



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: STACIE L. BATTLES )  
 of Anson, Maine )  
 License #R046151 )**      **CONSENT AGREEMENT  
 FOR VOLUNTARY  
 SURRENDER OF LICENSE**

**INTRODUCTION**

This document is a Consent Agreement regarding Stacie L. Battles' license to practice registered professional nursing in the State of Maine. The parties enter into this 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 Stacie L. Battles ("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 Ms. Battles's offer to voluntarily surrender her license.

**FACTS**

1. Stacie L. Battles has been licensed as a registered professional nurse to practice in Maine since 2001.
2. On February 16, 2005, the Bureau of Medical Services, Division of Licensing and Certification conducted an investigation at Rehabilitation and Nursing Center ("Woodlawn") because of a report of drug diversion and misappropriation of property at the facility.
3. From January 17, 2005 to February 21, 2005, Ms. Battles was employed as the Director of Nursing ("DON") at Woodlawn. Ms. Battles was suspended from Woodlawn on February 16, 2005 pending the investigation, and she was terminated from Woodlawn on February 21, 2005.
4. Patient A was admitted to Woodlawn on September 14, 2004, and expired at the facility on January 29, 2005. Patient A had a physician's order dated January 28, 2005, for injectable Morphine Sulfate 10 mg. Patient A was to receive between 2 and 5 mgs. as needed every hour for pain. Patient A's Medication Administration Record ("MAR") indicated that on January 29, 2005, she received 5 mg. Morphine Sulfate at 1:30 a.m. and 5 mg. at 5:00 a.m. The count/narcotic bound book located at the nurse's station, indicated that Ms. Battles removed 10 vials of Morphine Sulfate from distribution on February 4, 2005, 72 hours after Patient A expired, and transferred the 10 vials to a locked box in the DON's office.
5. Patient B was admitted to Woodlawn on January 14, 2005, and discharged on February 4, 2005. Patient B had a physician's order dated January 14, 2005, for injectable Morphine Sulfate 10 mg. Patient B was to receive



PRINTED ON RECYCLED PAPER

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

PHONE: (207) 287-1133

FAX: (207) 287-1149

## Consent Agreement for Voluntary Surrender of License

Stacie L. Battles

Page 2

mgs. of Morphine Sulfate every 4 hours for dyspnea (difficulty breathing). Patient B's MAR indicated that she received no doses of Morphine Sulfate during her stay at Woodlawn. The count/narcotic bound book located at the nurse's station, indicated that Ms. Battles removed 9 vials of Morphine Sulfate from distribution on February 4, 2005, the date of Patient B's discharge, and transferred to the locked box in the DON's office.

6. An LPN at Woodlawn cosigned with Ms. Battles when she documented in the count/narcotic bound book that the 19 vials of Morphine Sulfate were being removed from distribution and being transferred to the locked box in the DON's office. The LPN stated that the vial looked okay and that they were full.
7. There was no documentation in the "Destruction Log" located in the DON's office indicating who or when that the 19 vials of Morphine Sulfate were placed in the locked box. Ms. Battles was the only person who had possession of the keys to the locked box between February 4, 2005 and February 16, 2005.
8. On February 17, 2005, a pharmacy representative from Omnicare discovered that the 15 of the 19 vials of Morphine Sulfate at Woodlawn had been tampered with evidenced by the tops of the 15 vials having been super-glued back on. Analysis of the 15 vial indicate that
9. On February 9, 2005, Ms Battles arrived at Woodlawn when she was not scheduled to work. She asked the registered nurse on duty for the narcotic keys to the narcotic cupboard. The registered nurse did not give the narcotic keys to Ms. Battles, however, she did unlock the cupboard for her. Ms. Battles took two syringes from the cupboard, and then removed insulin from the refrigerator. Ms. Battles drew up 2 units of insulin in one of the syringes and went to the DON's office. Ms. Battles left Woodlawn approximately 10 minutes later.
10. Stacie L. Battles later became employed at Miles Memorial Hospital where she resigned on September 26, 2005, while under investigation for deficiencies in the handling of controlled substances. The deficiencies were as follows:
  - a. On Ms. Battles's shift, spanning September 20, 2005 to September 21, 2005, she performed 5 unwitnessed wastes of Morphine.
  - b. On this same shift Ms. Battles retrieved 5 (4 mg.) cartridges of Morphine from the narcotic box at one time. When this practice was called into question, Ms. Battles stated that she "was keeping them in her pocket."
  - c. On September 18, 2005, during Ms. Battles' evening shift, she consistently retrieved 4 mg. cartridges of Morphine for a patient needing a 1-2 mg. dose. Ms. Battles was well aware that the ICU narcotic box was stocked with 2 mg. cartridges of Morphine, which would have eliminated the need for wasting.

## **Consent Agreement for Voluntary Surrender of License**

**Stacie L. Battles**

**Page 3**

11. Based on these facts the Board finds that Ms. Battles diverted the Morphine Sulfate for her own use and misappropriated insulin and two syringes from Woodlawn. The Board also finds that Ms. Battles diverted Morphine from Miles Memorial Hospital for her own use.
12. Stacie L. Battles has offered to voluntarily surrender her registered professional nurse license.

### **AGREEMENT**

13. The Maine State Board of Nursing will accept Stacie L. Battles' offer to voluntary surrender of her registered professional nurse license.
14. Stacie L. Battles neither admits nor denies the facts contained herein, but she acknowledges that if this matter went to a hearing before the Board that it is more likely than not that the facts would support the Board's findings in this Agreement.
15. Stacie L. Battles understands that this document imposes discipline regarding her license to practice registered professional nursing in the State of Maine under 32 M.R.S.A. § 2105-A(2)(A), 2(B), (2)(F), (2)(H) and Chapter 4, sections 1(A)(1), 1(A)(2), 1(A)(6), 1(A)(8) and Chapter 4, sections 3(F), 3(K), 3(P) and 3(Q) of the Rules and Regulations of the Maine State Board of Nursing.
16. Stacie L. Battles 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. Battles' written request, votes to reinstate Ms. Battles' license. Ms. Battles agrees and understands that if the Board reinstates her license, it will be for a probationary period.
17. Stacie L. Battles understands that this document is a Consent Agreement that affects her rights to practice registered professional nursing in Maine. Ms. Battles understands that she does not have to execute this Consent Agreement and that she has the right to consult with an attorney before entering the Consent Agreement.
18. Stacie L. Battles 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, R.N. including, in a veterinarian's office, while her nursing license is surrendered. In addition, Ms. Battles is not to seek employment where the handling or dispensing of drugs is part of the job responsibility.

**Consent Agreement for Voluntary Surrender of License**

**Stacie L. Battles**

**Page 4**

19. If Ms. Battles fails to meet any of the obligations of this Consent Agreement, the Board may take any disciplinary action, which it deems appropriate and impose any of the sanctions, including but not limited to that found in Title 10 M.R.S.A. § 8003 and Title 32 M.R.S.A. § 2105-A.
20. Modification of this Consent Agreement must be in writing and signed by all parties.
21. This Consent Agreement is not subject to review or appeal by the Licensee, but may be enforced by an action in the Superior Court.
22. Stacie L. Battles affirms that she executes this Consent Agreement of her own free will.
23. This Consent Agreement becomes effective upon the date of the last necessary signature below.

**I, STACIE L. BATTLES, 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: 1/12/06

Stacie L. Battles  
STACIE L. BATTLES, R.N.

DATED: 1/18/06

R. Katz  
ROGER J. KATZ, ESQ.  
Attorney for Stacie L. Battles

**FOR THE MAINE STATE BOARD OF NURSING**

DATED: Jan 30, 2006

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

**Consent Agreement for Voluntary Surrender of License**

**Stacie L. Battles**

**Page 5**

**FOR THE OFFICE OF THE ATTORNEY GENERAL**

**DATED:**

1/26/06

  
\_\_\_\_\_  
**JOHN H. RICHARDS**

**Assistant Attorney General**