



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

ANGUS S. KING, JR.
 GOVERNOR

MYRA A. BROADWAY, J.D., M.S., R.N.
 EXECUTIVE DIRECTOR

IN RE: JANE M. CLAYTON, L.P.N.)
 of Burnham, Maine)
 License #P005407)

CONSENT AGREEMENT
 FOR PROBATION WITH
 CONDITIONS

INTRODUCTION

This document is a Consent Agreement regarding Jane M. Clayton's license to practice practical nursing in the State of Maine. The parties enter into this Agreement pursuant to 10 M.R.S.A. § 8003(5)(B) and 32 M.R.S.A. § 2105-A(1-A). The parties to this Consent Agreement are Jane M. Clayton, Maine State Board of Nursing ("Board") and the Department of Attorney General, State of Maine. The parties reached this Agreement following an informal conference on February 9, 2000 regarding information submitted by Assistance Plus by letter with supporting documentation dated May 18, 1999.

FACTS

1. Jane M. Clayton was originally licensed as a practical nurse in Maine on November 22, 1977.
2. During the period of April 11, 1999 to April 26, 1999 Jane M. Clayton made multiple medication errors consisting of failure to document the administration of medications in patients files, omitting the administration of certain medications, administering wrong medications and failing to timely administer medications.
3. Jane M. Clayton administered insulin to a patient four (4) hours late without documenting or communicating this error to her supervisor. Ms. Clayton failed to document the patient's condition. No patient harm occurred.
4. On April 24, 25 & 26, 1999 Jane M. Clayton failed to provide any patient documentation, specifically the facilities prescribed format, "Charting by Exception," on patients directly under her care. Ms. Clayton was assigned to the Skilled Unit with a total of 12 residents, 5 of which were Intermediate Care Facilities (ICF). The Board found that Ms. Clayton had received one-on-one instruction on April 24, 1999 regarding this documentation format.
5. The Board finds that the facility implemented remedial strategies to address concerns regarding Ms. Clayton's nursing practice prior to these instances. Ms. Clayton was ultimately terminated from Assistance Plus on April 30, 1999.



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OFFICES LOCATED AT: 24 STONE ST., AUGUSTA, ME

AGREEMENT

6. Jane M. Clayton agrees and understands that her conduct constitutes grounds for discipline under 32 M.R.S.A. § 2105-A(2)(E), (2)(F) and (2)(H).
7. Jane M. Clayton's license to practice practical nursing is placed on a probationary status, with conditions, for a period of 24 months of nursing practice. The period of probation will commence on Ms. Clayton's return to nursing practice, either through employment or pursuant to an educational nursing program. The probationary period of 24 months of nursing practice will be subject to the following conditions:
 - A. Jane M. Clayton's nursing practice is limited to structured settings.
 - B. Jane M. Clayton will enroll and successfully complete continuing education courses in Pharmacology and the legalities of nursing practice, specifically pertaining to documentation.
 - C. Jane M. Clayton will arrange for and ensure that quarterly reports are submitted to the Board from her employer when she resumes the practice of nursing. In addition, she will arrange for and ensure that quarterly reports are submitted to the Board from any educational institution or clinical instructor where she is providing clinical care. Ms. Clayton is to inform any employer, where she will be involved in the practice of nursing, of the conditions of her license and to notify the Board on any changes of employment. In addition, Ms. Clayton shall notify the Board of any changes in her nursing status.
 - D. After two years from the effective date of this Agreement, Ms. Clayton may petition the Board to terminate the probationary status of her license. Ms. Clayton agrees and understands that her license will not be removed from probationary status until and unless the Board, upon Ms. Clayton's written request, votes to terminate the probationary status of Ms. Clayton's license. When considering whether to terminate Ms. Clayton's license from probationary status, the Board will consider the extent to which Ms. Clayton has complied with these conditions.
8. The Board agrees to take no further disciplinary action upon these facts so long as Ms. Clayton fully complies with these conditions.
9. Jane M. Clayton understands that this document imposes discipline regarding her license to practice practical nursing in the State of Maine. Ms. Clayton understands that she does not have to execute this Consent Agreement. She has the right to consult with an attorney before entering the Consent Agreement.
10. Modification of this Consent Agreement must be in writing and signed by all parties.
11. Jane M. Clayton affirms that she executes this Consent Agreement of her own free will.

12. This Consent Agreement is not subject to review or appeal by the Licensee but may be enforced by an action in the Superior Court.
13. This Consent Agreement becomes effective upon the date of the last necessary signature below.

DATED: 7-28-00

Jane M. Clayton, LPN
JANE M. CLAYTON, L.P.N.

FOR THE MAINE STATE BOARD OF NURSING:

DATED: 1 Aug 00

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

FOR THE DEPARTMENT OF ATTORNEY GENERAL:

DATED: 8/2/00

John H. Richards
JOHN H. RICHARDS, ESQ.
Assistant Attorney General