



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: **HYUN SUK CHOI, R.N.** )  
 of North Yarmouth, Maine ) **CONSENT AGREEMENT**  
 License #R045624 ) **FOR WARNING**

**INTRODUCTION**

This document is a Consent Agreement regarding Hyun Suk Choi's 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)(A), 10 M.R.S.A. § 8003(5)(A-1)(1) and § 8003(5)(B). The parties to this Consent Agreement are Hyun Suk Choi ("Licensee"), Maine State Board of Nursing ("Board") and the Office of the Attorney General, State of Maine. An informal conference held on June 9, 2004, was initiated on the basis of information submitted by the State of Maine, Bureau of Medical Services, Division of Licensing & Certification's investigation of Freeport Nursing and Rehabilitation Center – Complaint No. 02-CU-741 dated August 16, 2002.

**FACTS**

- Hyun Suk Choi has been a registered professional nurse licensed by the Board to practice in Maine since January, 2001.
- A resident was admitted to the skilled unit at Freeport Nursing and Rehabilitation Center ("Freeport Nursing") on July 3, 2002, without physician's orders. On July 3, 2002 it was documented that the resident had a decubitus ulcer on the coccyx/sacrum area. On July 5, 2002, Ms. Choi assessed and documented that the resident's decubitus ulcer was either a stage II or III. Ms. Choi stated that all the health care providers were focused on the resident's behavioral and mental health problems. On several other occasions, between July 5 and July 14, Ms. Choi provided nursing care to this resident and became aware that the resident had not been evaluated by a physician or physician's assistant or nurse practitioner and was not receiving the necessary care for the decubitus ulcer, despite her requests for intervention on behalf of the resident. Ms. Choi states that she also assessed that the resident's behavior as agitated and uncooperative, but failed to document those behavioral issues on July 5. Ms Choi did document these on-going behavioral issues when she assessed the resident on July 9.
- It is agreed that Ms. Choi used the available means within the administrative system of Freeport Nursing to advocate for the resident that she was not receiving adequate treatment for the decubitus ulcer. However, in light of Ms. Choi's awareness of the on-going lack of attention to this resident's medical needs, the Board determines that Ms. Choi should have used other available channels outside the Freeport Nursing system, such as a report to the Maine Department of Human Services, to report that the patient was being neglected.



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4. The resident was discharged from Freeport Nursing on July 14, 2002, with a stage IV decubitus ulcer that later required multiple surgeries to correct.
5. The September 17, 2003 Notice of Complaint cited possible violations of 32 M.R.S.A. 2105-A(2)(E), (2)(F) and (2)(H).
6. The Board finds that the nursing care rendered by Ms. Choi did not violate 32 M.R.S.A. 2105-A(2)(E), regarding incompetence in the practice of nursing.

### AGREEMENT

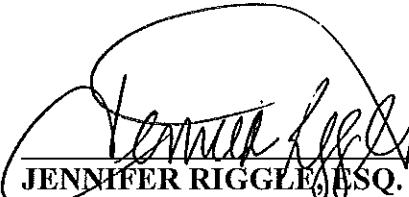
7. Hyun Suk Choi understands that her conduct in the above stated facts constitutes grounds for discipline under Title 32 M.R.S.A. § 2105-A(2)(F), (2)(H) (violating a chapter or rule adopted by the Board) and Chapter 4.1.A.6., Chapter 4.3.F. of the Rules and Regulations of the Maine State Board of Nursing. Hyun Suk Choi is hereby **WARNED** for unprofessional conduct for failing to take appropriate action in a practice situation designed to safeguard the patient; specifically, her failure to report the lack of medical attention being provided to the patient by the facility.
8. In lieu of an adjudicatory hearing and to resolve this matter, Hyun Suk Choi agrees to enter into this Consent Agreement, without admitting, and expressly denying any wrongdoing or liability.
9. Hyun Suk Choi understands that this Consent Agreement imposes discipline in the form of a warning regarding her license to practice registered professional nursing in the State of Maine. Ms. Choi understands that she does not have to execute this Consent Agreement and that she has the right to consult with an attorney before entering into this Consent Agreement.
10. Hyun Suk Choi affirms that she executes this Consent Agreement of her own free will.
11. Modification of this Consent Agreement must be in writing and signed by all the parties.
12. This Consent Agreement is not subject to review or appeal by the Licensee.
13. This Consent Agreement becomes effective upon the date of the last necessary signature below.

**I, HYUN SUK CHOI, 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: 7/14/04

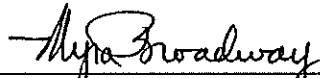
  
\_\_\_\_\_  
HYUN SUK CHOI, R.N.

DATED: 7/19/04

  
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JENNIFER RIGGLE ESQ.  
Attorney for Hyun Suk Choi, R.N.

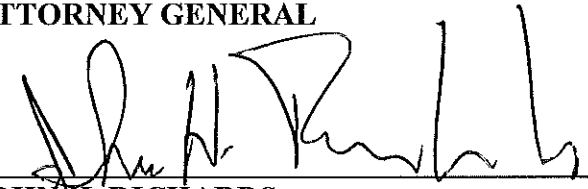
FOR THE MAINE STATE  
BOARD OF NURSING

DATED: 8/19/04

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

FOR THE OFFICE OF THE  
ATTORNEY GENERAL

DATED: 8/19/04

  
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JOHN H. RICHARDS  
Assistant Attorney General