



Maine State Board of Nursing

295 WATER STREET
AUGUSTA, MAINE 04330
TEL. 289-5324

In Re:)
Heather J. Caldwell) PROBATIONARY CONSENT
of Winthrop, Maine) AGREEMENT PURSUANT TO
32 M.R.S.A. 2105-A(1)(B)

This document is a Consent Agreement concerning the license to practice nursing of Heather J. Caldwell (R.N. license). The parties to this Consent Agreement are Heather J. Caldwell (Ms. Caldwell), the Maine State Board of Nursing (the "Board") and the Department of the Attorney General (the "Attorney General").

RECITALS

1. After an informal conference held on December 18, 1985, the Board voted to accept Ms. Caldwell's voluntary surrender of her R.N. license for a one-year period on the basis that she had diverted drugs for her own use which may have been indicative of habitual intemperance in the use of a narcotic, a violation of 32 M.R.S.A. 2105-A(2)(B).
2. Ms. Caldwell requested reinstatement of her license, through her attorney Roger J. Katz, Esq., by letter dated April 6, 1988.
3. The Board met with Ms. Caldwell in informal conference regarding her license reinstatement request on June 17, 1988.

FINDINGS OF FACT

Following the informal conference, the Board made the following findings of fact:

1. Ms. Caldwell has been continuously substance-free since March 30, 1986.
2. Ms. Caldwell has been and is currently actively and intensely involved in her after-care treatment, counseling and support groups.
3. Ms. Caldwell has developed a strong support group for herself.

COVENANTS

Following the informal conference, the Board voted to reinstate Ms. Caldwell's R.N. license on a six month probationary status under the following conditions:

1. Ms. Caldwell shall remain chemical-free.
2. Ms. Caldwell shall continue with her treatment program as recommended by her identified counselor.
3. Ms. Caldwell will arrange for two reports, one at three months and one at six months, to be sent to the Board from both her nurse/employer and her identified counselor. These reports shall describe Ms. Caldwell's employment and treatment progress.
4. Ms. Caldwell shall waive any claim of privilege or confidentiality she may have in regard to these reports.
5. At the end of the six month probationary period, Ms. Caldwell may apply to have her probationary status lifted and her license reinstated in full.

At the Board meeting on June 17, 1988, Ms. Caldwell and her attorney agreed to the six month probationary status under the Covenants as set forth above.

DATED: 7/26/88

Heather J. Caldwell, R.N.
HEATHER J. CALDWELL, R.N.

DATED: 7/28/88

R. Katz
ROGER J. KATZ, ESQ.
Counsel for Heather Caldwell

DATED: 8/1/88

Jean C. Caron
MAINE STATE BOARD OF NURSING
By: Jean C. Caron, R.N.
Executive Director

DATED: 8/2/88

Martha F. Willard
MARTHA F. WILLARD
Assistant Attorney General
Counsel for the Board