construed to affect any right or interest of any person not a party hereto.
13. For the purposes of this Agreement, the term "execution" means that date on which the final signature is affixed to this Agreement.
14. Licensee acknowledges by her signature hereto that she has read this Agreement, that she has had an opportunity to consult with an attorney before executing this Agreement, that she has executed this Agreement of her own free will and that she agrees to abide by all the terms and conditions set forth in this Agreement.

DATED:


1/23/2014



LICENSEE ANDREA SAVITZ, APRN-CNS

FOR THE MAINE STATE BOARD OF NURSING

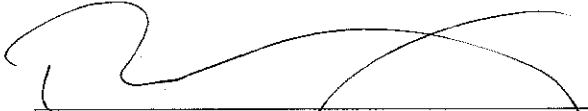
DATED: 1/30/14



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

FOR THE OFFICE OF THE ATTORNEY GENERAL

DATED: 2/26/14



RONALD O. GUAY
Assistant Attorney General

Effective Date: 2/26/14