



Paul R. LePage
GOVERNOR

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

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

IN RE: ELAINE PATTERSON CONNOLLY)
of Portland, ME)
License No. [REDACTED] RN37131)

CONSENT AGREEMENT
FOR
INACTIVE STATUS

Complaint No. 2011-395

INTRODUCTION

This document is a Consent Agreement ("Consent Agreement") and constitutes disciplinary action regarding Elaine Patterson Connolly's license as a registered professional nurse ("RN") in the State of Maine. The parties to the Consent Agreement are Elaine Patterson Connolly ("Ms. Connolly"), Maine State Board of Nursing ("Board"), and the State of Maine Office of the Attorney General ("Attorney General"). The Board met with Ms. Connolly in an informal conference on July 30, 2013. The parties enter into the Consent Agreement pursuant to 32 M.R.S. § 2105-A (1-A) (B) and 10 M.R.S. § 8003(5) (B) in order to resolve Complaint No. 2011-395.

FACTS

1. At the time of all relevant conduct described herein, Ms. Connolly was licensed as an RN in Maine.
2. On September 13, 2011, the Board initiated Complaint No. 2011-395 based upon a Provider Report from the Hospice of Southern Maine dated September 8, 2011. The Provider Report alleges that it suspended Ms. Connolly's employment because she had demonstrated a pattern of inability to perform the duties of nursing both mentally and physically. Ms. Connolly subsequently resigned her employment in lieu of termination on August 25, 2011.
3. Ms. Connolly admits that she has a chronic disabling health problem which prevents her from safely practicing nursing.
4. Ms. Connolly wishes to resolve Complaint No. 2011-395 by accepting the Consent Agreement and thereby waives her rights to an adjudicatory hearing.

Covenants

5. Ms. Connolly understands that her conduct in the above-stated facts constitutes grounds for discipline. Based upon the above-described conduct, the specific violations are:
 - a. Pursuant to 32 M.R.S. § 2105-A (2) (C), a professional diagnosis of a mental or physical condition which has resulted in the licensee performing her duties in a manner which endangers the health or safety of her patients. See also Board Rules, Chapter 4, Section 1(A)(3); and
 - b. Pursuant to 32 M.R.S. § 2105-A (2) (E), incompetence in the practice for which the licensee is licensed. A licensee is considered incompetent in the practice if the licensee has a) engaged in conduct which evidences a lack of ability or fitness to discharge the duty owed by the licensee to a client or patient or the general public. See also Board Rules, Chapter 4, Section 1(A)(5)(a)
6. Ms. Connolly agrees to place her Maine registered professional nurse license in inactive status until such time, if ever, she can demonstrate that she is mentally and physically competent to practice nursing to the satisfaction of the Board.



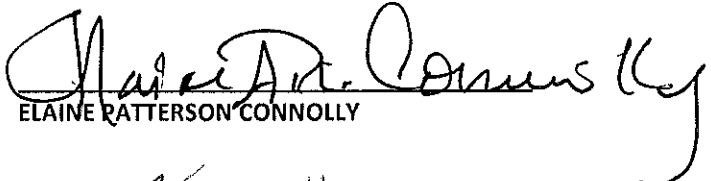
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<http://www.maine.gov/boardofnursing/>

7. If Ms. Connolly fails to meet any of the obligations of the 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 10 M.R.S. § 8003 and 32 M.R.S. § 2105-A.
8. The Consent Agreement is a public record within the meaning of 1 M.R.S. § 402 and will be available for inspection and copying by the public pursuant to 1 M.R.S. § 408.
9. The Consent Agreement constitutes a final adverse licensing action that is reportable to the National Practitioner Data Bank (NPDB) and the Healthcare Integrity and Protection Data Bank (HIPDB) pursuant to Section 1128E of the Social Security Act and 45 C.F.R. Part 61.
10. Ms. Connolly understands that she does not have to execute the Consent Agreement and has the right to consult with an attorney before entering into the Consent Agreement.
11. Ms. Connolly affirms that she executes the Consent Agreement of her own free will.
12. Modification of the Consent Agreement must be in writing and signed by all parties.
13. The Consent Agreement is not subject to review or appeal by Ms. Connolly.
14. The Consent Agreement becomes effective upon the date of the last necessary signature below.


I, ELAINE PATTERSON CONNOLLY, HAVE READ AND UNDERSTAND THE FOREGOING CONSENT AGREEMENT. I UNDERSTAND THE EFFECT IT WILL HAVE ON MY NURSING LICENSE. I UNDERSTAND THAT BY SIGNING IT, I WAIVE CERTAIN RIGHTS. I SIGN IT VOLUNTARILY, KNOWINGLY, AND INTELLIGENTLY AND AGREE TO BE BOUND BY THE CONSENT AGREEMENT. I UNDERSTAND THAT THE CONSENT AGREEMENT CONTAINS THE ENTIRE CONSENT AGREEMENT AND THERE IS NO OTHER CONSENT AGREEMENT OF ANY KIND.

DATED: 10/25/13



ELAINE PATTERSON CONNOLLY


DATED: 10 26 13



THOMAS CONNOLLY, ESQ.
Attorney for ELAINE PATTERSON CONNOLLY

FOR THE MAINE STATE BOARD OF NURSING:

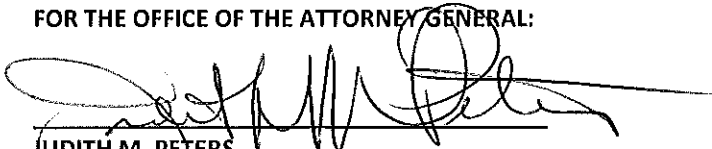
DATED: 11/12/13



MYRA A. BROADWAY, JD, MS, RN
Executive Director

FOR THE OFFICE OF THE ATTORNEY GENERAL:

DATED: 11/14/13



JUDITH M. PETERS
Assistant Attorney General