



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

ANGUS S. KING, JR.
 GOVERNOR

JEAN C. CARON, M.S., R.N.
 EXECUTIVE DIRECTOR

BEFORE THE MAINE STATE BOARD OF NURSING

IN THE MATTER OF LICENSE NO.)
 R034266 ISSUED TO:)
)
 Lee G. Balos)
)
 To practice professional nursing in the)
 State of Maine)
 -----)

**ORDER TERMINATING
 PROBATION**

WHEREAS, on **April 8, 1992**, License No. R034266 issued to Lee G. Balos was placed on "probation" pursuant to 32 M.R.S.A. Section 2105-A (1-A); and

WHEREAS, on **October 23, 1997**, the Board of Nursing duly considered all evidence presented to it concerning Lee G. Balos' compliance with the conditions of said probation; and

WHEREAS, the Board found that Lee G. Balos has completed all of the Order;

NOW, THEREFORE, it is ordered that the Order of Probation executed on **May 18, 1992** is hereby terminated.

DATED this **24th day of October 1997**.

MAINE STATE BOARD OF NURSING

BY Jean C. Caron
 Jean C. Caron, M.S., R.N.
 Executive Director



MAINE STATE BOARD OF NURSING

35 ANTHONY AVENUE
STATE HOUSE STATION 158
AUGUSTA, MAINE 04333
(207) 624-5275

In re:) CONSENT AGREEMENT
Lee G. Balos, C.R.N.A.) REGARDING LICENSURE
of College Park, Georgia)
License #R34266)

INTRODUCTION

This document is a Consent Agreement regarding Lee G. Balos' license to practice professional nursing in the State of Maine, entered into pursuant to 32 M.R.S.A. Section 2105-A(1-A)(B) and 10 M.R.S.A. Section 8003(5)(B). The parties to this Consent Agreement are: Lee G. Balos, C.R.N.A., the Maine State Board of Nursing ("Board") and the Department of Attorney General, State of Maine.

By letter dated March 9, 1992, Mr. Balos was notified by the Board that it had scheduled an adjudicatory hearing on whether Mr. Balos may have engaged in conduct in violation of 32 M.R.S.A. Section 2105-A(2)(B) and (2)(F) and of Chapter 4, Section 3(O), (P) and (Q) of the Rules of the Maine State Board of Nursing. The hearing was held on April 8, 1992. Assistant Attorney General Timothy W. Collier presented the case against Mr. Balos. Mr. Balos was present and was not represented by an attorney. Assistant Attorney General Phillip M. Kilmister advised the Board. At the conclusion of the hearing, the parties presented a proposed consent agreement to resolve the matter and the Board voted to enter into such an agreement.

FINDINGS OF FACT

As a result of the hearing, the Board made the following findings of fact:

- 1. Mr. Balos admits to diverting hospital supplies of sufentanyl for his own use, and to the use of this drug while on duty as a certified registered nurse anesthetist.
2. By working in the operating room while impaired, and by adulterating the hospital supplies of sufentanyl, Mr. Balos created the potential for patient harm.

3. Mr. Balos has a long history of substance abuse.
4. Mr. Balos is currently in substance abuse treatment which includes a strong, structured aftercare plan with the Talbott-Marsh Recovery Center System.
5. After Mr. Balos was confronted with a positive drug test result and admitted his substance abuse problem, he was cooperative in regard to all subsequent criminal and civil investigations relating to said problem.

COVENANTS

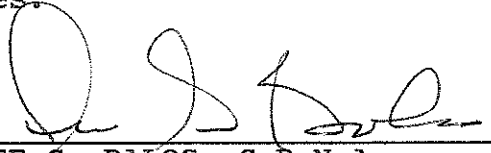
Based on the above findings of fact and on all of the facts in the record, the Board voted to enter into an Agreement with Mr. Balos under which his license is suspended for a period of three years, with that suspension immediately stayed pending successful completion of probation for a period of five years from April 8, 1992, with the following conditions:

1. Mr. Balos will remain completely substance-free.
2. Mr. Balos will comply with all terms of the March 6, 1992 continuing care contract between him and the Talbott-Marsh Recovery System.
3. Mr. Balos will comply with all terms and conditions that the Georgia Board of Nursing may impose on any license to practice nursing which it may grant to him.
4. Mr. Balos will arrange for his substance abuse counselor to submit quarterly reports to the Maine State Board of Nursing.
5. Mr. Balos will arrange for any nurse employer he may have to submit quarterly reports to the Maine State Board of Nursing.
6. Mr. Balos will accept no employment as a Certified Registered Nurse Anesthetist for a period of two and one-half years from April 8, 1992.
7. Mr. Balos will notify the Maine State Board of Nursing in writing of any prescriptions for medication which he may obtain.
8. The Maine State Board of Nursing will immediately notify the Colorado, Rhode Island, Massachusetts and Hawaii boards of nursing of the existence of this Consent Agreement.
9. The Board agrees to take no further action upon these facts so long as Mr. Balos fully complies with these conditions.

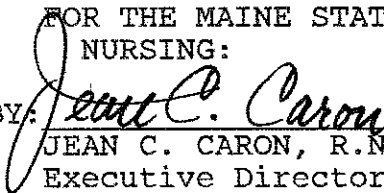
Mr. Balos understands that this document is a Consent Agreement which affects his rights to practice nursing in Maine. Mr. Balos understands that he does not have to execute this Consent Agreement and that he has the right to consult with an attorney before entering into this Consent Agreement. Mr. Balos affirms that he executes this Consent Agreement of his own free will.

This Consent Agreement may only be modified in writing with the signatures of all parties.

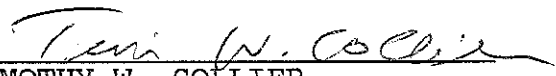
DATED: 5/11/92

BY: 
LEE G. BALOS, C.R.N.A.

DATED: 5/14/92

FOR THE MAINE STATE BOARD OF NURSING:
BY: 
JEAN C. CARON, R.N., M.S.
Executive Director

DATED: 5-18-92

FOR THE DEPARTMENT OF ATTORNEY GENERAL
BY: 
TIMOTHY W. COLLIER
Assistant Attorney General
Counsel to the Board